



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC MINUTES

Tuesday 20 September 2022

Daylesford Town Hall
76 Vincent Street Daylesford

5:30PM

A LIVE STREAM OF THE MEETING CAN BE VIEWED
VIA [COUNCIL'S FACEBOOK PAGE](#)

Confirmed at the Ordinary Meeting of Council held on 18 October 2022

A handwritten signature in black ink, appearing to read "Tim Drylie".

Chair, Cr Tim Drylie, Mayor

MINUTES

Tuesday 20 September 2022

Daylesford Town Hall

76 Vincent Street Daylesford

Commencing at 5:30PM

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BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

Tuesday 20 September 2022

CONDUCTING HYBRID COUNCIL MEETINGS

In the spirit of open, transparent and accountable governance, this meeting will be live-streamed on Council's Facebook page. The meeting will also be recorded and made available on Council's website as soon as practicable after the meeting.

Council's meeting will be conducted tonight in accordance with:

- The Local Government Act 2020
- The Minister's Good Practice Guideline MGPG-1: Virtual Meetings
- Council's Governance Rules; and
- The Hepburn Shire Council Councillor Code of Conduct.

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Hepburn Shire Council acknowledges the Dja Dja Wurrung as the Traditional Owners of the lands and waters on which we live and work. On these lands, Djaara have performed age-old ceremonies of celebration, initiation and renewal. We recognise their resilience through dispossession and it is a testament to their continuing culture and tradition, which is strong and thriving.

We also acknowledge the neighbouring Traditional Owners, the Wurundjeri to our South East and the Wadawurrung to our South West and pay our respect to all Aboriginal peoples, their culture, and lore. We acknowledge their living culture and the unique role they play in the life of this region.

2 SAFETY ORIENTATION

Emergency exits and convenience facilities at the venue to be highlighted to members of the public in attendance.

3 OPENING OF MEETING

COUNCILLORS PRESENT: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday, Cr Tim Drylie

OFFICERS PRESENT: Mr Bradley Thomas - Chief Executive Officer, Mr Andrew Burgess - Director Organisational Services, Mr Bruce Lucas - Director Infrastructure and Delivery, Ms Natalie Walker - Director Community and Development, Mr Chris Whyte – Manager Information and Communication Technology, Ms Rebecca Smith - Manager Governance and Risk, Mr Rick Traficante - Manager Statutory Planning and Building, Mr Wallie Cron - Coordinator Planning

The meeting opened at 5:32pm.

STATEMENT OF COMMITMENT

“WE THE COUNCILLORS OF HEPBURN SHIRE
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS OF THE COMMUNITY
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS OF THE CODE OF
GOOD GOVERNANCE
SO THAT WE MAY FAITHFULLY REPRESENT AND UPHOLD THE TRUST PLACED IN THIS
COUNCIL BY THE PEOPLE OF HEPBURN SHIRE”

4 APOLOGIES

Nil

5 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Don Henderson declared a general conflict of interest in relation to item 12.1 Round One Community Grants 2022/2023 due to his connect to one of the applicants.

Cr Lesley Hewitt declared a general conflict of interest in relation to a confidential item regarding a request for leave.

6 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 16 August 2022 and the Confidential Meeting of Council on 29 August 2022 (as previously circulated to Councillors) be confirmed.

MOTION

That the Minutes of the Ordinary Meeting of Council held on 16 August 2022 and the Confidential Meeting of Council on 29 August 2022 (as previously circulated to Councillors) be confirmed.

Moved: Cr Juliet Simpson

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Cr Brian Hood

Abstained: Nil

7 ITEMS OF URGENT BUSINESS

Nil

8 COUNCILLOR AND CEO REPORTS

8.1 MAYOR'S REPORT

Councillor Tim Drylie, Creswick Ward

8.2 COUNCILLOR REPORTS

Councillor Tessa Halliday, Cameron Ward

This month started with a site visit to the Fairview Estate, you may have seen the cavalcade of councillors and council officers doing a tour of the area. We were looking a number of issues such as the drainage, development suitability and zoning possibilities. This will be further reviewed as part of the settlement strategy work which is commencing later this year.

I participated in the one and half day Councillor training workshop which was beneficial and educational.

The LGBTIQ+ advisory committee met 5th September and discussed amongst other items the development of a LGBTIQ+ action plan, this is something the committee would like to work towards and we will be investigating the cost and scope of this plan.

The Clunes Ceramics award opens on the 1 October 2022 I encourage people to attend this highly regarded competition exhibition.

I'd like to wish our community a Bisexual awareness week and acknowledge that this group of people of whom I am a member have significantly higher mental health

Other than attending briefings and council meetings I have met with community members regarding issues they are experiencing and have advised the relevant council officers for action.

Councillor Don Henderson, Creswick Ward

Presented a verbal report.

Councillor Brian Hood, Coliban Ward

Councillors in this report I will touch on three diverse matters.

Last weekend I had the pleasure of assisting with a 'regenerating your habitat' event at Trentham.

Run by Council's Storm Recovery Team the day's proceedings focussed on what we can do to support ongoing restoration of our habitat following the devastating storm of June 2021. The speakers included acclaimed film-maker Damon Gameau; John

Harris who spoke about nest boxes; Dr Joanne Isaac who presented on the use of rope bridges to temporarily replace lost tree canopy; and Council officer Lauren Linke who spoke on weed management.

The event was strongly attended by people from across the Shire and beyond and was a huge success. The Storm Recovery Team are to be commended for their ongoing work.

In recent years the Trentham and districts community has been very well served by its Community Emergency Response Team (CERT) who act as first responders before an ambulance arrives. The team of well-trained volunteers has provided excellent service. However by Ambulance Victoria's own metrics a full ambulance service is now warranted in order to safeguard a fast-growing community. The advocacy efforts of the team have now been rewarded with the State Government's announcement that an ambulance site will be created in Trentham in early 2023. Well done to the team!

Finally, in recent days we have witnessed historic and unprecedented events. While they have been conducted in the UK they mark the passing of Queen Elizabeth II who served as Australia's head of state and leader of the Commonwealth for the past 70 years. Australia, the Commonwealth and indeed the world has lost a remarkable woman who provided dedicated, dutiful service for an extraordinary period and did so with dignity. The respect and admiration shown by the broader public reflects the esteem her leadership is held in.

Councillor Juliet Simpson, Holcombe Ward

I attended the Glenlyon recreation Reserve Committee meeting and AGM.

I attended a Special Council Meeting

I attended a day and a half Councillor and Executive team workshop at Creswick

I contracted Covid for the second time and isolated at home for seven days.

I attended briefings on each Tuesday for the last month except the Tuesday we had the team workshop.

Yesterday I chaired the Mineral Springs Advisory Committee meeting.

Councillor Jen Bray, Birch Ward

Activities since Tuesday 16 August 2022

17 August Councillor and planning staff tour of Fairview Estate, Clunes

17 August Hepburn Matters meeting - questions about Rex Sale process and community engagement

22 August No Barrier Positive Aging Strategy launch with Commissioner for Senior Victorians, Gerard Mansour

25 August Australian Citizenship Ceremony welcoming 7 new citizens to our shire.

28 August Shepherd's Flat Landcare Jubilee Commemorative Tree Planting- unveiling ceremony.

26 – 28 August Words in Winter

The Arts are so important to our sense of wellbeing, purpose and joy. They bring us together, and help us share our pain and our wonder. Expression through all forms of creativity is what makes us human.

On Friday 26 August I attended the launch for Words in Winter writers' festival at Radius Art Gallery. I helped launch the Thinkers and Writers Zine produced by Daylesford Secondary College Students. The students gave beautiful performances of songs and poems they had written. The volunteer run, festival offered a rich program of workshops, book launches, talks, play readings, music performances from local writers and notable visiting authors. This included a performance I attended at Yandoit Cultural at the Church, with many members of the community performing and sharing their stories.

29 & 30 August Councillor and Executive Workshop

The Stat Gov issued a report into culture and conduct in Local Government. The findings are challenging. The then minister for Local Government, The Hon Sean Leanne stated:

"Council culture and councillor conduct are issues that the local government sector must own if real change is to occur."

With this in mind, council held a one and a half day workshop at Melbourne University Forestry School in Creswick with Councillors and Executive team to work on improving collaboration and communication as a group. We also focused on our priorities for the next 2 years. The workshop was generally positive and we see this as an ongoing work in progress.

Friday 2 September Rural Council's Victoria forum

This was proudly hosted by Hepburn Shire at Daylesford Town Hall. An extremely valuable session attended by over 200 representatives from councils all over Victoria which highlighted that many of the issues facing Hepburn Shire are shared by other rural councils. In particular the panel on Affordable Housing was very informative about what's happening state-wide and ways other councils are tackling this issue.

Monday 5 September Western Victoria Transmission Lines Project (Western Renewables Link) Action Group catch up

Valuable to touch base with community groups to hear updates on the WRL and the new VNI West proposals. Council continues to work on our EES submission in opposition to these projects.

Thursday 8 September Advancing Women's Leadership Summit at Melbourne Town Hall

Very inspiring to hear Key Note speaker, the 27th Prime Minister of Australia, Julia Gillard give her insights into the challenges faced by women in leadership and ways to work positively in this arena. Hundreds of women from local government and other sectors gave input into solutions to advancing women's leadership in local government.

Monday 12 September Community Information Session for the Hygge property development

(Raglan, and Smith Streets, North East Daylesford)

Good to see the plans by the developer and hear the community respond. People were able to give feedback directly to the developer and also ask questions of council planning staff who were available. A good format for all parties to hear each other's concerns, views and possible solutions.

Tue 13 September CEO Performance Review and Remuneration committee meeting.

This is the first time this committee has met. We have an independent advisor working with Councillors to assess the CEO's Key Performance Indicators and review remuneration.

Thurs 15 September Hepburn Affordable Housing Strategy and Action Plan workshops

The starting point for developing this strategy – a good representation from stakeholders and community members participating in this workshop to give their advice on how the Strategy might be developed.

Participants stressed the need for urgency, and also identified a number of different need groups. The plan will explore what role council can play in addressing both allocated social housing, as well as the need for more housing affordability on the open market in our shire. The community will be invited to give input into this strategy over the coming months.

Thurs 15 September Attended the Daylesford Primary School performance

The musical Paws and Claws was performed by Grade 6 students and the junior choir. Wonderful to see the Town Hall full with over 230 people celebrating the students acting and singing, lead by Suzanne Hobson, performing Arts Teacher at Daylesford Primary.

Community

Hearing concerns and suggestions from community members and providing advice

- various planning matters
- Affordable long term rental concerns
- Homelessness in our community
- Sale of Rex – questions
- Drains, potholes, cat curfews, weed management

Promoting:

VNI West – submission deadline

Give feedback on Domestic Animal Management Plan

Damon Gameau Habitat Regeneration Event

Community Info Session – Hygge development Nth East Daylesford.

Words in Winter Festival

Councillor Lesley Hewitt, Birch Ward

Presented a verbal report.

RECOMMENDATION

That Council receives and notes the Mayor's and Councillors' reports.

MOTION

That Council receives and notes the Mayor's and Councillors' Reports.

Moved: Cr Jen Bray

Seconded: Cr Juliet Simpson

Carried

Voted for: Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday, Cr Brian Hood and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

8.3 CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer Report informs Council and the community of current issues, initiatives and projects undertaken across Council.

- Nil

CHIEF EXECUTIVE OFFICER UPDATE

At our August 2022 Council meeting Council appointed new members to the Reconciliation Advisory Committee. Congratulations to Barry Goanna Golding, Jason Boston, Rod Poxon, Gary Lawrence, Craig Barrett, Noah Tyler, Nola Orr, Dale McDonald and Erica Higgins who were appointed for a four-year term. There will also be a representative from DJARRA. Members will help to develop and implement a new Council Reconciliation Action Plan.

Council adopted new Governance Rules and Election Period Policy in accordance with the *Local Government Act 2020*. Some of the changes are:

- Councillors will be able to participate in Council meetings either in person or virtually
- Community members will be able to address Council either in person or virtually
- Community members will be able to read their question, or have it read on their behalf
- Online petitions will be accepted so long as they meet minimum requirements;
- Minutes will record how each councillor voted
- People wishing to address Councillors regarding statutory planning applications will be invited to speak at a Councillor briefing instead of Council meeting, with us holding our first of these sessions on the 13 September 2022.

These changes came into effect from 1 September 2022. Thank you to everyone who took the time to make a submission.

Council's updated environmental sustainability strategy, Sustainable Hepburn 2022-2026, was also adopted. The strategy was co-designed with a dedicated Community Reference Group with input from over 400 community members between October 2021 and June 2022. Sustainable Hepburn acknowledges the relationship between different facets of environmental sustainability and includes four key themes:

- Beyond zero emissions
- Natural environment and biodiversity
- Low waste
- Climate resilience

Thank you to every one of you that got involved in the development of this important strategy.

On 22 August 2022 we launched our new 'No Barrier' Positive Ageing Strategy in Creswick.

There were many smiling faces from local groups, including U3A Hepburn and Creswick, Attitude Clunes, VOGA Senior Cyclists Group, CWA Daylesford, Trentham Life Activities Club along with Senior Citizens Clubs, Mens Sheds and Probus Clubs.

The strategy was launched by Commissioner for Senior Victorians, Gerard Mansour. Life-size games were made by Creswick Men's Shed, with pop-up stalls and Creswick Swingalong Ukestra. What a great way to kick off such an important strategy that will work to improve the lives of people in our Shire over 55.



On Wednesday 25 August we held our first Meet the Mayor session for 2022. Mayor Tim Drylie and I held three sessions, including one with Mary, Pat and Kerry from Trentham (pictured). Thanks to those who booked in.



Seven residents took the citizenship pledge in our Shire on the 25 August 2022. This is such an important day and we're very proud to warmly welcome them to our beautiful region.

Welcome to Cort Kibler-Melby, Paul O'Hagan, Amanda Brown, Robert Brown, Keith Fullarton, Janith Hetti-Archchige and Mandip Mahat. Our new citizens have come from Great Britain, Sri Lanka, Nepal and the USA.

They are pictured here with Aunty Marilyn Nicholls, Cr Tim Drylie (Mayor), Tania Maxwell MLC and Cr Jen Bray (Deputy Mayor)



The Local Government Professionals CEO and Directors Forum was held in Daylesford Town Hall on 1 September, bringing more than 100 Victorian CEOs and directors to our Shire. On 2 September we also hosted the Regional Councils Victoria Forum, with around 130 CEOs and Mayors in attendance.

These forums allow local government leaders to work together and explore solutions to issues facing councils in Victoria, but particularly those in rural areas like ours. The forums also provide a boost to our local economy, with hundreds of people staying, dining and exploring our Shire.



The eight-week season of Borealis AU on the Lake at Lake Daylesford has now finished. What a spectacular event to have in our Shire, with more than 35,000 people attending across the eight-week period.

On the 29 August 2022 we welcome our new Director Community and Development, Natalie Walker to the organisation, who has strong Local Government experience, and our new Manager Planning and Building, Rick Traficante. These appointments have already had positive impacts to the organisation as we continue our continuous improvement journey.

On 29 and 30 August all Councillors and the Executive Team participated in a workshop, as we head towards the half-mark of this Councillor term where we reviewed progress on the Council Plan and discussed opportunities, challenges and priorities for the remainder of the term. Council will consider its 2021/2022 Annual Report at the October Council Meeting which will report on the performance of the Council Plan to the community.

On 8 September we heard the very sad announcement of the passing of Her Majesty The Queen. Flags are currently being flown at half-mast across our Council buildings in accordance with Federal Government Flag Protocols.

Some of the meetings I have attended over the past month include:

- Kingston Friends of the Avenue AGM
- 'Meet the Mayor' meeting
- LGPro Executive Leadership Program Graduation Dinner with a graduating staff member
- 'No Barrier' positive ageing strategy launch
- Meeting with Michael Poulton, Committee for Ballarat
- ICT Roadmap Briefing
- Meeting with the EPA
- Citizenship Ceremony
- Council briefings
- Council meeting
- Audit & Risk Committee meeting
- VLGA - State Election meeting
- Councillor and Executive Team Workshop
- Meeting with McCains Ballarat to discuss Western Renewables Link Project
- Central Highlands Regional Partnership Quarterly Meeting
- Mayor and CEO meeting with Catherine King, Federal Member for Ballarat
- Creswick storm contractor thank you breakfast
- Meeting with the Managing Director of Central Highlands Water, Jeff Haydon
- Meetings regarding the Western Renewables Link Project (formerly known as the Western Victoria Transmission Network Project (WVTNP)) including the VNI West project
- Meeting with DJAARA to discuss the Western Renewables Link and VNI West
- Hosted a forum for LGPro staff on Council Operations
- LGPro CEO and Director Forum
- Rural Councils Victoria Forum and Tourism Dinner
- Quarterly Executive Team meeting to review progress on the Annual Plan
- Meeting with Leading Teams, Councils Leadership program
- Regular and recurring meetings with Directors and direct reports
- Executive Team and Organisational Management Team meetings

- DJPR, CEOs and MAV forum
- Meeting with Daylesford Macedon Tourism
- Central Highlands Partnership Housing Working Group
- Commonwealth Games 2026 Delivery | Partner Forum with Minister for Commonwealth Games Delivery, The Hon. Jacinta Allan MP, and Minister for Commonwealth Games Legacy, Shaun Leane MP

RECOMMENDATION

That Council receives and notes the Chief Executive Officer's Report for September 2022.

MOTION

That Council receives and notes the Chief Executive Officer's Report for September 2022.

Moved: Cr Don Henderson

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday, Cr Brian Hood and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

9 PUBLIC PARTICIPATION TIME

This part of the Ordinary Meeting of Council allows for the tabling of petitions by Councillors and Officers and 30 minutes for the purposes of:

- Tabling petitions
- Responding to questions from members of our community
- Members of the community to address Council

Community members are invited to be involved in public participation time in accordance with Council's Governance Rules.

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 10:00am the day before the Council Meeting.

Some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

Questions received may be taken on notice but formal responses will be provided to the questioners directly. These responses will also be read out and included within the minutes of the next Ordinary Meeting of Council to make them publicly available to all.

BEHAVIOUR AT COUNCIL MEETINGS

Council supports a welcoming, respectful and safe environment for members of the community to participate at Council Meetings regarding issues that are important to them. Council's Governance Rules sets out guidelines for the Mayor, Councillors, and community members on public participation in meetings. It reinforces the value of diversity in thinking, while being respectful of differing views, and the rights and reputation of others.

Under the Governance Rules, members of the public present at a Council Meeting must not be disruptive during the meeting.

Respectful behaviour includes:

- Being courteous when addressing Council during public participation time and directing all comments through the Chair
- Being quiet during proceedings
- Being respectful towards others present and respecting their right to their own views

Inappropriate behaviour includes:

- Interjecting or taking part in the debate
- Verbal abuse or harassment of a Councillor, member of staff, ratepayer or member of the public
- Threats of violence

9.1 PETITIONS

No petitions were tabled.

9.2 PUBLIC QUESTIONS

The Chair will read out responses to questions in accordance with Council's Governance Rules.

Question 1 – John Baragwanath

It is time Daylesford Council recognised cats and their impact as a major environmental issue.

Cats rely on native animals for a meal. It's time Daylesford Council had a cat curfew, a 24 hour one preferably (like Canberra). Other progressive councils like Moorabool and Macedon already have curfews in place, why does Daylesford Council always lag behind?

Response – Mayor Tim Drylie

Council's draft Domestic Animal Management Plan has recently been advertised for community feedback and the introduction of a cat curfew has been a key theme in the feedback received.

Council is reviewing the feedback and is proposing to review this component of the draft Plan with a view to bring forward the implementation and strengthening our stance on a cat curfew based on the feedback received. The revised Domestic Animal Management Plan will be presented for adoption at the next Council meeting to allow adequate time to consider the feedback received and we appreciate your feedback on this.

Question 2 – Jennifer Beacham

Why has the habitable cottage in the Mineral Springs Reserve remained empty for the past fifteen years? Council allocated and I assume spent \$50,000 on making it disability compliant recently. At least 2 adults with children have been living in their cars in Daylesford this winter as community members take responsibility for trying to find accommodation for them. Why is the council not part of the solution to this ongoing problem?

Response – Mayor Tim Drylie

The cottage has not been permitted to be used for residential tenancy due to Planning and Heritage Victoria restrictions. The application of the *Residential Tenancies Act 1997* on Crown Land also has complexities which restrict the use of the cottage for residential tenancy.

Council has completed works on the building over several years to support its preservation and to support the potential use for a writer in residence or similar program.

Council is working to respond to the increasing number of homeless and rough sleepers and has recently facilitated several key stakeholder meetings to provide a solution for people to have access to shower and laundry facilities.

As a result, the Clunes and Daylesford Community houses will be installing shower and laundry facilities which will include wrap around services for people experiencing homelessness and rough sleeping.

Council has supported the installation of these facilities with a community grant and introduction at a State level which proved successful in the attraction of further funding.

The key stakeholders involved are in further discussions to establish a regular network to increase communication and outcomes for people experiencing homelessness/rough sleeping.

Council has commenced work on its affordable housing strategy and encourages the community to provide feedback on this strategy when consultation is undertaken.

Question 3 – Elizabeth Swan

I have recently discovered that Council is no longer prepared to repair the road on which I live. Given that in the past Council has made rulings about this road during a planning dispute and has been filling in potholes for many years, therefore setting a precedence, when was the decision made and why?

Response – Mayor Tim Drylie

In accordance with Council's Public Road Register (available on Council's website) Regans Lane, Glenlyon, between Dysart Street and Collins Road, is classified as a 'Local Access – level 1' road and the maintenance responsibility is with Council.

Council identifies maintenance targets in our Road Management Plan (also available on our website) however we acknowledge that current wet conditions is creating some challenges for our road maintenance activities.

Question 4 – Elizabeth Swan

Given that my property is rated on the same basis as properties in the next street whose road is fixed by Council, why don't I receive the same services that other rate payers receive and why does the Council discriminate on the basis of where I live?

Response – Mayor Tim Drylie

Council does not discriminate against rate payers. Council rates are a property tax and councils use property values per the Victorian Valuer General as the basis for calculating how much each property owner pays in rates. There is no direct

connection between rates paid on a property and the level of council services received, given individuals different uses of services.

9.3 REQUESTS TO ADDRESS COUNCIL

Members of our community who have submitted a request in accordance with Council's Governance Rules will be heard.

No requests to address Council were received.

10 STATUTORY PLANNING

10.1 PA 3417 – USE AND DEVELOPMENT OF LAND FOR GROUP ACCOMMODATION, ASSOCIATED WORKS INCLUDING; DEMOLITION OF EXISTING BUILDING, ALTERATION OF ACCESS TO A ROAD, CAT 1, REDUCTION OF CAR PARKING, & REMOVAL OF VEGETATION – 40 VINCENT STREET NORTH DAYLESFORD

Go to 0:53:20 in the meeting recording to view this item.

DIRECTOR COMMUNITY AND DEVELOPMENT

In providing this advice to Council as the Coordinator Statutory Planning, I Wallie Cron have no interests to disclose in this report.

ATTACHMENTS

1. PA 3417 Application Plans [**10.1.1** - 29 pages]
2. PA 3417 Updated Landscaping Plan [**10.1.2** - 2 pages]
3. PA 3417 - Amended Application Form [**10.1.3** - 2 pages]
4. PA 3417 - Amended Plan V3 Response Letter [**10.1.4** - 1 page]
5. PA 3417 - Further Information Response [**10.1.5** - 2 pages]
6. PA3417 Referral Response - Councils Engineering Department [**10.1.6** - 3 pages]
7. PA 3417 Referral Response - Central Highlands Water [**10.1.7** - 1 page]
8. PA 3417 Referral Response - Goulburn Murray Water [**10.1.8** - 1 page]
9. PA 3417 Referral Response - North Central Catchment Management Authority [**10.1.9** - 2 pages]
10. PA 3417 Referral Response - Department of Transport [**10.1.10** - 2 pages]
11. PA 3417 - Objections Combined Redacted [**10.1.11** - 19 pages]
12. PA 3417 - Response to Objections From Applicant [**10.1.12** - 5 pages]

EXECUTIVE SUMMARY

40 Vincent Street North, Daylesford is located on the north-east corner of Trimble Street and Vincent Street North, within the Neighbourhood Residential Zone – Schedule 1, Daylesford Neighbourhood Character Precinct 1. The neighbourhood character objectives of this area are to be sympathetic to the goldfields heritage of the area, provide connection between built form and vegetation and to ensure buildings do not dominate the streetscape.

The proposal is as follows:

- Remove all buildings and infrastructure from the land to enable the following development.
- Use and development of the land for the purpose of tourist accommodation, defined as Group Accommodation within the Hepburn Planning Scheme. This is a Permit Required (Section 2) Use. Specifically, it is proposed to develop the land for:
 - o 15 single bedroom suites as tourist accommodation with access from Vincent Street North, provided in an ‘apartment’ style with a lift accessing each level.

- o Six single bedroom suites as staff accommodation with a separate pedestrian access from Trimble Street.
- o At grade, basement and on street carparking.
- Alter access to a Transport Road Zone 2, being Vincent Street North.
- Removal of vegetation.

The number of required car parking spaces is not specified at Clause 52.06-5, Table 1. Consequently, Clause 52.06-6 states that “before a new use commences, car parking spaces must be provided to the satisfaction of the responsible authority.” 18 car spaces are to be provided on site with an addition 13 car spaces to be provided on street along Trimble Street (south side). This provision is considered acceptable.

The application was advertised, and six objections were received. Concerns have been raised regarding the size of the development, adverse amenity outcomes, carparking and traffic impacts and stormwater drainage.

All referral authorities have advised they have no objection to the application, with the Head of Transport requiring a permit condition regarding the widening of the existing accessway to Vincent Street North.

It is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

OFFICER’S RECOMMENDATION

That Council, having caused notice of Planning Application No. PA 3417 to be given under Section 52 of the Planning and Environment Act 1987 and the planning scheme and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of the Hepburn Planning Scheme in respect of the land known and described as 40 Vincent Street North, Daylesford, Lot 1 PS333144 (101897) for Use and development of land for group accommodation, associated works including; demolition of an existing building, alteration of access to a road in a Road Zone, Category 1, reduction of car parking, and removal of vegetation, subject to the following conditions:

Amended Plans Required

1. *Before the development commences, amended plans/reports to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans/reports will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the advertised plans but modified to show:*

- a. *Basement ramp gradient levels not exceeding 1in4*
- b. *Swept paths within the basement to demonstrate that vehicles can exit in a forward direction with one manoeuvre.*
- c. *Dimensions of the entrance to the basement carpark that provides at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.*
- d. *Carparking signage to include Guest Parking at ground level and 15 of the 18 basement car parks to be marked for Guest Parking.*
- e. *Notation that the rainwater tanks will be used to supply water for the flushing of WC and irrigation*
- f. *The details of the proposed Raingarden details*
- g. *Provision of fixed obscure glazing to all the eastern hallway windows to obscure views from the building*
- h. *Revised fencing plan for the eastern property boundary to a maximum height of two (2) metres for the entire length of the boundary*
- i. *Condition 13 Construction Management Plan*
- j. *Conditions 17-20 Stormwater*
- k. *Condition 26 Carparking*
- l. *Conditions 29-31 Road Upgrade Works*

2. Before the commencement of the use, plans/reports to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans/reports will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and comply with the following conditions:

- a. *Conditions 34-37 Waste Management*

Use of Staff Accommodation Section 173 Agreement

3. Before the use of the land hereby approved under this permit commences the landowner must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation, and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, checking and registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:

- a. *The six (6) allocated units for “staff accommodation” as detailed within the endorsed plans under PA 3417 (or as amended) will only be occupied by staff responsible for the associated operation of the use hereby approved and/or other operation under the same ownership, or as otherwise approved in writing by the Responsible Authority.*
- b. *can only be varied where appropriate with written authorisation from the Responsible Authority to allow for temporary alteration to the allowed use of the six (6) specified units on a case-by-case basis.*

No Variation

4. *The layout of the use on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority. Staff accommodation units are not to be used for tourist accommodation.*
5. *The floor levels as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.*

Garden Area

6. *The garden area must remain no less than 35% following the inclusion of all conditions required of this permit.*

Concealed Services

7. *All air conditioning, plant and equipment and services including water, storage tanks, bin storage shall be located so as to be incorporated within the building and shall not project beyond the roofline or from an external wall without the consent of the Responsible Authority. All plant and equipment shall be appropriately located and baffled to minimise noise levels to the satisfaction of the Responsible Authority.*

Landscaping

8. *A landscape plan is required to the satisfaction of the Responsible Authority. Once approved the landscape plan will be endorsed forming part of this permit.*
9. *Before the use begins, all landscaping works as shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible Authority*

that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.

10. All landscaping works as shown on the endorsed plans must be maintained, including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Responsible Authority.

Soil stabilisation and sediment control

11. All areas of disturbed ground must be stabilised and landscaped at the completion of the development to the satisfaction of the Responsible Authority.

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

Construction Management Plan

13. Before the commencement of any works for any stage of the development (including any preliminary site preparation and establishment works, demolition or material removal) a Construction Management Plan must be submitted to and endorsed by the Responsible Authority.

14. The Construction Management Plan must include and address the following:

- a. Measures to control noise, dust and water*
- b. Prevention of silt or other pollutants from entering into the Council's underground drainage system and road network;*
- c. The location of where building materials are to be kept during construction;*
- d. Site security*
- e. Construction program*
- f. Maintenance of safe movements of vehicles to and from the site during the construction phase*
- g. On-site parking of vehicles associated with construction of the development.*
- h. Cleaning and maintaining surrounding road surfaces*
- i. A requirement that construction works must only be carried out during the following hours:*
 - Monday to Friday (inclusive) – 7.00am to 6.00pm*
 - Saturday – 9.00am to 1.00pm*

- *Saturday – 1.00pm to 5.00pm (only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery).*
- *Sunday – No Construction*
- j. *details of Public Safety and Amenity Considerations*
- k. *Traffic Management Plan*
- l. *Asset Condition Report, with photos and assessment of any prior damage to public infrastructure and identified actions to minimise damage to infrastructure during construction.*

The endorsed Construction Management Plan will form part of this permit.

Amenity

15. The use must be managed so that the amenity of the area is not detrimentally affected through the:

- a. *transport of materials, goods or commodities to or from the land;*
- b. *appearance of any buildings, works or materials;*
- c. *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and*
- d. *the presence of vermin.*
- e. *to the satisfaction of the Responsible Authority.*

16. Construction activities must be managed so that the amenity of the area is not detrimentally affected through the:

- a. *Transport of materials, goods or commodities to or from the land;*
 - b. *inappropriate storage of any works or construction materials;*
 - c. *hours of construction activity;*
 - d. *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil; and*
 - e. *presence of vermin*
- to the satisfaction of the Responsible Authority.*

Stormwater

17. All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.

18. *Prior to commencement of development, professionally prepared plans and calculations for the construction of all underground and/or surface drainage works, that are considered necessary by the Responsible Authority, shall be supplied to the Responsible Authority by the Applicant. Such drainage works shall be designed and installed to transport stormwater runoff from the subject land and surrounding land and/or adjoining road(s) to an approved point of discharge. No concentrated stormwater shall drain or discharge from the land to adjoining properties. Construction shall not commence until the plans have been approved by the Responsible Authority. All drainage construction shall be carried out in accordance with the approved plans. All works must be constructed and completed prior to commencement of use.*

19. *Return period for a Detention system is to be 5% AEP where there is overland escape path and 1% AEP if the failure of the detention system will cause property damage or inundation of freehold titles.*

20. *It is the responsibility of the developer, to prepare a Stormwater Strategy Plan to identify and record the manner by which the quantity and quality of stormwater shall be managed for the catchment, not just the immediate development, including any new infrastructure that may be required to convey stormwater to a registered waterway. The stormwater strategy plan must demonstrate how to avoid adverse impact on neighbouring properties and surrounding road network due to the development. Drainage design plans and legal point of discharge will not be considered until the drainage strategy has been established.*

21. *It is the responsibility of the developer to meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines.*

Access

22. *Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.*

23. *All vehicle entry to and egress from the property shall be in a forward motion. Vehicle turn around must be provided within the property.*

24. *Prior to the occupation the following will be constructed for approval:*

- a. *Vehicle access/crossing or widening of the existing access is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 245 or to approval of responsible authority*
- b. *Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.*
- c. *Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.*
- d. *Any widening of the vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense*

25. The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.

Carparking

26. Before construction works start associated with the provision of carparking, detailed layout plans demonstrating compliance with AustRoads Publication 'Guide to Traffic Engineering Practice: Part 11 Parking', Australian Standard "AS2890: Parking Facilities" and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions.

27. Before the use or occupation of the development starts, the area(s) set aside for parking of vehicles and access lanes as shown on the endorsed plans must be:

- a. *surfaced with an all-weather surface and treated to prevent dust*
- b. *drained in accordance with an approved drainage plan*
- c. *provision for vehicles to pass on driveways and*
- d. *constructed and completed to the satisfaction of the Responsible Authority*
- e. *allow for turning movements of delivery vehicle*

28. Where the boundary of any car space, access lane or driveway adjoins a footpath or a garden area, a kerb or a similar barrier shall be constructed to the satisfaction of Responsible Authority.

Road Upgrade Works

29. *Trimble Street parking area requires detailed plans that must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions.*

30. *Footpaths shall be provided along the parking area on Trimble Street and the frontage of Vincent Street north along with a connection into the shared pathway on Vincent Street North.*

31. *All footpaths shall be designed and constructed in accordance with the relevant Australian Standards, Infrastructure Design Manual [IDM] and to the satisfaction of the Responsible Authority.*

32. *Minimum width of the footpaths shall be 1.5m and are to be constructed in accordance with IDM Standard Drawings SD 205 – Typical Footpath Detail.*

33. *Before the uses commences, all parking spaces on Trimble Street must be constructed to the satisfaction of the Responsible Authority. The owner must pay all the reasonable costs for the construction of these carparking spaces.*

Waste Management

34. *A private waste collection shall be required to service the development. It is the responsibility of the developer to prepare a waste management strategy, to the satisfaction of the Responsible Authority, which demonstrates:*

- a. Collection arrangement*
- b. Maximum waste collection vehicle dimension and weight*
- c. Adequacy of common property pavement to handle waste vehicles*
- d. Adequacy and safety of the access roads*
- e. Compliance with enter forward, exit forward vehicle movements*
- f. Compliance with Environment Protection Authority noise standards*

35. *Prior to commencement of use it is the responsibility of the developer to meet the requirements and standards as set out in the IDM (Infrastructure Design Manual) version 5.20*

36. *All works must be construct and complete prior to commencement of use.*

37. *All costs incurred in complying with the conditions of this permit must be borne by the permit holder.*

Department of Transport

38. Prior to the commencement of construction of the dwellings the existing crossover and driveway must be upgraded to be at least 6m wide to allow two-way traffic movements to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.

Permit Expiry

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

- a. The development is not started within two years of the date of this permit.
- b. The development is not completed within four years of the date of this permit.
- c. The use is not started within four years of the date of this permit.
- d. The use is discontinued for a period of two years.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of Planning and Environment Act 1987.

Notes

Note: Additional information for stormwater requirements can be found at:

<https://www.epa.vic.gov.au/business-and-industry/guidelines/water-guidance/urban-stormwater-bpemg>

Please note that this approval does not constitute a Building Permit. You should enquire with Council's Building Services Unit on 5734 6230 to determine if a building permit is required for this proposal.

MOTION

That the Council Issue a Notice of Decision to Refuse to Grant a Permit for the use and development of land for group accommodation, associated works including demolition of the existing building, alteration of access to a road (Cat 1), reduction of carparking and the removal of vegetation for the land at Lot 1 PS 333144s Vol 10186 Fol 237, commonly known as 40 Vincent Street North, Daylesford, on the following grounds:

1. The proposal by its scale, size, extent of required earthworks, need to locate required car parking off site and its inability to retain important existing vegetation represents an overdevelopment of the land;
2. The proposal is contrary to Clause 02.03-5 Built Environment and Heritage, as the proposed development does not ensure it is in keeping with the historic, landscape and neighbourhood character of the Daylesford township and does not provide a built form which has been designed to minimize vegetation loss;
3. The proposal is contrary to Clause 32.09 Neighbourhood Residential Zone which requires new development to achieve the identified neighbourhood character elements for Daylesford;
4. The proposal is contrary to Clause 43.01 - Neighbourhood Character Overlay, Schedule 1, as it does not appropriately respond to the statement of

neighbourhood character and the objectives for the area, in particular the need for;

- *Encouraging the landscaping of gardens and retention and planting of large trees.*
- *Encouraging new buildings, alterations and extensions that respect the building forms, including roof profile, of the identified historic buildings.*
- *Ensuring buildings are set into the topography.*
- *Ensuring buildings are setback from both side boundaries. Minimizing site disturbance.*

Moved: Cr Jen Bray

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Cr Juliet Simpson and Cr Lesley Hewitt

Abstained: Nil

BACKGROUND

Application Process

The application was received on 7 October 2021.

Following a response to Council's request for further information, an Amendment to the application was received on 2 December 2021.

Following the Planning Scheme Amendment of C80 further revision of plans was submitted lowering the roof line on 27 July 2022.

Following Councillor Briefing of 23 August 2022 with the request for a view of the development when the deciduous trees lose their leaves the applicant has submitted altered plans for the screening trees to be evergreen. Such plan is included in the attachments.

Advertising occurred and six objections were received.

Site and Surrounds

40 Vincent Street North, Daylesford is located on the north east corner of Trimble Street and has a frontage to Vincent Street North of 37.23m, a side boundary to Trimble Street of 39.44 and a total area of 1705 square metres.

Trimble Street is closed in part, with access to the road from Vincent Street North to a small section of road extending along the southern frontage of the subject site. This

section of road provides a bitumen unofficial carparking area for the abutting properties. The road is closed from the eastern boundary of the subject site, with a grassed area of approximately 37m length of 'closed road' beyond. Trimble Street begins again at #15 Trimble Street extending east to Little Street as a sealed road. No pedestrian pathway is provided through this closed section of road.

Vincent Street North is a main north-south road connecting the subject site to the Daylesford Township approximately 500m south and the Daylesford Hospital approximately 250m east.

The site is currently developed with a double storey dwelling circa 1970s, with access from Vincent Street North at the centre of the frontage to that street and extending to a brick garage toward the rear of the site. A separate outbuilding extends along much of the northern boundary. These buildings include cut to the site well below natural ground level.

The site has an overall upward slope of 7m from SE to NW. From the existing dwelling, the site slopes 2m toward the street. To the rear of the dwelling, the garage is cut into a slope of approximately 2m. To the rear of the garage a stone wall extends across the site with garden established to a second stone wall. Further east toward the eastern boundary the site has a significant slope with varied vegetation.

The site is partially fenced to Vincent Street North with a steel post and wire mesh fence. To the south of the driveway the site is landscaped along the front boundary with bushy vegetation.

The site is fenced to Trimble Street with a steel post and wire mesh fence and varied vegetation. The existing southern brick wall to the dwelling is visible to Trimble Street with solid fencing extending toward the eastern boundary.

The surrounding character is residential in nature. The land to the north includes two dwellings (one at the front of the site and a smaller dwelling to the rear of that site) and outbuildings located approximately 15.7m from the common boundary.

To the east a dwelling and outbuildings are setback approximately 13.9m from the common boundary with a frontage and access to the eastern side of Trimble Street.

To the west of the site is Vincent Street North and to the south is Trimble Street (closed road) as described previously. On the opposite side of Vincent Street North are single dwellings with varied setbacks to the street. Street trees are common to the western side of the street with few street trees to the eastern side.

Opposite the site on Trimble Street, #38 Vincent Street North provides a two storey accommodation building for tourist accommodation. A vehicle crossing is provided to Vincent Street North with rear parking accessed off Trimble Street.

Proposal

It is proposed to remove all buildings and vegetation from the site and to develop the land for the purpose of Group Accommodation including 15 tourist accommodation units and six units to be provided as staff accommodation.

The key elements can be summarised as follows:

Use

The use proposed is “Group Accommodation” defined as:

Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.

It is proposed to utilise 15 units as short term rental for tourists to Daylesford and six units for longer term rental accommodation, specifically to provide accommodation for hospitality staff and thus encourage retention of staff in Daylesford and surrounding areas.

The use of the existing driveway will be modified through the intensity of development on the site. The dimensions of the crossover are seen to remain unchanged however will be changed as per DOT response.

Development

The development includes:

- Construction of 11 two storey buildings and carparking for 18 cars include four Electric Vehicle (EV) charging points at ground level and 11 E-bike charging stations in the main foyer.
- The existing crossover to Vincent Street North will be retained (widened).
- The building has a proposed maximum height of 8.8m.
- Garden area is achieved at 37.93% of the site.
- Cut to the land will require a site area of 613.12sqm, generally to the eastern half of the site.
- Fill is required in four key spaces across the site and retaining walls are proposed around the built form.
- A STORM rating of 108% is achieved through the use of rainwater tanks and a raingarden at the front of the site.

Built form

- The building is divided into four key zones as follows:
 - o Type A – suite with terrace and private rear courtyard (ground floor) or balcony (first floor); no bath.
 - o Type B – suite with bath in bathroom; larger living area; first floor includes balcony.
 - o Type C – suite with bath in bathroom and corner living space at ground floor only.

- o Staff Accommodation – six accommodation suites across a two storey block, situated in the south-east corner of the site with direct pedestrian access to Trimble Street. Ground floor includes a rear terrace with direct access to communal open space; first floor includes a 4.5sqm balcony overlooking the communal open space.
- Communal open space is available exclusive to the six Staff Accommodation suites.

Basement:

- o Ramp to basement
- o Ten car parking spaces including one disabled car parking space
- o Lift and stairwell access to ground and first floor
- o Staff store room
- o Bin storage room including three skip bins accessed via a roller door
- o Comms Room
- Ground floor:
 - o Ramp to basement carparking located approximately 8m from the northern boundary.
 - o Seven car parking spaces at ground floor including four with EV charging points.
 - o Building entry provided to the carpark as accessed from Vincent Street South via steps that includes a 250mm bike ramp.
 - o Entry foyer including 11 E-bike charging stations.
 - o Lift to the eastern elevation providing access to the first floor tourist accommodation suites.
 - o Communal hallway to the northern wing (four tourist suites)
 - o Communal hallway and to the western wing (four tourist suites and three staff accommodation).
 - o A staff entry doorway is provided at the southern end of the western wing providing an alternative access to Trimble Street and communal opens space.
- First floor
 - o Lift and stairwell to the northern elevation
 - o Communal hallway to the northern wing (four tourist suites with balconies)
 - o Communal hallway to the southern wing (three tourist suites and three staff accommodation with balconies)
 - o Separate external stairs are provided to the northern wing and to the staff accommodation

11 banks of solar panels are proposed across the roof area.

The development will have a setback of 1.5m-9m from the eastern boundary, 3m to the northern boundary and 1m-2.64m from the southern boundary.

The development will reach a maximum building height of 8.8m.

Colours and materials proposed include timber cladding with dark metal roof and black steel framing. Screening to windows and balconies is shown where they are within 9m of an abutting private boundary.

The number of required car parking spaces is not specified at Clause 52.06-5, Table 1. Consequently, Clause 52.06-6 states that “before a new use commences, car parking spaces must be provided to the satisfaction of the responsible authority.” 18 car spaces are to be provided on the site with a proposed additional 13 on street carparks.

Relevant Planning Ordinance applying to the site and proposal

Zoning:	Neighbourhood Residential Zone, Schedule 1 (NRZ1)
Overlays:	Environmental Significance Overlay, Schedule 1 (ESO1) Environmental Significance Overlay, Schedule 2 (ESO2) Neighbourhood Character Overlay, Schedule 3 (NCO3)
Particular Provisions	Clause 52.06 – Car Parking Clause 53.02 – Bushfire Planning Clause 53.18 – Stormwater management in urban development
Relevant Provisions of the PPF	Clause 02.02 Vision Clause 02.04 Strategic Directions Clause 11.01-1R Settlement - Central Highlands Clause 11.01-1L Townships and Settlements Clause 12.03-1S River corridors, waterways, lakes and wetlands Clause 12.05-1S Environmentally sensitive areas Clause 13.02-1S Bushfire Protection Clause 14.02-1L Catchment and Land Protection Clause 14.02-2S Water quality Clause 15.01-1L – Urban Design Clause 15.01-5L-01 – Neighbourhood Character in Daylesford Clause 15.02-1L – Environmentally sustainable development Clause 17.04-01S Facilitating tourism

	Clause 18.02-4S Roads (car parking)	
Under what clause(s) is a permit required?	NRZ1 - Clause 32.09-2	Use of the Land for Group Accommodation is a Section 2 - Permit required use
	NRZ1 - Clause 32.09-9	Buildings and Works associated with a Section 2 Use
	ESO2 - Clause 42.01-2	Construct a building or carry out works.
	NC03 - Clause 43.05-2,	Construct or carry out works Demolish a building Remove, destroy or lop trees except for species which are listed as environmental weeds
Objections	Six (6)	

KEY ISSUES

Response to Policy Planning Policy Framework

The subject site is within the Daylesford policy application area of 'Neighbourhood Character in Daylesford'. The site is specifically within Precinct 5 as shown in Figure 1. This precinct is more specifically subject to the Neighbourhood Character Overlay, Schedule 3 (NC03).

Figure 1 – Daylesford Neighbourhood Character Precinct 5

The development of the site for accommodation is consistent with Council policy to support tourism and consolidate development in the Daylesford township boundary.

The site does not contain any significant vegetation and will be improved through the planting of Blackwood, Silver Banksia and Canadian Maple trees to the boundary of the site, with additional landscaping outcomes within the site.

The development of the site has been designed to ensure the protection of water runoff and drainage. The site requires extensive cut and fill to the rear half of the lot,

to accommodate a basement carpark as well as leveling the site for development. This is proposed to be managed through the inclusion of retaining walls, including buffering the basement driveway and along the eastern boundary. Conditions on permit will ensure that stormwater and sediment control is properly managed throughout the preparation of the site for the construction of the proposal.

Policy regarding connection to reticulated water supply and sewerage is considered to be met and the runoff of stormwater will be provided to a legal point of discharge.

Council's strategic vision is set out at Clause 02.03 of the Hepburn Planning Scheme. It is considered that the proposed development meets the general vision for accommodation in the municipality as follows:

Clause 02.03-6 Housing

This proposal addresses Council housing vision to support infill housing development and to increase housing diversity to meet community needs such as provision of accommodation for lone person households.

Clause 02.03-7 Economic Development

The proposed development supports Council policy to provide additional tourist accommodation and is supported by Council's economic development unit. The proposed development will bring economic benefits to the township through tourism and accommodation for hospitality staff. This strategic direction is met.

It is considered that the policy provisions regarding infill development and the provision of a diverse range of housing accommodation are met. Neighbourhood character outcomes will be assessed separately.

Use of the land for Group Accommodation

The Neighbourhood Residential Zone, Schedule 1 (NRZ1) allows the use of the land for Group Accommodation subject to a planning permit. Group accommodation requires that there is no subdivision of the site and this is specifically considered in the permit application.

The site has an area of 1705sqm and requires a garden area of no less than 35% of the site. This is achieved with a garden area of 37.93%.

As noted, the PPF supports the use of land for group accommodation purposes. In considering the appropriateness of the use of the land for group accommodation, Council must also consider the compatibility of the proposed use as well as the scale and intensity and possible amenity impacts on the neighbours.

In this instance, the application seeks approval for the construction of 15 accommodation units which are considered to be modest in size, catering for very small groups of people. Group accommodation serves local community needs through contributing to tourism which is an important economic driver of the

Hepburn Shire. The six units proposed for staff accommodation include a communal SPOS area for those units only, meaning that 6-12 persons only will use that site at any time, and likely at varied points of the day and night.

The use of the land for group accommodation is considered to be compatible with the residential context.

Environmental Significance Overlays

It is proposed to remove all vegetation from the site. No permit is required to remove vegetation in the ESO1 as the site is more than 30m from a watercourse. All vegetation on this site is planted and is therefore exempt from a permit as per ESO2.

Neighbourhood Character Overlay – Schedule 3

Neighbourhood character, landscape value and protection of heritage significance, are strong themes in the planning policy framework. It is policy to ensure development is designed to respect and be sympathetic to existing and preferred neighbourhood character and the heritage significance of a site and its surrounds.

In this instance, the subject site is located with NCO3 The purpose of the NCO is to ensure that development respects the preferred neighbourhood character for Precinct 5 of the Daylesford Residential Area.

The demolition of all buildings on this lot is considered appropriate. The buildings are late 20th Century buildings and do not contribute to the character or history of Daylesford. All vegetation is planted, and its removal is appropriate.

The Statement of neighbourhood character as it applies to Precinct 5 is:

The precinct extends from the Daylesford town centre along the main road to Hepburn and therefore forms an important entrance to the town with excellent views provided to the Wombat Hill area as you approach the town centre. The land slopes away to the west, steeply in places, and the dwellings sit above the road to the east or nestle into the slope to the west. While all architectural eras are represented, there is a predominance of older miner's cottages providing reminders of the town's history. Newer dwellings sit within the landscape. There is an openness to the area created by the wide road verges, presence of side setbacks between buildings and the low, open style front fences, if present. The street trees are more frequent close to the township, forming an avenue that creates a sense of entrance and a cohesiveness to the precinct.

The openness to the street and buildings set within the landscape will be maintained, while the role of the area as a town entrance, connection to the gold rush era and its cohesiveness will be strengthened by:

- *Ensuring buildings are setback from both side boundaries.*
- *Ensuring buildings and driveways are designed to follow the topography.*
- *Retaining the low scale nature of the dwellings.*

- *Ensuring that if required, front fences are low and open style.*
- *Maintaining the rhythm and pattern of the prevailing rectilinear form of subdivision.*
- *Retaining the wide, grassy verges.*
- *Maintaining and enhancing the existing avenue street tree planting.*

Council officers have assessed the application as follows:

The proposed development will replace a late 20th century dwelling with new infill, as acknowledged is a part of this neighbourhood character. The development will maintain an open character to the area through the use of landscaping in place of a front fence.

The development is designed to contribute to the entrance of the township, with the use of timber and steel posts reflecting the natural setting and connection to landscape.

A setback is provided to each boundary, with the built form designed to nestle within the hill. The cut and fill as proposed will reduce the height of the built form within the landscaped setting, retaining the low scale nature of built form and compatible with the entrance to the township, particularly in relation to #38 Vincent Street North.

The wide verge is to be maintained with no change to the vehicle crossover other than a widening to 6m as required by the Department of Transport.

Neighbourhood character objectives

The neighbourhood character objectives for Precinct 5 are:

To maintain and strengthen the garden settings of the dwellings.

To minimise site disturbance and reduce the dominance and impact of buildings on the landscape.

To maintain the rhythm of dwelling spacing and the openness of the streetscape.

To ensure that buildings do not dominate the streetscape and wider treed landscape setting.

To use materials and finishes that complement the local architectural traditions.

Council officers have assessed the application as follows:

The subject site is within the northern extent of Precinct 5, with no street trees to the front or side of the property. The landscaping plan proposed to include:

- Seven Silver Banksia trees across the front of the site.
- Creek Lily/Pily shrubs and Sweet Viburnum shrubs as a boarder to the site.
- Two x Canadian Maple trees to the northern boundary, one at the NE corner of the site and two within the communal SPOS at the eastern boundary.

- A variety of climbers and ground cover / shrubs are proposed throughout the site.
- Seven x Blackwood trees are shown to be located within the public space verge of Trimble Street.

Council Parks department have not assessed these plans. It is considered that the inclusion of trees within the public realm are supported, however the details require further consideration.

To ensure the species are appropriate for the site and within a public space, a condition should be included for a formal Landscape Plan to be submitted and endorsed to the satisfaction of the Responsible Authority.

Placement of built form

Generous setbacks are provided from Vincent Street North. The southern building has a setback of 6m to Vincent Street north, in keeping with the character of #38 Vincent Street North. The graduation of setbacks will ensure the open character is retained.

The setback to Trimble Street is in keeping with the existing character. The built form is set into the hill, lessening any visual impact from the southern approach.

The cut to the site includes 613.12sqm of land, including basement carparking and cut for the rear buildings. Fill will be provided to the front of the built form and to the north of the basement ramp retaining wall and will be used for landscaping. This is appropriate in the context of the site as it sits into Trimble Street.

The northern built form has a setback of 3m from the northern boundary. The building includes a sawtooth roof which extends to a height of 8.2m setback to the southern edge of that dwelling. The built form sits opposite a large SPOS for #44 Vincent Street North that is well vegetated. It is considered that the built form will not have an unreasonable impact on the amenity to that property.

The property to the east of the subject site sits at a higher point and is located approximately 14m from the common boundary. The cut of the site will ensure that the built form presents as one to two storey with sufficient articulation. It is considered the visual bulk will not unreasonably impact on the adjoining property.

Amenity considerations

An overlooking plan has been produced as a part of the application. A solid edge and additional fin are provided to the northern balcony elevation to reduce any ability of overlooking from the northern first floor dwelling. All other balconies are positioned more than 9m from any common boundary and will not have any unreasonable overlooking opportunities.

Windows within the connecting hallways are not habitable room windows and are not considered as part to overlooking. Regardless, it is proposed to construct a 2m

and 2.4m fence on the eastern property boundary to limit any unreasonable overlooking. This is considered appropriate.

Waste is to be stored in the basement. No waste management plan has been provided or swept paths for waste vehicles. A waste management plan should be required as a condition on any permit issued.

Car Parking

Council Engineering are satisfied that 18 car spaces are adequate for the development of a 21 suite group accommodation.

It is considered appropriate that 15 spaces are provided for the tourist accommodation and should be marked as dedicated spaces on the plans. This should include all at-grade carparking. Three spaces should be marked as Staff or Guest car spaces with the basement carpark. This can be conditioned on any permit issued.

The following is missing as a notation on the plans and should be included as conditions on any permit issued, in accordance with the requirements of Clause 52.06:

- Ramp gradient to the basement carpark.
- Swept paths to show that all cars within the basement can exit in a forward direction with one manoeuvre.
- Dimensions of the entrance to the basement carpark that provides at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.

The plans show 13 car spaces to be provided to Trimble Street. Council's Engineering department supports that area being expanded for additional parking.

It is considered that the on street parking should be constructed prior to occupation of the use and at the cost of the developer. This can be conditioned on any permit issued.

POLICY AND STATUTORY IMPLICATIONS

This application meets Council's obligations as Responsible Authority under the *Planning and Environment Act 1987*.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

The site proposes to include 13 on street spaces to Trimble Street. This will benefit the municipality as a whole and will be constructed at the expense of the permit applicant.

Additional information regarding management of waste collection is required.

The proposal includes the addition of environmental features including four EV charging point for vehicles in the front at-grade carpark and 11 E-Bike spaces within the building.

Solar panels are included to each roof area.

The STORM report provides a rating of 108% based on three x 3000L rainwater tanks and raingarden plus a buffer strip. These are shown on the plans but there is no detail on how they will be used or constructed. This should be conditioned on any permit issued.

The retention of staff through the six accommodation units is encouraged and will reduce the need for staff to travel long distances between work and home.

FINANCIAL IMPLICATIONS

Any application determined by Council or under delegation of Council is subject to appeal rights and may incur costs at VCAT if appealed.

RISK IMPLICATIONS

No risks to Council other than those already identified.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and a notice on the land. As a result, six objections have been received. The issues raised in the objections are addressed individually as follows:

- Removal of vegetation. This has been addressed within this report.
- Over-development of the site.
 - o The proposed development will result in 37.11% which is well below the Clause 55 requirements if they were to apply. This is acceptable in the context of group accommodation close to the township.
 - o It is noted that the town planning report that accompanies the application suggests that the staff accommodation could be converted to tourist accommodation if demand required. It is considered that this contrary to the intention of providing stability for hospitality workers and should not be supported. It is considered reasonable to require that staff accommodation is not used as tourist

accommodation at any time. This can be conditioned on any permit issued.

- Visual Bulk and impact to Neighbourhood Character.
 - o The surrounding area includes a mix of single and double storey dwellings, with those dwellings to the east of the site set on a hill above the NGL of the subject site. The development will look away from the surrounding residential properties with no overlooking and minimal overshadowing. This is considered acceptable.
- Amenity impacts.
 - o The noise of construction will be reasonable for the size of the site. Conditions should be included on any permit issued to stipulate hours of construction and submission of a Construction Management Plan
 - o The noise generated from the development is considered usual to a residential setting, with all tourist balconies facing onto the street. The staff communal outdoor area will facilitate a space for six units and will not generate a level of noise unreasonable for a residential area.
 - o Services can be located to the site and no authority has objected to the proposal.
 - o The development is residential in nature and will not generate outcomes that should impact on the health of the surrounding area or persons.
 - o The development will add to the diversity of housing accommodation offered in the Daylesford area, increasing the use of this area. The site is on a main road and will not isolate any property from the Daylesford area.
- Overlooking. This has been addressed in this report.
- Insufficient car parking. This has been addressed in this report.
- Traffic management.
 - o Objector concerns are raised regarding the lack of footpath into Daylesford and the poor condition of Trimble Street. This is outside of the scope of this application. However, 13 marked car spaces on Trimble Street and seven street trees to the Trimble Street verge are to be provided as a part of this permit. This will improve the use and condition of Trimble Street.
 - o No concern has been raised by Engineering or the Department of Transport regarding the egress from the site onto Vincent Street North.
 - o ebikes are able to be used on the road and provide alternate, environmental modes of transport.
- Drainage.

- o Council engineering are satisfied that stormwater management is able to be satisfactorily achieved to this site. Conditions regarding stormwater management will be included on any permit.

TOWN PLANNING APPLICATION

project: PROPOSED DWELLING

address: 40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460

ATTACHMENT 10.1.1

ISSUE:	DESCRIPTION:	DATE:	DRAWN:	COMMENT:
01	EXISTING CONDITION	15.07.2021	SN	
02	SKETCH DESIGN	03.08.2021	SN	
03	PLANNING REVIEW	05.10.2021	SN	
04	PLANNING ISSUED	01.12.2021	SN	
05	PLAN REV	27.07.2022	SN	
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No.	DESCRIPTION	PUBLISHED
TP01	COVER SHEET	<input checked="" type="checkbox"/>
TP02	LOCATION PLAN	<input checked="" type="checkbox"/>
TP03	EXISTING CONDITION	<input checked="" type="checkbox"/>
TP04	SITE FEATURE SURVEY	<input checked="" type="checkbox"/>
TP05	EXISTING SITE PLAN - DEMOLITION	<input checked="" type="checkbox"/>
TP06	EXISTING ELEVATIONS - DEMOLITION	<input checked="" type="checkbox"/>
TP07	EXISTING ELEVATIONS - DEMOLITION	<input checked="" type="checkbox"/>
TP08	PROPOSED BASEMENT PLAN	<input checked="" type="checkbox"/>
TP09	PROPOSED SITE PLAN	<input checked="" type="checkbox"/>
TP10	PROPOSED FIRST FLOOR PLAN	<input checked="" type="checkbox"/>
TP11	PROPOSED ROOF PLAN	<input checked="" type="checkbox"/>
TP12	EXISTING & PROPOSED ZONE PLANS	<input checked="" type="checkbox"/>
TP13	PROPOSED LANDSCAPE PLAN	<input checked="" type="checkbox"/>
TP14	PROPOSED LANDSCAPE PLAN	<input checked="" type="checkbox"/>
TP15	PROPOSED ELEVATIONS & EXTERNAL MATERIALS	<input checked="" type="checkbox"/>
TP16	PROPOSED ELEVATIONS & EXTERNAL MATERIALS	<input checked="" type="checkbox"/>
TP17	PROPOSED ELEVATIONS & EXTERNAL MATERIALS	<input checked="" type="checkbox"/>
TP18	PROPOSED ELEVATIONS & EXTERNAL MATERIALS	<input checked="" type="checkbox"/>
TP19	PROPOSED POCHE SECTION	<input checked="" type="checkbox"/>
TP20	SHADOW DIAGRAMS	<input checked="" type="checkbox"/>
TP21	PROPOSED VIEW 1	<input checked="" type="checkbox"/>
TP22	PROPOSED VIEW 2	<input checked="" type="checkbox"/>
TP23	PROPOSED VIEW 3	<input checked="" type="checkbox"/>
TP24	PROPOSED VIEW 4	<input checked="" type="checkbox"/>
TP25	PROPOSED VIEW 5	<input checked="" type="checkbox"/>
ADDENDUM:		
TP26	OVERLOOKING DIAGRAMS	<input checked="" type="checkbox"/>
TP27	PROPOSED SITE CUT & FILL & RETAINING WALL _ SHEET 1	<input checked="" type="checkbox"/>
TP28	PROPOSED SITE CUT & FILL & RETAINING WALL _ SHEET 2	<input checked="" type="checkbox"/>
TP29	PROPOSED SITE CUT & FILL & RETAINING WALL _ SHEET 3	<input checked="" type="checkbox"/>



D E S I G N I N G P L A N

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sheet title:

COVER SHEET

project name:
NEW ACCOMMODATION DEVELOPMENT

project address:
40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460

scale:	sheet number: TP01
sheet size: A3	project number: project initiation date:
drawn by: SN	published date: 27/07/2022

approved by: THOMAS REISACHER
DP-AD 37904
e: tom@trdesign.net.au
p: 03 5331 5756

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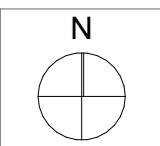
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**40 42 Vincent Street N,
Daylesford Vic 3460**



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sheet title :

LOCATION PLAN

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale:	sheet number:
	TP02
sheet size:	project number :
A3	
drawn by:	project initiation date :
S.N	
	published date:
	27/07/2022

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e: tom@trdesign.net.au
p: 03 9331 5756



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project name : **NEW ACCOMMODATION DEVELOPMENT**

project address : **40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460**

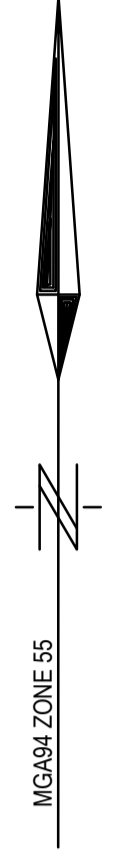
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sheet size: **A3** project number: published date: 27/07/2022

drawn by: **SN**

approved by: **THOMAS REISACHER DP-AD 37904** e: tom@trdesign.net.au p: 03 9331 5756

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VINCENT STREET NORTH



NOTATIONS

Levels are to A.H.D vide PM102 R.L. 585-980
 Contour interval 0.2 meters
 Title boundaries are shown by a continuous thick line
 Bearings have been related to Map Grid Australia (M.G.A.)
 R: is Ridge
 T.O.G: is Top of Gutter

WALSH OBBS
LAND SURVEYORS
 PO BOX 77, DAYLESFORD 3460
 M 0408 994 985
 admin@walshobbs.com.au
 www.walshobbs.com.au

SURVEYORS REF.	3233
ORIGINAL SCALE	1:200
SHEET SIZE	A1
SHEET 1 OF 1	

● TEMPORARY BENCH MARK	⊗ SIDE ENTRY PIT	🌿 SHRUB
○ TELSTRA PIT	⊗ ELECTRICITY POLE	🌳 TREE
+ SURFACE POINT	□ SEWER MANHOLE	---
■ STOP VALVE		---

LEGEND

---	TOPOGRAPHY
---	INVERT OF DRAIN
---	FENCE
---	BOUNDARY LINE

LEVEL AND FEATURE PLAN

40-42 VINCENT STREET NORTH
 DAYLESFORD, VICTORIA
 PREPARED FOR: PATRICK BAIRD
 MAY 2018

ISSUE:	DESCRIPTION:	DATE:	DRAWN:	COMMENT:
01	EXISTING CONDITION	15.07.2021	SN	
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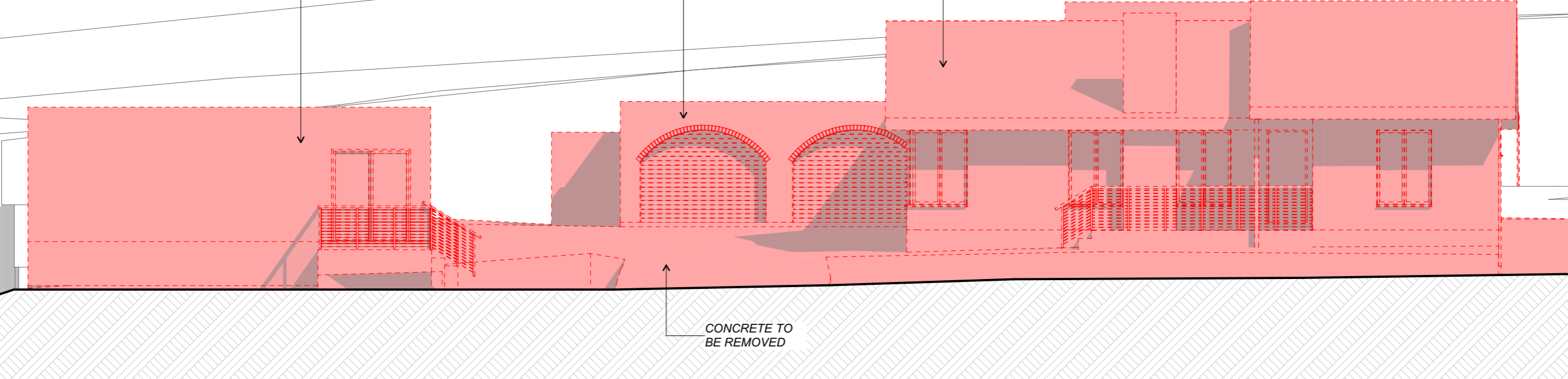
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ALL EXISTING BULDINGS & STRUCTURES TO BE REMOVED

ALL EXISTING BULDINGS & STRUCTURES TO BE REMOVED

ALL EXISTING BULDINGS & STRUCTURES TO BE REMOVED

CONCRETE TO BE REMOVED

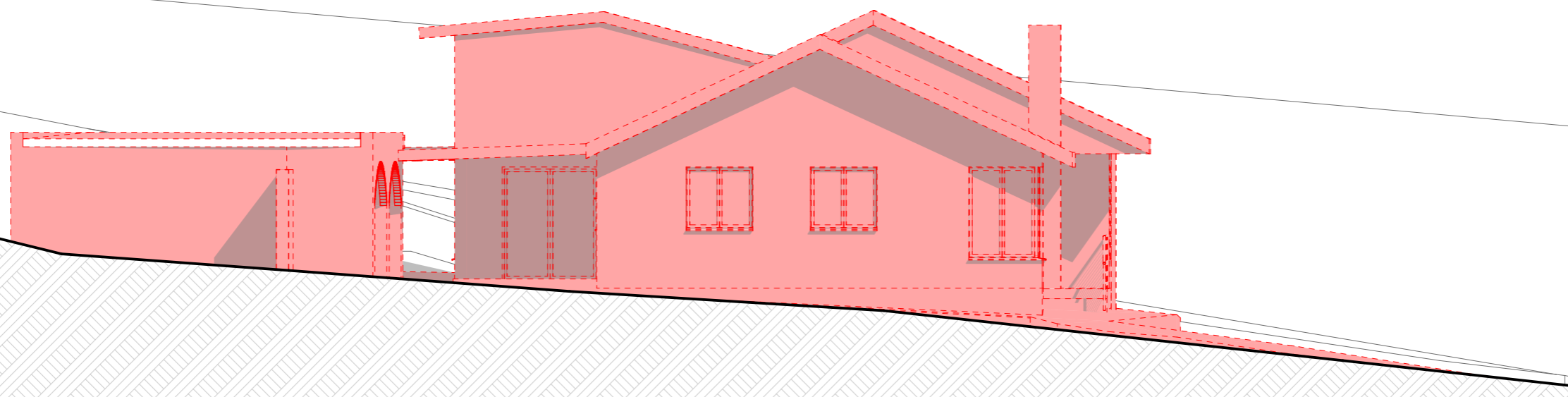


EXISTING WEST ELEVATION - DEMOLITION

1:100

D E S I G N I N G L A B

DEMOLISHED ELEMENTS SHOWN IN RED



EXISTING NORTH ELEVATION - DEMOLITION

1:100

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sheet title :
EXISTING ELEVATIONS - DEMOLITION

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
**40 42 VINCENT STREET NORTH
 DAYLESFORD VIC 3460**

scale: 1:100	sheet number: TP06
sheet size: A3	project number :
drawn by: S.N	project initiation date :
approved by: THOMAS REISACHER DP-AD 37904	published date: 27/07/2022

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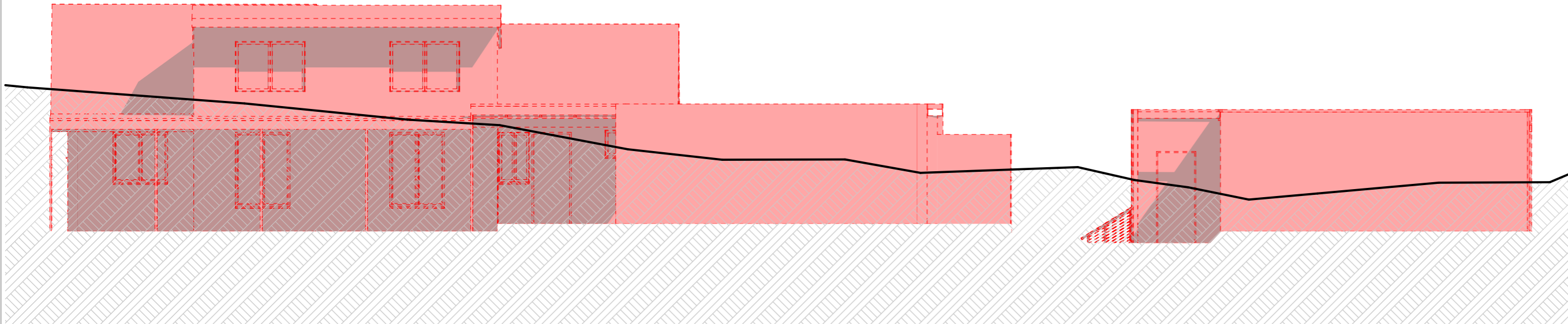
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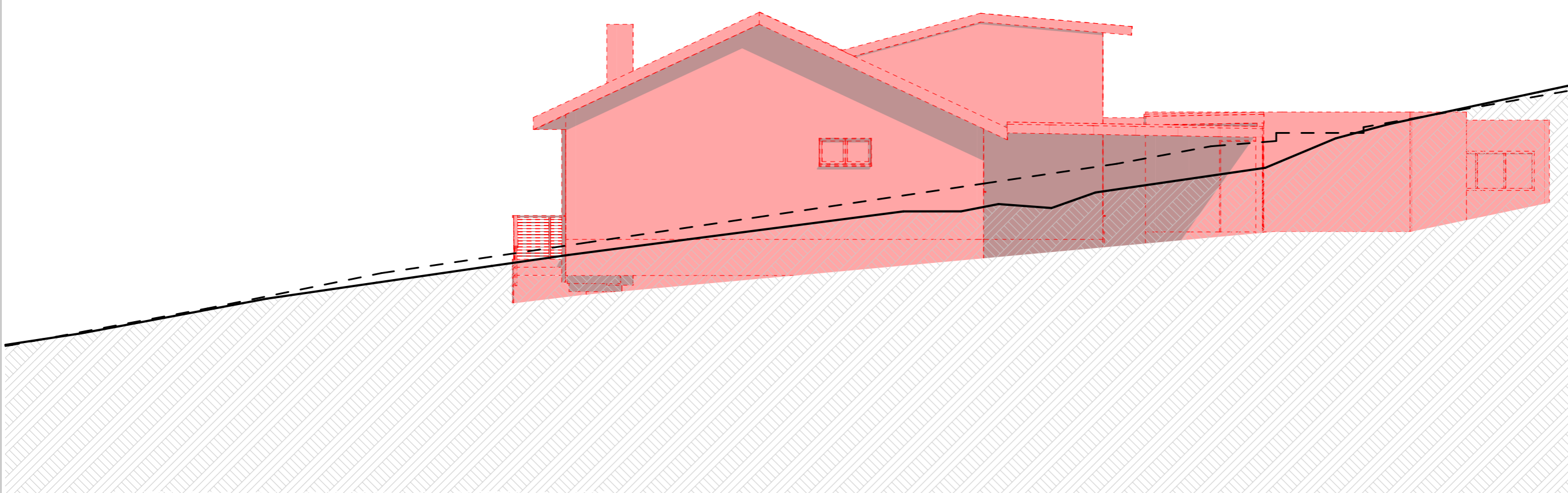
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EXISTING EAST ELEVATION - DEMOLITION

1:100



EXISTING SOUTH ELEVATION - DEMOLITION

1:100

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DEMOLISHED ELEMENTS SHOWN IN RED

DO NOT SCALE DRAWING

sheet title :
EXISTING ELEVATIONS - DEMOLITION

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
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scale: 1:100	sheet number: TP07
sheet size: A3	project number :
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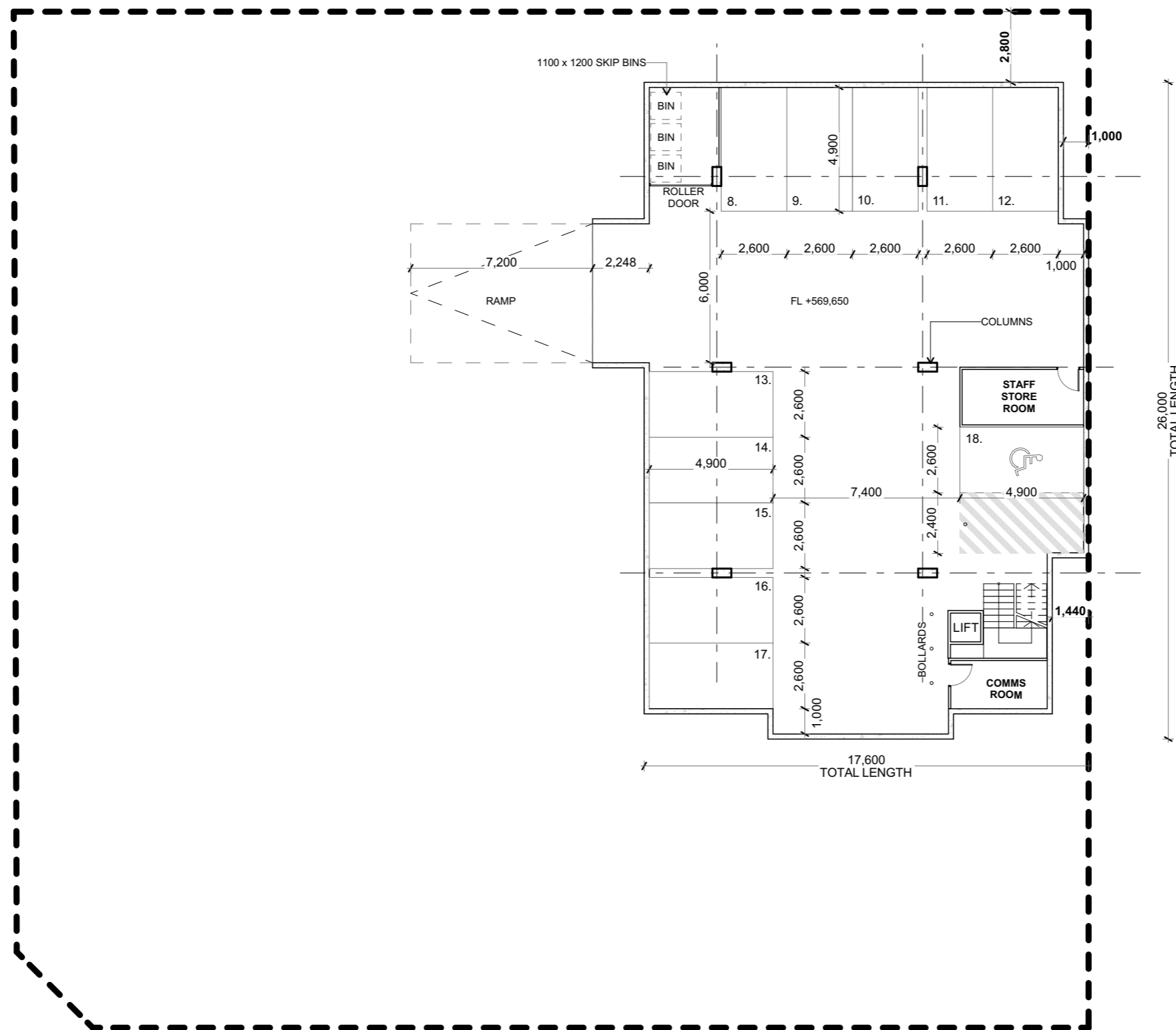
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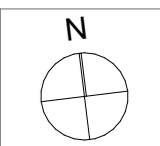
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sheet title :

PROPOSED BASEMENT PLAN

project name :

NEW ACCOMMODATION DEVELOPMENT

project address :

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale: **1:200** sheet number: **TP08**

sheet size: **A3** project number : published date :

drawn by: **S.N** published date: **27/07/2022**

approved by: **THOMAS REISACHER** e: tom@trdesign.net.au
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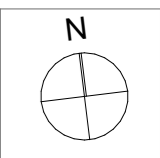
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ROOM TYPE LEGEND

	TYPE A
	TYPE B
	TYPE C
	STAFF ACCOMMODATION

P L A N N I N G S U B J U D E D



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sheet title : **PROPOSED FIRST FLOOR PLAN**

project name : **NEW ACCOMMODATION DEVELOPMENT**

project address : **40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460**

scale: 1:200 sheet number: TP10

sheet size: A3 project number: project initiation date:

drawn by: S.N published date: 27/07/2022

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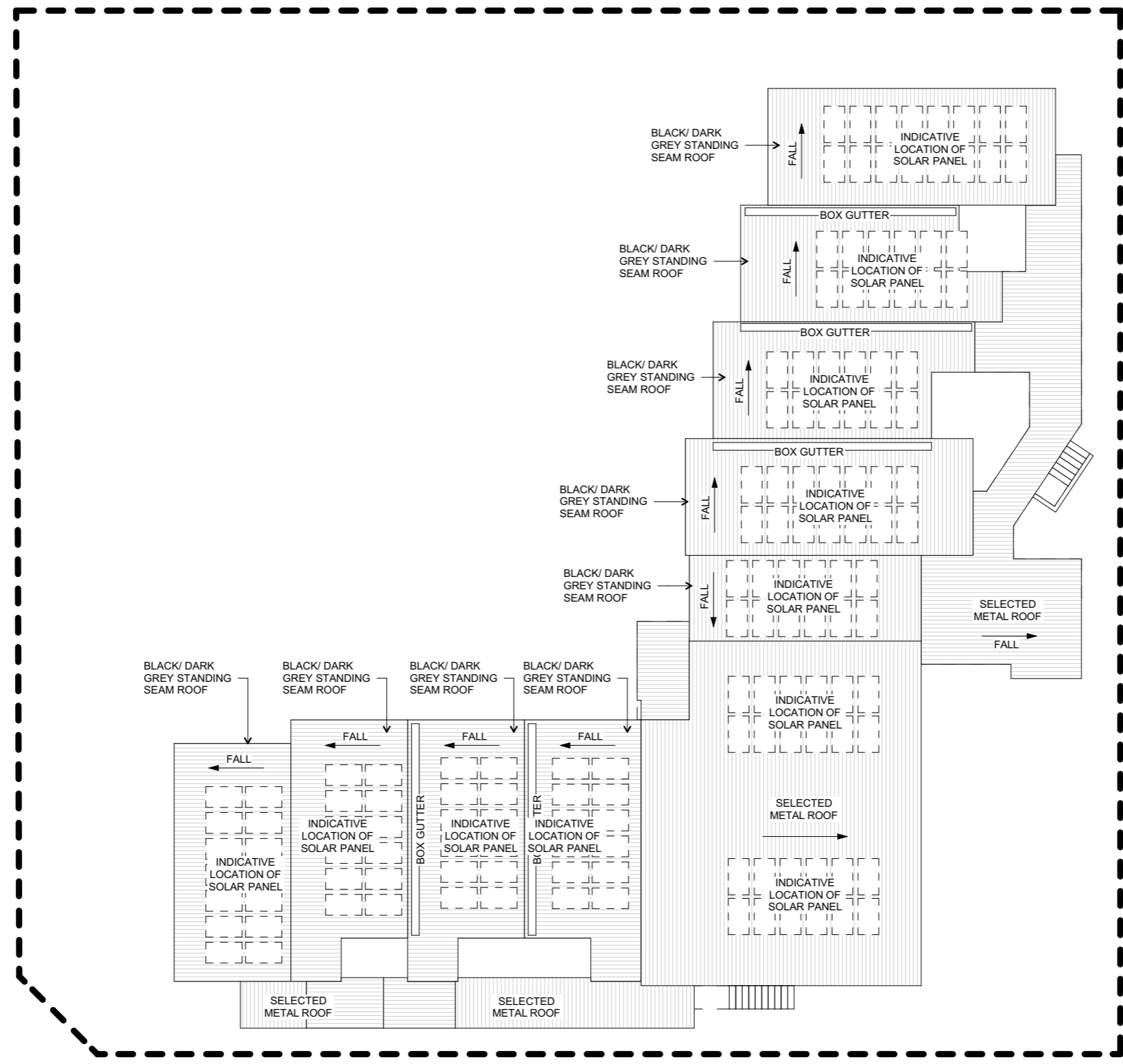
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sheet title :

PROPOSED ROOF PLAN

project name :

NEW ACCOMMODATION DEVELOPMENT

project address :

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale: **1:200** sheet number: **TP11**

sheet size: **A3** project number : published date :

drawn by: **S.N** published date: **27/07/2022**

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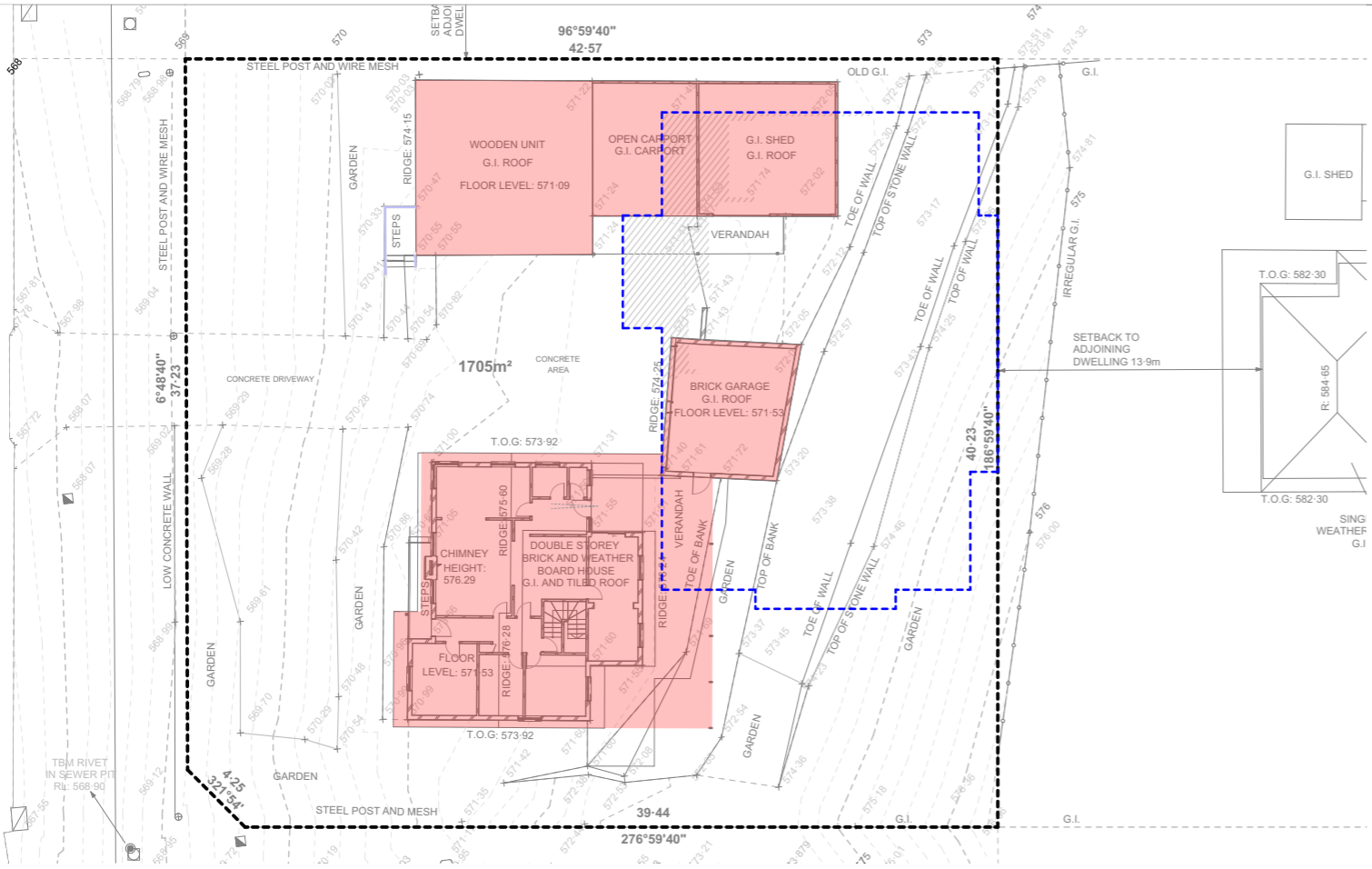
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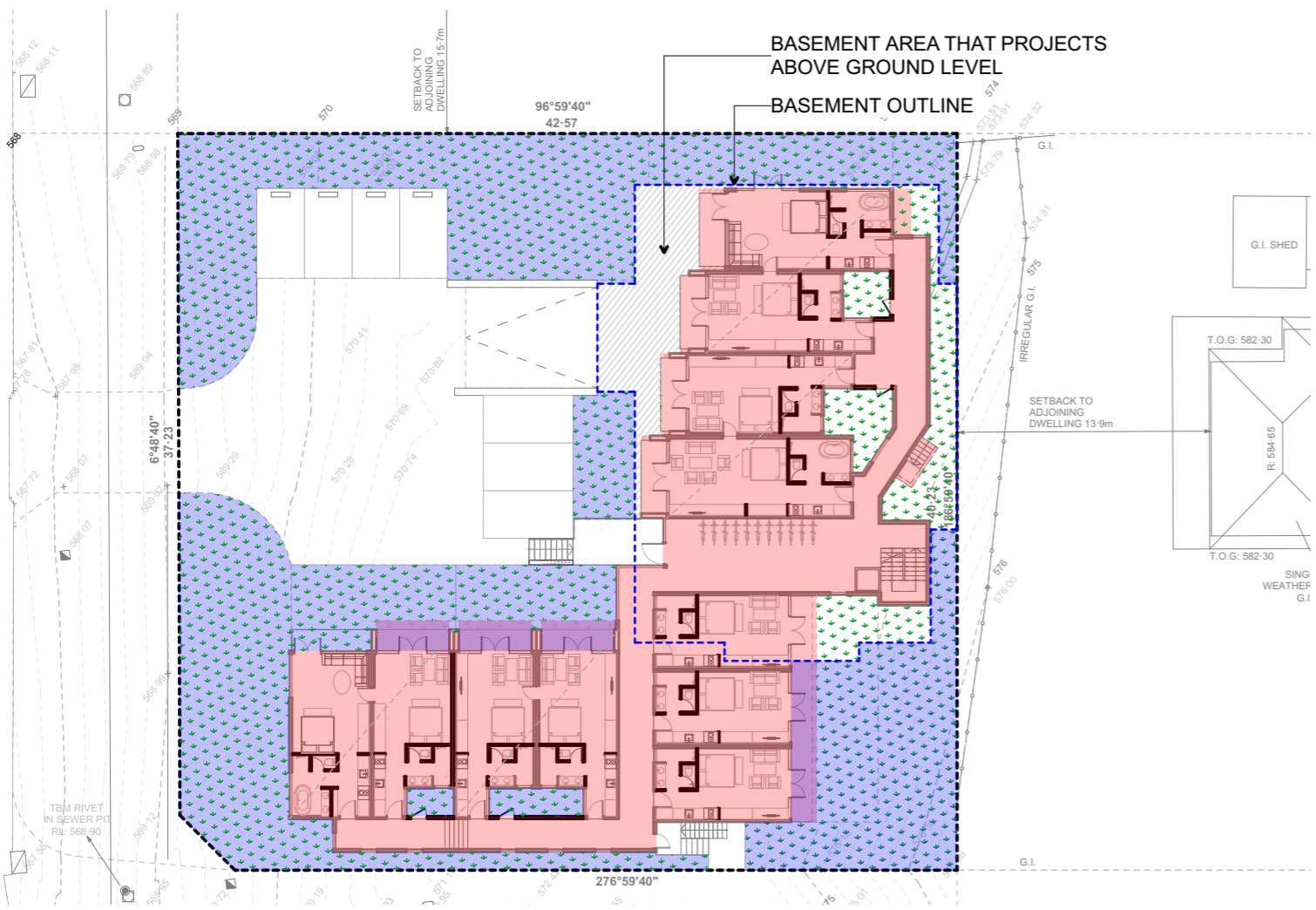
VINCENT STREET NORTH



EXISTING ZONE PLAN

EXISTING ZONE PLAN			
	ZONE NAME	AREA (m²)	%
	01 SITE COVERAGE	446.67	26.20
TOTAL SITE AREA		1705m²	

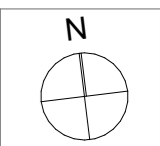
VINCENT STREET NORTH



PROPOSED ZONE PLAN

PROPOSED ZONE PLAN			
	ZONE NAME	AREA (m²)	%
	01 SITE COVERAGE	635.66	37.11
	02 PEARMEABILITY	607.84	35.65
	03 GARDEN	646.73	37.93
	04 BASEMENT AREA	445.14	
	05 BUILDING FOOTPRINT (INC. BASEMENT)	734.76	
	06 DRIVEWAY	353.98	
TOTAL SITE AREA		1705m²	

DESIGN PLAN



DO NOT SCALE DRAWING

sheet title:		
EXISTING & PROPOSED ZONE PLANS		
project name:		
NEW ACCOMMODATION DEVELOPMENT		
project address:		
40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460		
scale:	sheet number:	
	TP12	
sheet size:	project number:	project initiation date:
A3		
drawn by:	published date:	
S.N	27/07/2022	
approved by:	e: tom@trdesign.net.au	
THOMAS REISACHER DP-AD 37904	p: 03 5331 5755	



PLANTING SCHEDULE						
SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	MATURE SIZE	PLANT SPACING	QUANTITY
	ACER RUBRUM 'AUTUMN RED'	CANADIAN MAPLE	TREE	13 x 9m	AS SHOWN	5
	ACACIA DEALBATA	SILVER WATTLE	TREE	10 x 4m	AS SHOWN	7
	EXOCARPOS CUPRESSIFORMIS	CHERRY BALLART	TREE	10 x 4m	AS SHOWN	7
	CLEMATIS MONTANA	CLEMATIS	CLIMBER		AS SHOWN	38
	CAMELLIA SASANQUA 'PLANTATION PINK'	SASANQUA CAMELLIA 'PLANTATION PINK'	SHRUB	1-2m	AS SHOWN	48
	VIBURNUM ODORATISSIMUM	SWEET VIBURNUM	SHRUB	2-3m	AS SHOWN	69
	MYOPORUM PARVIFOLIUM COURSE LEAF PINK	MYOPORUM PINK STAMPEDE	GROUND COVER	30cm	AS SHOWN	76
	SYZYGIUM AUSTRALE	CREEK LILLY PILLY	SHRUB	1-2m	AS SHOWN	86
	BRACTEANTHA BRACTEATA	BRACTEANTHA A SUNRISE	GROUND COVER	30cm	AS SHOWN	103

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STORM Rating Report

TransactionID: 1274838
Municipality: HEPBURN
Rainfall Station: DAYLESFORD
Address: 40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460
Assessor: SN
Development Type: Residential - Multiunit
Allotment Site (m2): 1,705.00
STORM Rating %: 108

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Building Footprint (inc. Basement)	734.76	Rainwater Tank	9,000.00	25	96.80	74.30
Driveway	353.98	Raingarden 300mm	26.00	0	133.75	0.00
Others (Ramp, Landings)	23.00	Buffer Strip	1.84	0	66.00	0.00

GENERAL NOTES:

ALL PROPOSED TREES ALONG VINCENT STREET NORTH AND TRIMBLE STREET FRONTAGES TO BE SEMI-MATURE AND OF A MINIMUM HEIGHT OF 1.5M AT TIME OF PLANTING

AN AUTOMATIC GROUND IRRIGATION SYSTEM IS TO BE PROVIDED TO ALL LANDSCAPED AREAS

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DO NOT SCALE DRAWING

sheet title:

PROPOSED LANDSCAPE PLAN

project name:

NEW ACCOMMODATION DEVELOPMENT

project address:

40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460

scale: 1:200 sheet number: TP13

sheet size: A3 project number: project initiation date:










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PLANTING SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	MATURE SIZE	PLANT SPACING	QUANTITY
	ACER RUBRUM 'AUTUMN RED'	CANADIAN MAPLE	TREE	10 x 4m	AS SHOWN	5
	ACACIA DEALBATA	SILVER WATTLE	TREE	10 x 4m	AS SHOWN	7
	EXOCARPOS CUPRESSIFORMIS	CHERRY BALLART	TREE	10 x 4m	AS SHOWN	7
	CLEMATIS MONTANA	CLEMATIS	CLIMBER		AS SHOWN	38
	CAMELLIA SASANQUA 'PLANTATION PINK'	SASANQUA CAMELLIA 'PLANTATION PINK'	SHRUB	1-2m	AS SHOWN	48
	VIBURNUM ODORATISSIMUM	SWEET VIBURNUM	SHRUB	2-3m	AS SHOWN	69
	MYOPORUM PARVIFOLIUM COURSE LEAF PINK	MYOPORUM PINK STAMPEDE	GROUND COVER	30cm	AS SHOWN	76
	SYZYGIUM AUSTRALE	CREEK LILLY PILLY	SHRUB	1-2m	AS SHOWN	86
	BRACTEANTHA BRACTEATA	BRACTEANTHA A SUNRISE	GROUND COVER	30cm	AS SHOWN	103

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sheet title:
PROPOSED LANDSCAPE PLAN

project name:
NEW ACCOMMODATION DEVELOPMENT

project address:
**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale:
A3

sheet number:
TP14

project number:
S.N

project initiation date:
27/07/2022

published date:
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e: tom@trdesign.net.au
p: 03 531 5755



CANADIAN MAPLE



SASANQUA CAMELLIA 'PLANTATION PINK'



SILVER WATTLE



SWEET VIBURNUM



CLEMATIS



CREEK LILLY PILLY



CHERRY BALLART



BRACTEANTHA SUNRISE



MYOPORUM PINK STAMPEDE

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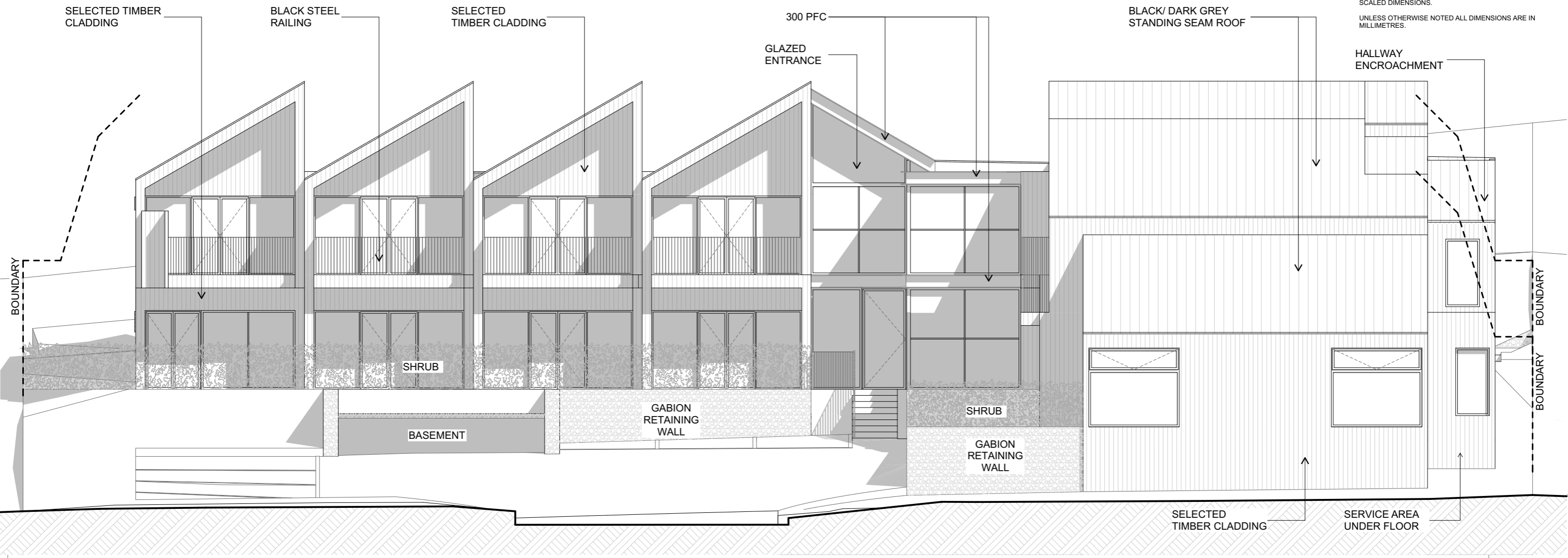
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PROPOSED WEST ELEVATION

1:100

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PROPOSED EXTERNAL MATERIALS



SELECTED TIMBER CLADDING



BLACK/ DARK GREY STANDING SEAM ROOF



GABION RETAINING WALL



TIMBER TERRACE/ BALCONY



BLACK STEEL BALCONY RAILING



EXPOSED BLACK STEEL

PROPOSED ELEVATIONS & EXTERNAL MATERIALS

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
**40 42 VINCENT STREET NORTH
 DAYLESFORD VIC 3460**

scale: 1:100 sheet number: TP15

sheet size: A3 project number: project initiation date:

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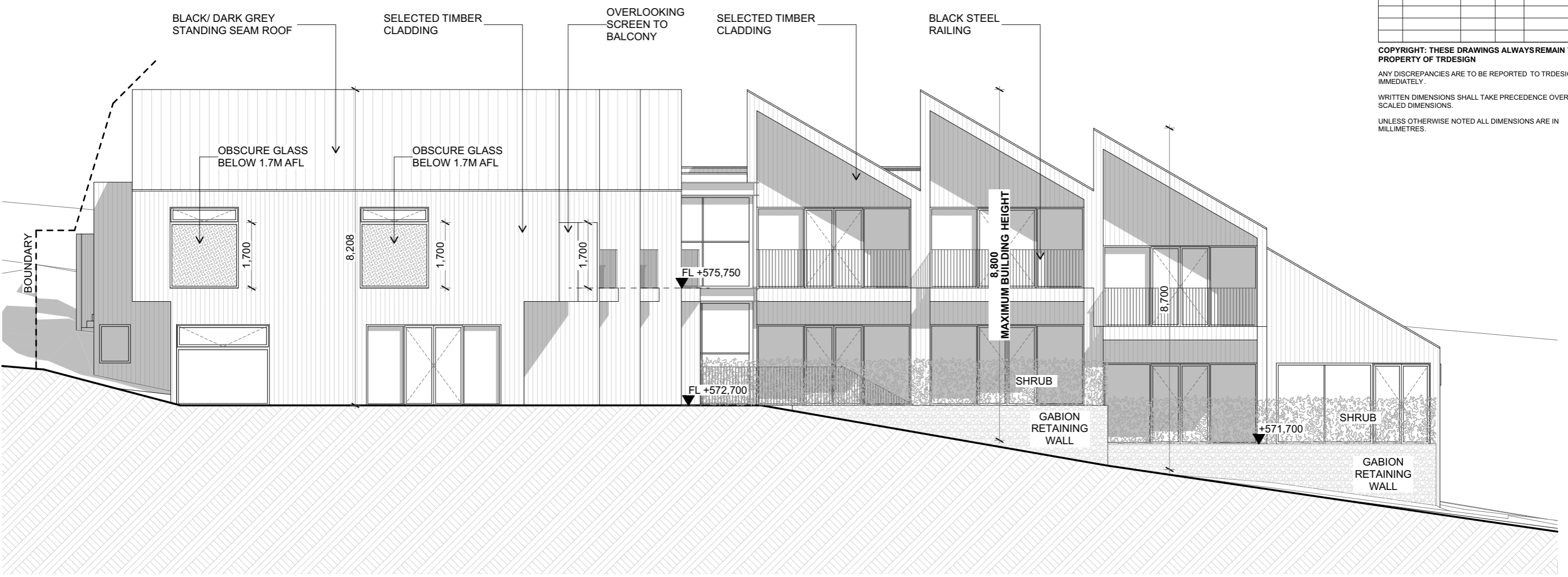
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PROPOSED NORTH ELEVATION

1:100

DO NOT SCALE DRAWING			
sheet title:			
PROPOSED ELEVATIONS & EXTERNAL MATERIALS			
project name:			
NEW ACCOMMODATION DEVELOPMENT			
project address:			
40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460			
scale:	sheet number:		
1:100	TP16		
sheet size:	project number:	project initiation date:	
A3			
drawn by:			published date:
SN			27/07/2022
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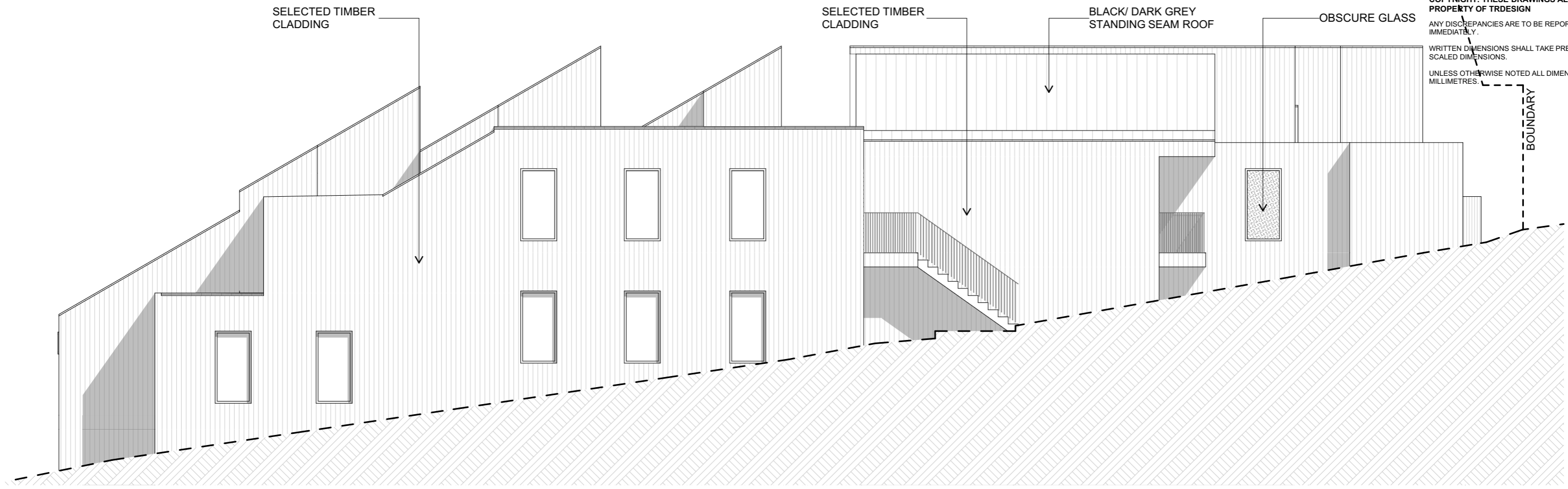


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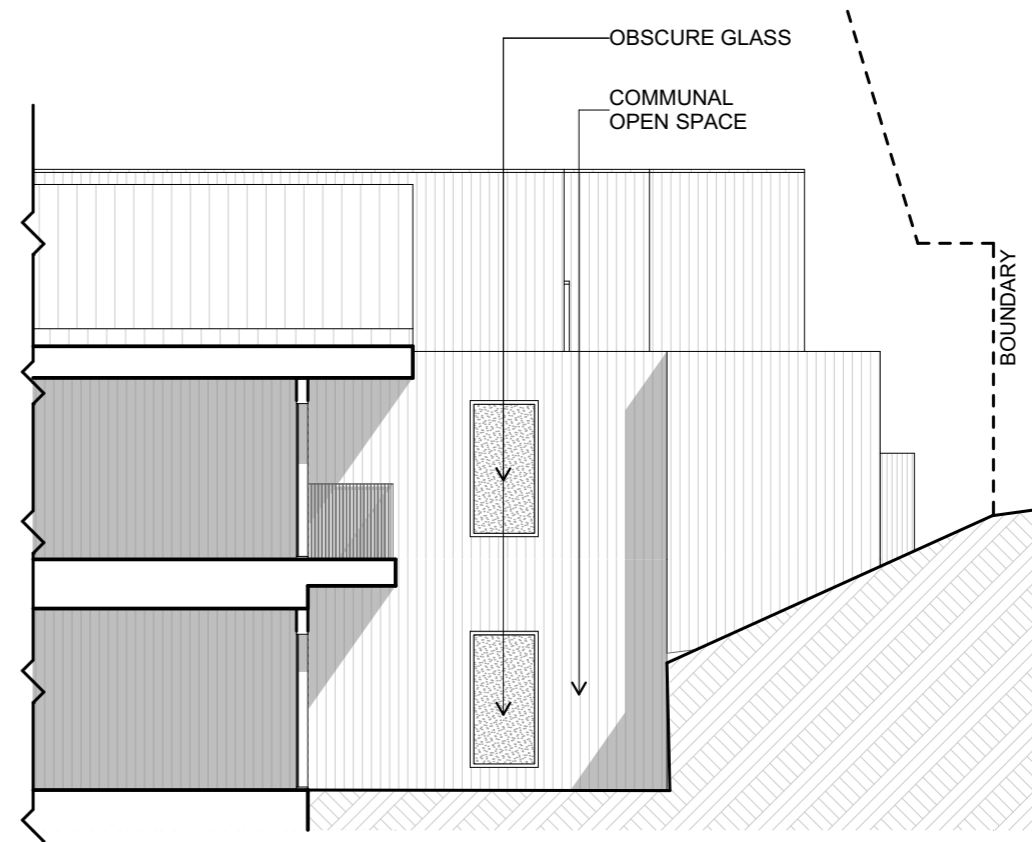
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PROPOSED SOUTH ELEVATION

1:100



PROPOSED SOUTH ELEVATION 2

1:100

DO NOT SCALE DRAWING

sheet title:
PROPOSED ELEVATIONS & EXTERNAL MATERIALS

project name:
NEW ACCOMMODATION DEVELOPMENT

project address:
**40 42 VINCENT STREET NORTH
 DAYLESFORD VIC 3460**

scale: 1:100 sheet number: TP17

sheet size: A3 project number: project initiation date:

drawn by: S.N published date: 27/07/2022

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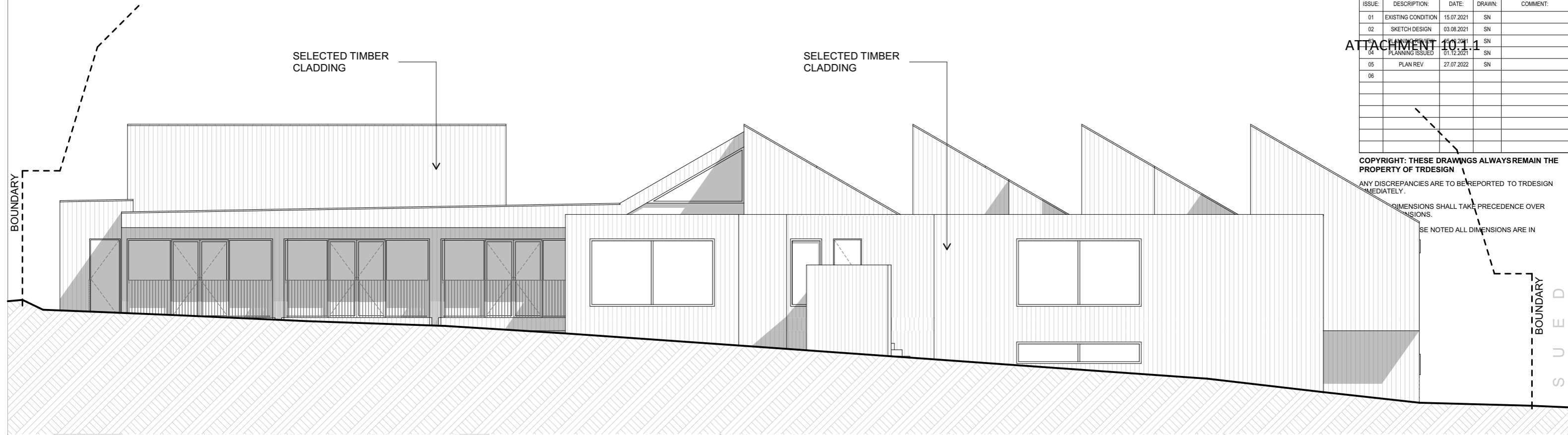
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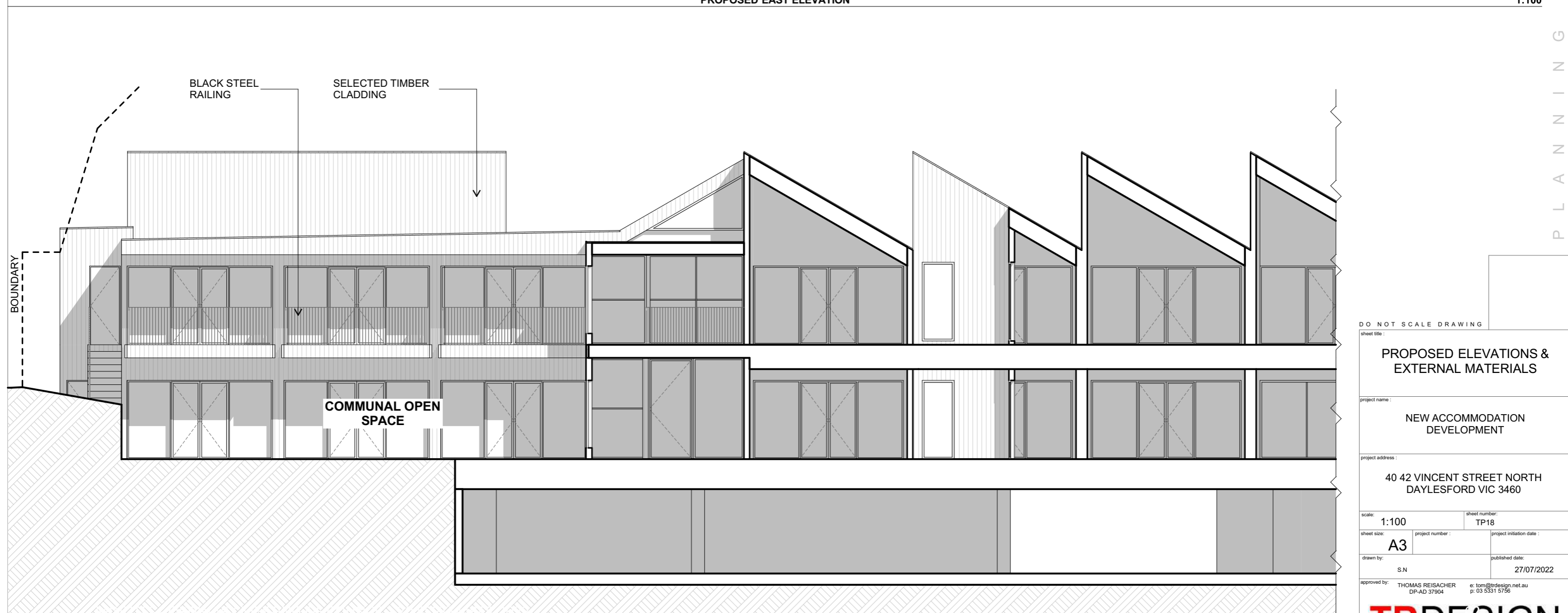
DIMENSIONS SHALL TAKE PRECEDENCE OVER NOTATIONS.

PLEASE NOTE ALL DIMENSIONS ARE IN METRES.



PROPOSED EAST ELEVATION

1:100



PROPOSED EAST ELEVATION 2

1:100

P L A N N I N G

DO NOT SCALE DRAWING

sheet title:

PROPOSED ELEVATIONS & EXTERNAL MATERIALS

project name:

NEW ACCOMMODATION DEVELOPMENT

project address:

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale: 1:100 sheet number: TP18

sheet size: A3 project number: project initiation date:

drawn by: S.N published date: 27/07/2022

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DO NOT SCALE DRAWING
 sheet title:

PROPOSED POCHÉ SECTION

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
**40 42 VINCENT STREET NORTH
 DAYLESFORD VIC 3460**

scale:	sheet number: TP19
sheet size: A3	project number : project initiation date :
drawn by: S.N	published date: 27/07/2022

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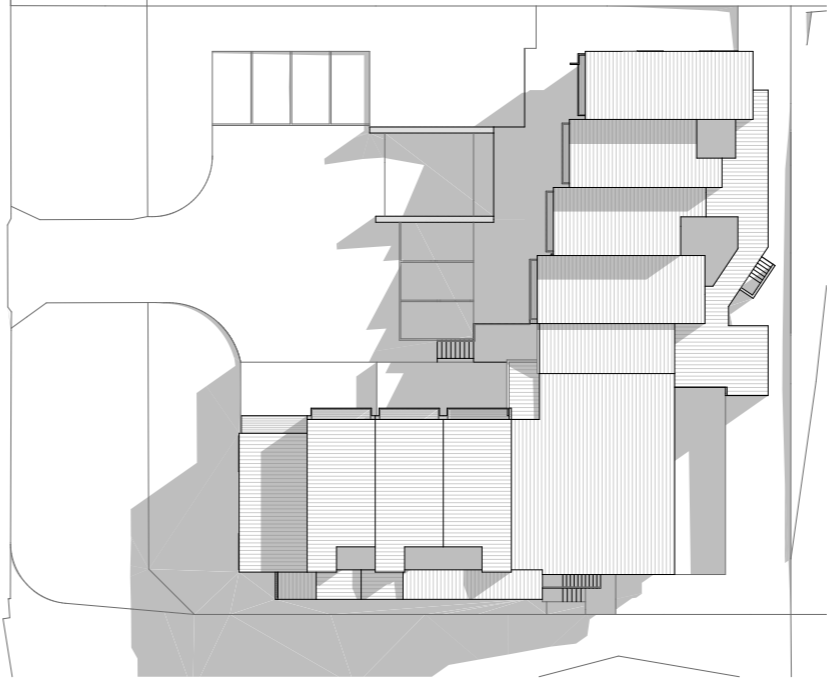
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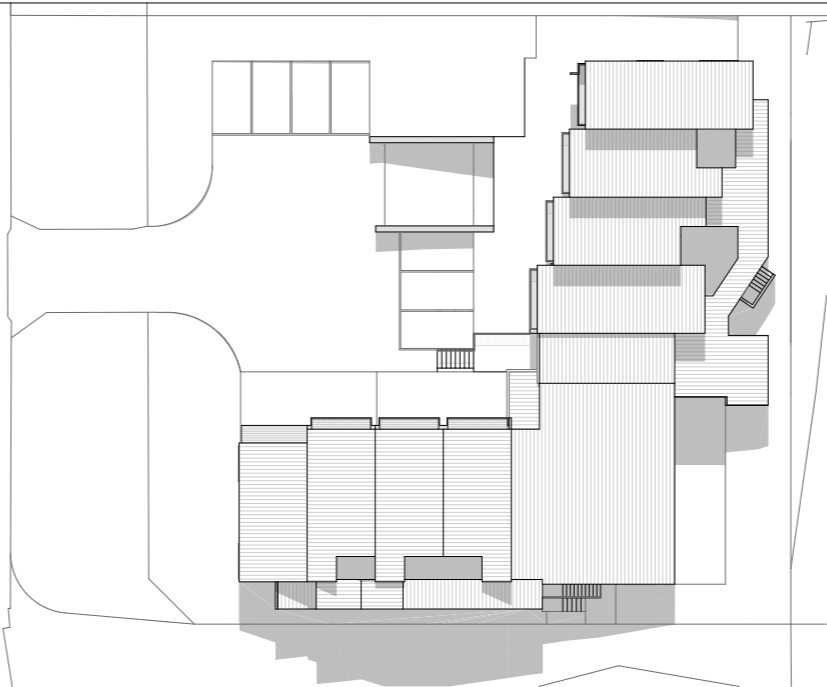
EXISTING SHADOW DIAGRAM AT 9AM 22 SEPTEMBER 1:500



PROPOSED SHADOW DIAGRAM AT 9AM 22 SEPTEMBER 1:500



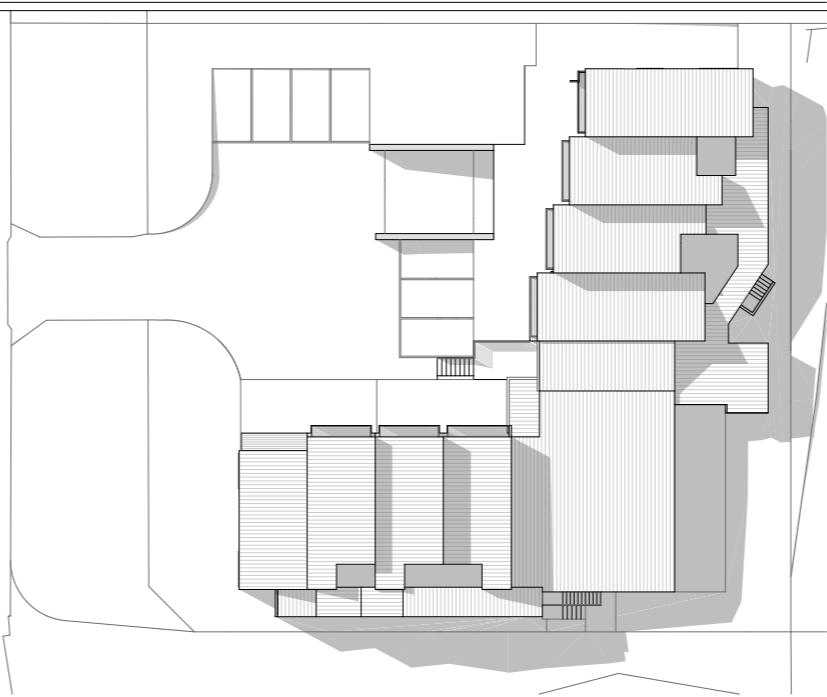
EXISTING SHADOW DIAGRAM AT 12PM 22 SEPTEMBER 1:500



PROPOSED SHADOW DIAGRAM AT 12PM 22 SEPTEMBER 1:500

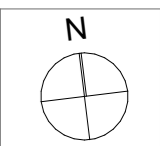


EXISTING SHADOW DIAGRAM AT 3PM 22 SEPTEMBER 1:500



PROPOSED SHADOW DIAGRAM AT 3PM 22 SEPTEMBER 1:500

P L A N I N G I S S U E S



DO NOT SCALE DRAWING

sheet title :
SHADOW DIAGRAMS

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460

scale: 1:500	sheet number: TP20
sheet size: A3	project number :
drawn by: S.N	project initiation date :
approved by: THOMAS REISACHER DP-AD 37904	published date: 27/07/2022

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DO NOT SCALE DRAWING

sheet title :

PROPOSED VIEW 1

project name :

NEW ACCOMMODATION DEVELOPMENT

project address :

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale:	sheet number:
	TP21
sheet size:	project number :
A3	
drawn by:	project initiation date :
SN	
	published date:
	27/07/2022

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DO NOT SCALE DRAWING

sheet title :

PROPOSED VIEW 2

project name :

NEW ACCOMMODATION DEVELOPMENT

project address :

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale:	sheet number:
	TP22
sheet size:	project number :
A3	
drawn by:	project initiation date :
S.N	
approved by:	published date:
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DO NOT SCALE DRAWING

sheet title:

PROPOSED VIEW 3

project name:

NEW ACCOMMODATION DEVELOPMENT

project address:

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale:	sheet number:
	TP23
sheet size:	project number:
A3	
drawn by:	project initiation date:
SN	
	published date:
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D E S I G N I N G P L A N

DO NOT SCALE DRAWING

sheet title :
PROPOSED VIEW 4

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale: sheet number:
TP24

sheet size: project number: project initiation date:
A3

drawn by: published date:
S.N 27/07/2022

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DO NOT SCALE DRAWING

sheet title :		
PROPOSED VIEW 5		
project name :		
NEW ACCOMMODATION DEVELOPMENT		
project address :		
40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460		
scale:	sheet number:	
	TP25	
sheet size:	project number :	project initiation date :
A3		
drawn by:	published date:	
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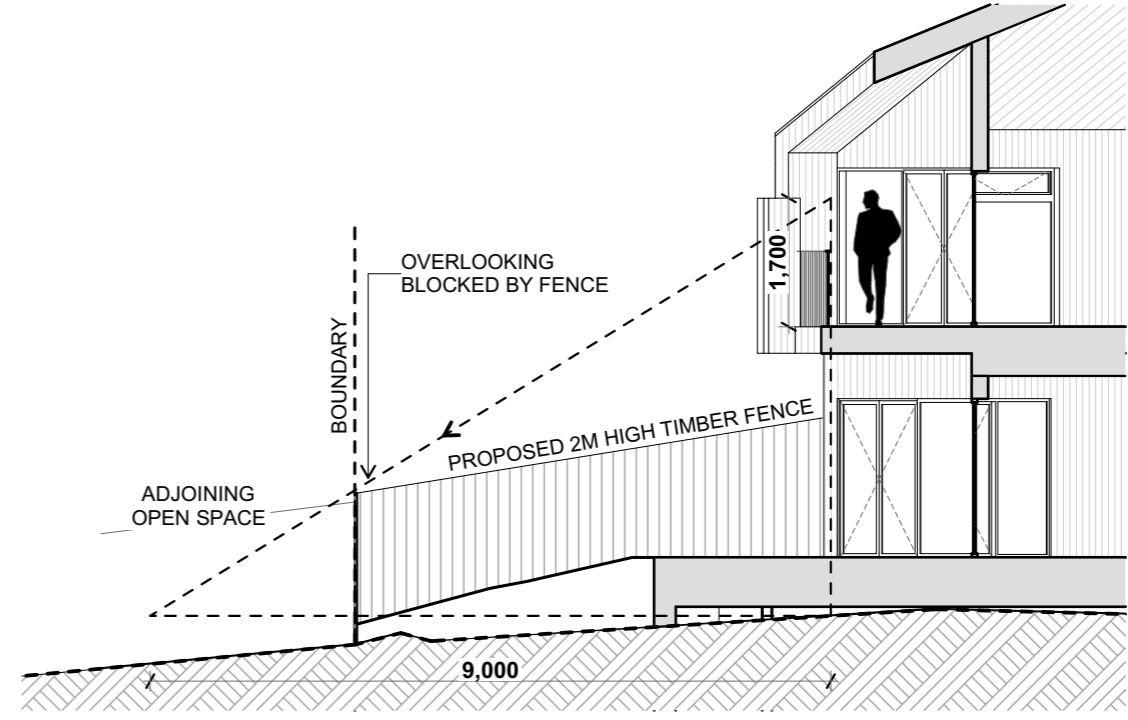
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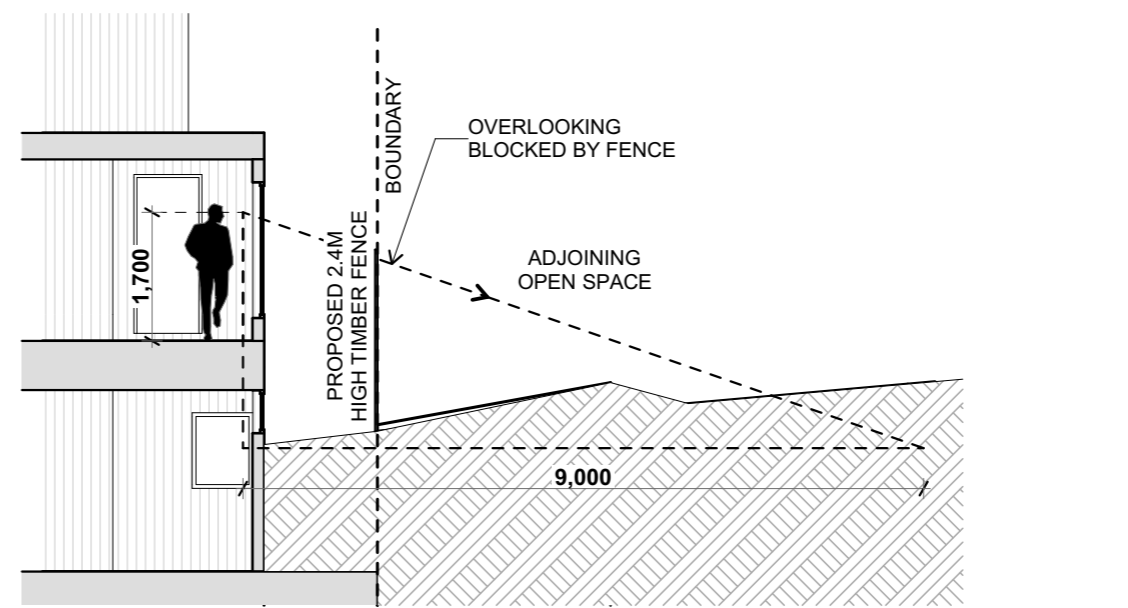
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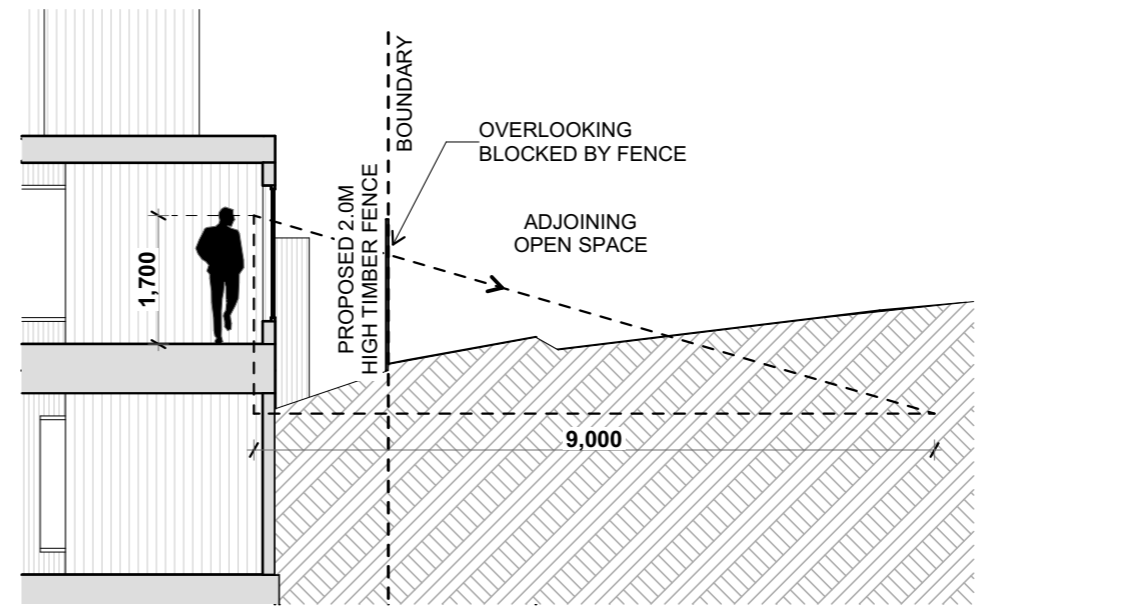
OVERLOOKING PLAN 1:200



SECTION A 1:100

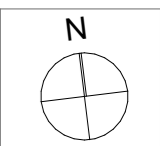


SECTION B 1:100



SECTION C 1:100

D E S I G N P L A N



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sheet title:

OVERLOOKING DIAGRAMS

project name:

NEW ACCOMMODATION DEVELOPMENT

project address:

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale:	1:200, 1:100	sheet number:	TP26
sheet size:	A3	project number:	
drawn by:	S.N	project initiation date:	
approved by:	THOMAS REISACHER DP-AD 37904	published date:	27/07/2022

e: tom@trdesign.net.au
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05	PLAN REV	27.07.2022	SN	
06				

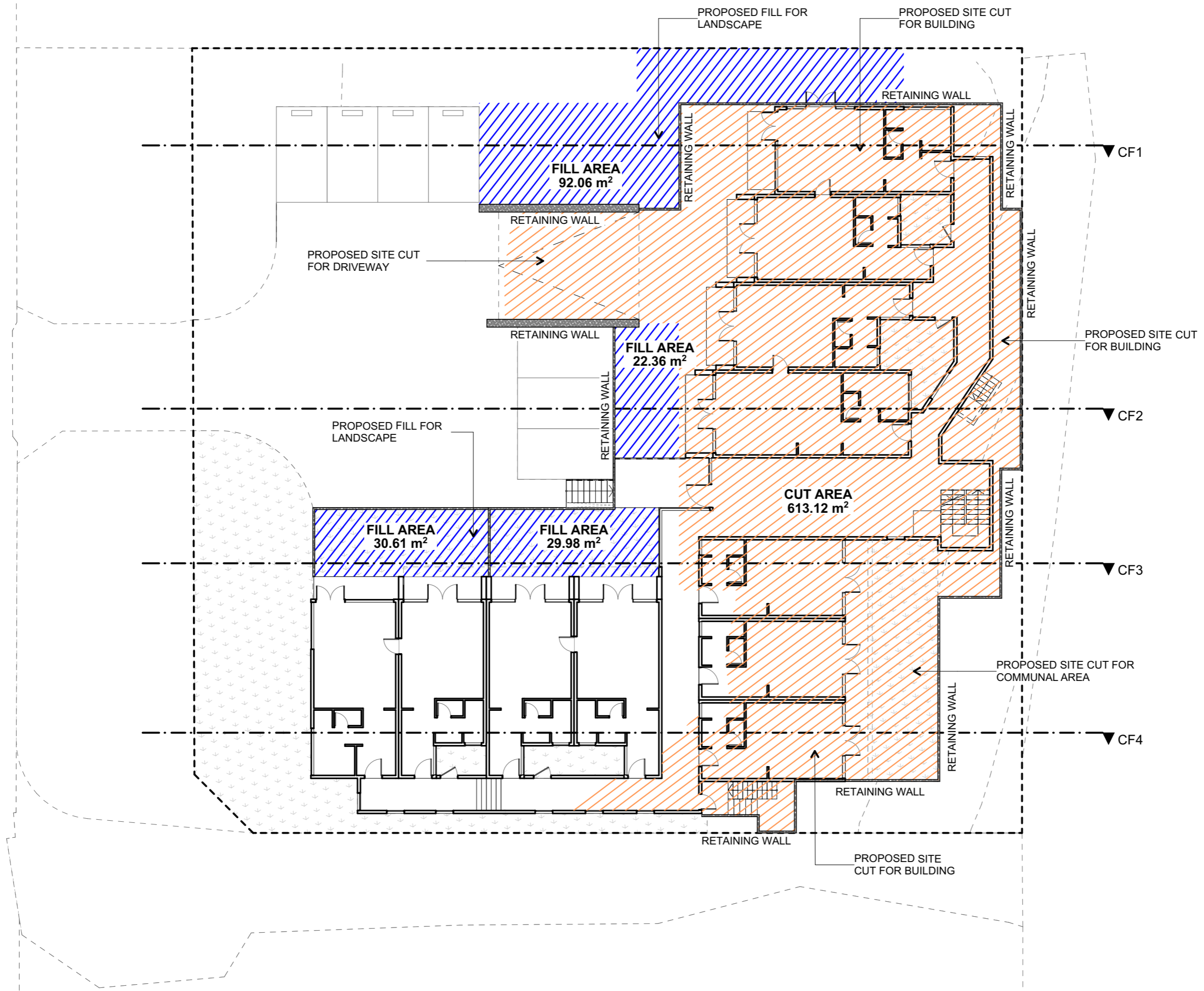
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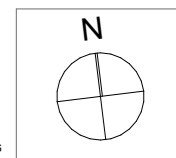
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CUT & FILL LEGEND

- CUT
- FILL
- RETAINING WALL

P L A N N I N G S U B M I T T E D



DO NOT SCALE DRAWING

sheet title:
PROPOSED SITE CUT & FILL & RETAINING WALL_ SHEET 1

project name:
NEW ACCOMMODATION DEVELOPMENT

project address:
**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale: 1:200 sheet number: TP27

sheet size: **A3** project number: project initiation date:

drawn by: S.N published date: 27/07/2022

approved by: THOMAS REISACHER e: tom@trdesign.net.au
DP-AD 37904 p: 03 5331 5755

ISSUE:	DESCRIPTION:	DATE:	DRAWN:	COMMENT:
01	EXISTING CONDITION	15.07.2021	SN	
02	SKETCH DESIGN	03.08.2021	SN	
03	PLANNING REVIEW	05.11.2021	SN	
04	PLANNING ISSUED	01.12.2021	SN	
05	PLAN REV	27.07.2022	SN	
06				

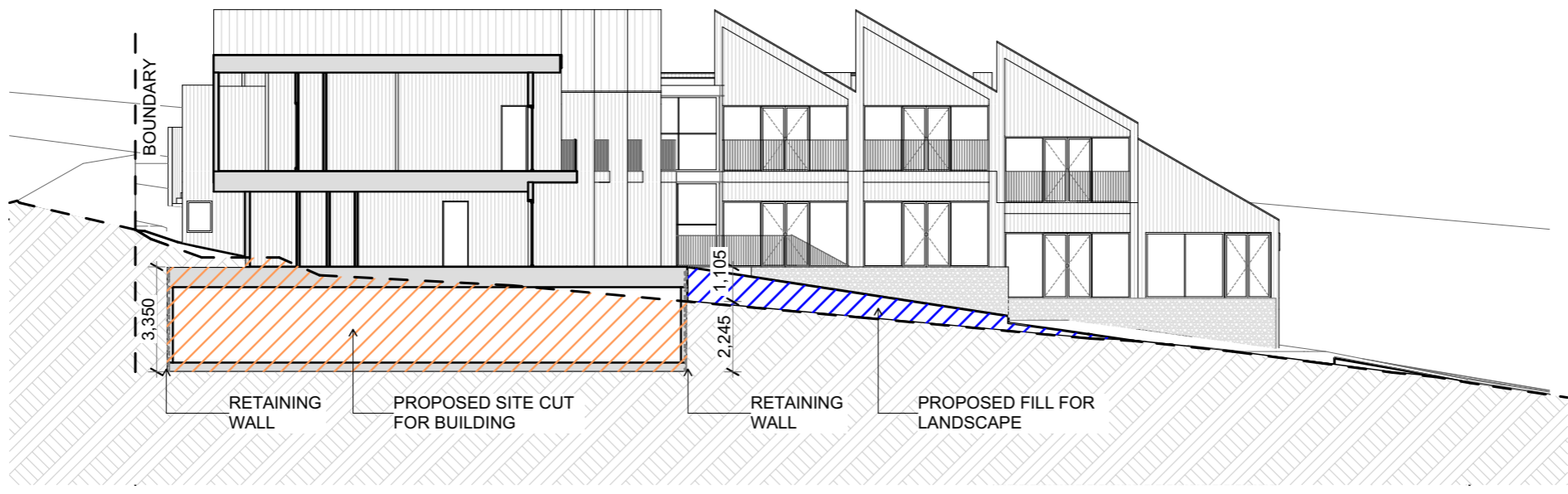
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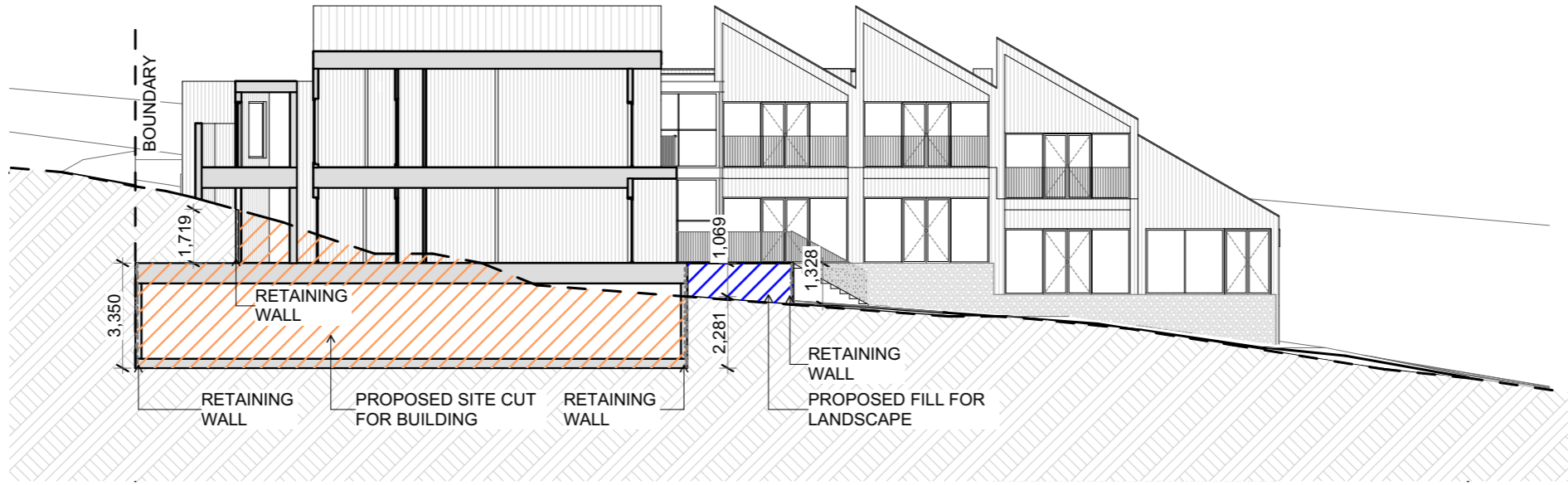


SECTION CF1

1:200

CUT & FILL LEGEND

-  CUT
-  FILL
-  RETAINING WALL



SECTION CF2

1:200

DO NOT SCALE DRAWING

sheet title :
PROPOSED SITE CUT & FILL & RETAINING WALL _ SHEET 2

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460

scale: 1:200 sheet number: TP28

sheet size: A3 project number: project initiation date:

drawn by: S.N published date: 27/07/2022

approved by: THOMAS REISACHER e: tom@trdesign.net.au
DP-AD 37904 p: 03 5331 5755

D E S I G N P L A N

ISSUE:	DESCRIPTION:	DATE:	DRAWN:	COMMENT:
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05	PLAN REV	27.07.2022	SN	
06				

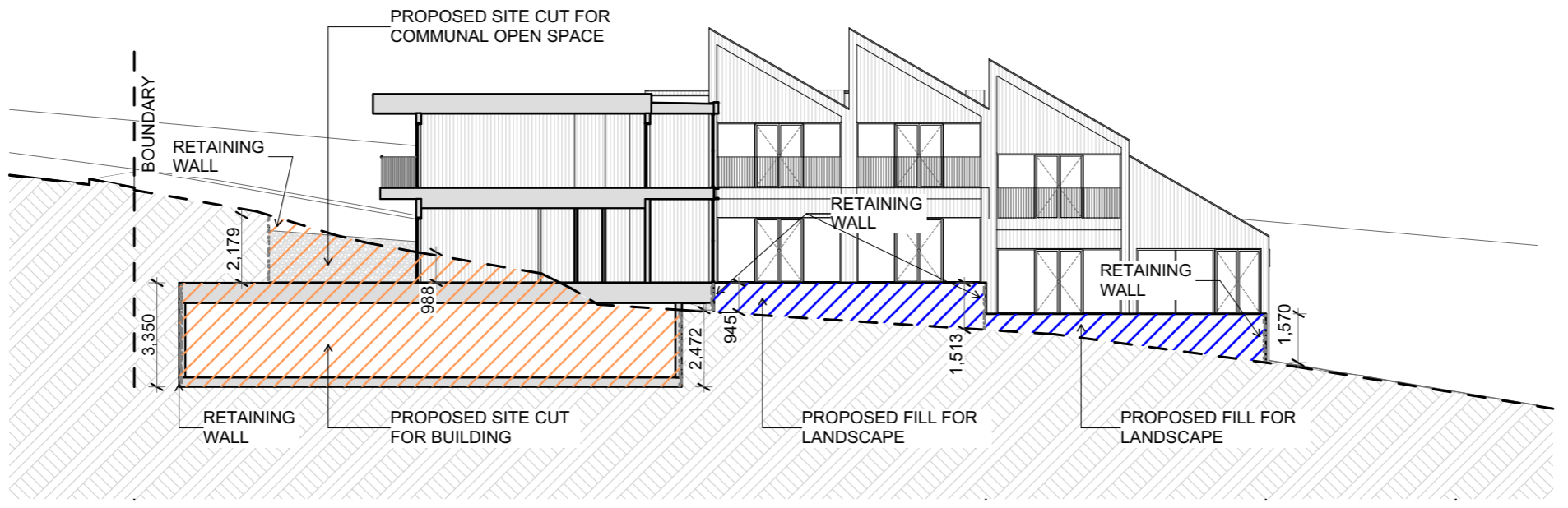
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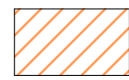
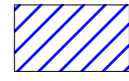

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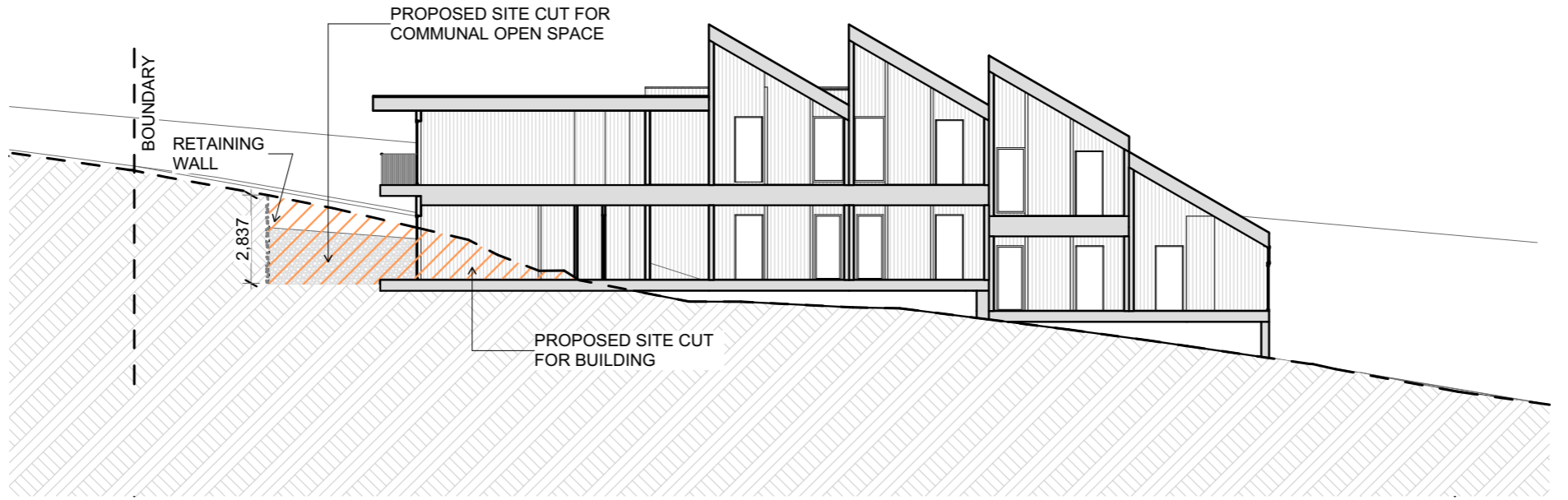


SECTION CF3

1:200

CUT & FILL LEGEND

-  CUT
-  FILL
-  RETAINING WALL



SECTION CF4

1:200

DO NOT SCALE DRAWING

sheet title :
PROPOSED SITE CUT & FILL & RETAINING WALL _ SHEET 3

project name :
NEW ACCOMMODATION DEVELOPMENT

project address :
40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460

scale: 1:200 sheet number: TP29

sheet size: A3 project number: project initiation date:

drawn by: SN published date: 27/07/2022

approved by: THOMAS REISACHER e: tom@trdesign.net.au
DP-AD 37904 p: 03 5331 5756

D E S I G N I N G P L A N Z



PLANTING SCHEDULE						
SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	MATURE SIZE	PLANT SPACING	QUANTITY
	ACER RUBRUM 'AUTUMN RED'	CANADIAN MAPLE	TREE	13 x 9m	AS SHOWN	5
	BANKSIA MARGINATA	SILVER BANKSIA	TREE	5 x 4m	AS SHOWN	7
	ACACIA MELANOXYLON	BLACKWOOD	TREE	12 x 5m	AS SHOWN	7
	CLEMATIS MONTANA	CLEMATIS	CLIMBER		AS SHOWN	38
	CAMELLIA SASANQUA 'PLANTATION PINK'	SASANQUA CAMELLIA 'PLANTATION PINK'	SHRUB	1-2m	AS SHOWN	48
	VIBURNUM ODORATISSIMUM	SWEET VIBURNUM	SHRUB	2-3m	AS SHOWN	69
	MYOPORUM PARVIFOLIUM COURSE LEAF PINK	MYOPORUM PINK STAMPEDE	GROUND COVER	30cm	AS SHOWN	76
	SYZYGIUM AUSTRALE	CREEK LILLY PILLY	SHRUB	1-2m	AS SHOWN	86
	BRACTEANTHA BRACTEATA	BRACTEANTHA A SUNRISE	GROUND COVER	30cm	AS SHOWN	103

ISSUE:	DESCRIPTION:	DATE:	DRAWN:	COMMENT:
01	EXISTING CONDITION	15.07.2021	SN	
02	SKETCH DESIGN	03.08.2021	SN	
03	PLANNING REVIEW	05.10.2021	SN	
04	PLANNING ISSUED	19.11.2021	SN	
05	PLAN REV	27.07.2022	SN	
06	PLAN REV	29.08.2022	SN	

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STORM Rating Report

TransactionID: 1274838
Municipality: HEPBURN
Rainfall Station: DAYLESFORD
Address: 40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460
Assessor: SN
Development Type: Residential - Multiunit
Allotment Site (m2): 1,705.00
STORM Rating %: 108

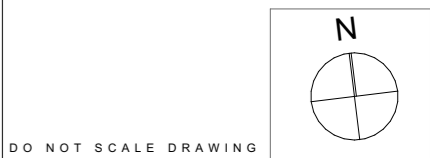
Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Building Footprint (inc. Basement)	734.76	Rainwater Tank	9,000.00	25	96.80	74.30
Driveway	353.98	Raingarden 300mm	26.00	0	133.75	0.00
Others (Ramp, Landings)	23.00	Buffer Strip	1.84	0	66.00	0.00

GENERAL NOTES:

ALL PROPOSED TREES ALONG VINCENT STREET NORTH AND TRIMBLE STREET FRONTAGES TO BE SEMI-MATURE AND OF A MINIMUM HEIGHT OF 1.5M AT TIME OF PLANTING

AN AUTOMATIC GROUND IRRIGATION SYSTEM IS TO BE PROVIDED TO ALL LANDSCAPED AREAS

D E S I G N P L A N



DO NOT SCALE DRAWING

sheet title: **PROPOSED LANDSCAPE PLAN**

project name: **NEW ACCOMMODATION DEVELOPMENT**

project address: **40 42 VINCENT STREET NORTH DAYLESFORD VIC 3460**

scale: 1:200 sheet number: TP13

sheet size: A3 project number: project initiation date:

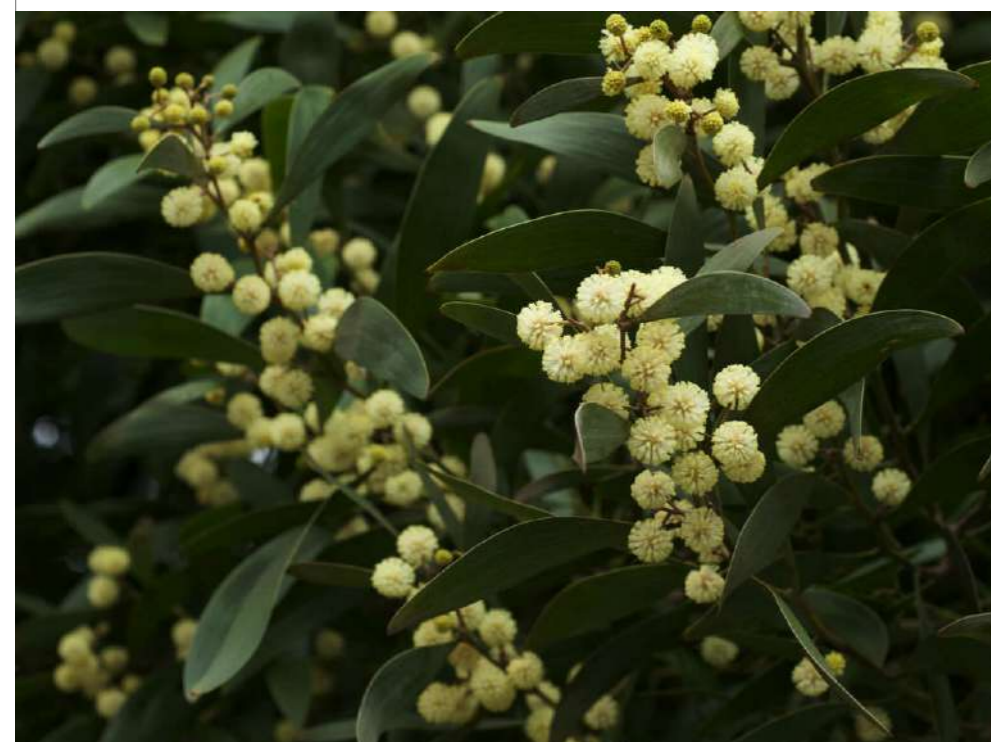
drawn by: S.N published date: 29/08/2022

approved by: THOMAS REISACHER e: tom@trdesign.net.au DP-AD 37904 p: 03 9331 5756





CANADIAN MAPLE



BLACKWOOD



SILVER BANKSIA



SASANQUA CAMELLIA 'PLANTATION PINK'



CLEMATIS



CREEK LILLY PILLY



BRACTEANTHA SUNRISE

PLANTING SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	MATURE SIZE	PLANT SPACING	QUANTITY
	ACER RUBRUM 'AUTUMN RED'	CANADIAN MAPLE	TREE	13 x 9m	AS SHOWN	5
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	CAMELLIA SASANQUA 'PLANTATION PINK'	SASANQUA CAMELLIA 'PLANTATION PINK'	SHRUB	1-2m	AS SHOWN	48
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06	PLAN REV	29.08.2022	SN	

ATTACHMENT 10.1.2

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SWEET VIBURNUM

DO NOT SCALE DRAWING

sheet title:

PROPOSED LANDSCAPE PLAN

project name:

NEW ACCOMMODATION DEVELOPMENT

project address:

**40 42 VINCENT STREET NORTH
DAYLESFORD VIC 3460**

scale:

sheet number:

TP14

sheet size:

project number:

project initiation date:

A3

drawn by:

published date:

S.N

29/08/2022

approved by:

THOMAS REISACHER
DP-AD 37904

e: tom@trdesign.net.au
p: 03 5331 5755



MYOPORUM PINK STAMPEDE

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B

AMENDMENT TO PLANNING APPLICATION

Pursuant to Sections 50, 50A and 57A of the Planning and Environment Act 1987

Is this form for me? This form is for making amendments to an application that has been lodged with Council, but which has not yet been decided.

Planning Permit

Permit number: PA 3417

Address of the Land: 40-42 Vincent Strete North Daylesford

The Applicant

Name: David Merrett

Organisation: Spectrum Planning Solutions

Postal Address: 40-42 Vincent Strete North Daylesford

Postcode: 3228

Telephone no (Business hours):

Mobile phone no: 0428 132713

Email Address: david@spectrumps.com.au

Fax no:

Amendment sought

Submit amended plans

Add the following permit triggers:

Demolition of buildings

Alteration to an access to Road Zone Category 1

Remove vegetation

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Attach a full schedule of all changes, including all changes to plans. If plans are to be amended, three full sets of amended plans are required. If the amendment changes the description of the use or development, please make that clear.

Does the amendment breach a registered covenant, section 173 agreement or restriction on Title? Yes No

Prescribed Fee

To amend an application before advertising
To amend an application after advertising

No fee
40% of application fee for the relevant class of permit

Declaration

I declare that I am the applicant and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the amendment to the application.

Name: David Merrett Date: 2/12/21 Signature: 

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

Lodgement

Please lodge the completed form, appropriate fee and supporting documents with:

Planning Department
Hepburn Shire Council
Duke Street

Daylesford VIC 3460

Telephone: (03) 5348 1577

email: shire@hepburn.vic.gov.au

Please Note:

Any material submitted with an application including plans will be made available for public view and copies may be made to interested parties for the sole purpose of enabling consideration and review as part of a planning process under the Planning & Environment Act 1987.

HOW TO AMEND AN APPLICATION FOR A PLANNING PERMIT

Applications made under section 50.3(c) must include the information required by Regulation 16 of the Planning and Environment Regulations 1988.

Section 50. Amendment to application at request of the applicant before notice

- (1) An applicant may ask the responsible authority to amend an application before notice of the application is first given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and an amendment to any plans and other documents forming part of or accompanying the application.
- (3) A request under this section must—
 - (a) be accompanied by the prescribed fee (if any); and
 - (b) be accompanied by any information or document referred to in section 47(1)(c) to 47(1)(e) that relates to the proposed amendment to the application and that was not provided with the original application; and
 - (c) if the applicant is not the owner of the land to which the application applies, be signed by the owner or include a declaration by the applicant, that the applicant has notified the owner about the request.
- (4) Subject to sub-section (5), the responsible authority must amend the application in accordance with the request.
- (5) The responsible authority may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.
- (6) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (7) On the amendment of an application under this section, the amended application is to be taken—
 - (a) to be the application for the purposes of this Act; and
 - (b) to have been received on the day that the request for amendment was received by the responsible authority.

50A. Amendment of application by responsible authority before notice

- (1) With the agreement of the applicant and after giving notice to the owner, the responsible authority may make any amendments to an application that it thinks necessary before notice of the application is first given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and
 - (c) an amendment to any plans and other documents forming part of or accompanying the application.
- (3) The responsible authority may require the applicant—
 - (a) to notify the owner under sub-section (1); and
 - (b) to make a declaration that that notice has been given.
- (4) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (5) On the amendment of an application under this section, the amended application is to be taken—
 - (a) to be the application for the purposes of this Act; and
 - (b) to have been received on the day that the applicant agreed to the amendment.

57A. Amendments to application after notice of application is given

- (1) An applicant may ask the responsible authority to amend an application after notice of the application is given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and
 - (c) an amendment to any plans and other documents forming part of or accompanying the application.
- (3) A request under this section must—
 - (a) be accompanied by the prescribed fee (if any); and
 - (b) be accompanied by any information or document referred to in section 47(1)(c) to 47(1)(e) that relates to the proposed amendment to the application and that was not provided with the original application; and
 - (c) if the applicant is not the owner of the land to which the application applies, be signed by the owner or include a declaration by the applicant that the applicant has notified the owner about the request.
- (4) Subject to sub-section (5), the responsible authority must amend the application in accordance with the request.
- (5) The responsible authority may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.
- (6) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (7) On the amendment of an application under this section—
 - (a) the amended application is to be taken—
 - (i) to be the application for the purposes of this Act; and
 - (ii) to have been received on the day that the request for amendment was received by the responsible authority; and
 - (b) all objections made in relation to the original application are to be taken to be objections to the amended application.
- (8) Nothing in this section affects any right a person may have to make a request under section 87 or 89 in respect of anything done or not done in relation to the original application.
- (9) Sections 52 and 55 do not apply to an amended application.

REMEMBER it is against the law to give false or misleading information. You may receive a heavy fine and your permit may be cancelled.

Send the completed form and all the documents to the Responsible Authority:

27 July 2022

Wallie Cron
Town Planning
Hepburn Shire Council
By email: shire@hepburn.vic.gov.au
wcron@hepburn.vic.gov.au

Dear Wallie

**RE: Proposed Group Accommodation
40-42 Vincent Street North Daylesford
Planning Application PA3417**

I refer to our previous discussions regarding the progress of the above application. We note it is due to be considered by Council in September 2022.

As discussed, the approval of Amendment C80hepb that replaces the General Residential Zone with the Neighbourhood Residential Zone has implications for the application. In particular, the NRZ has a mandatory maximum building height of 9 metres and the former GRZ has a mandatory maximum building height of 11 metres. The submitted plans indicated a maximum height of 9.114 metres (refer to TP16). The impact of the NRZ is that the submitted proposal is now non-compliant with the mandatory height limit. We have prepared amended plans that reduces the maximum building height to 8.8 metres. It is important that these changes be made to the current application prior to Council considering the application in September 2022.

I have tried to lodge the attached amended plans on Council's portal however the size of the file is 15MB, well above the 3MB that is its limit. This letter has been uploaded however the amended plans will be emailed direct to Wallie Cron.

Should you wish to discuss this further please contact me on 0428 132713.

Yours sincerely



David Merrett
Director

2 December 2021

James McInnes
Town Planning
Hepburn Shire Council
By email: shire@hepburn.vic.gov.au

Dear James

**RE: Planning Application PA3417
Proposed Group Accommodation
40-42 Vincent Street North Daylesford**

I refer to Council's request for further information dated 4 November 2021. We have considered our position on this and attach a set of amended plans that address some of those issues outlined below. In addition to this, attached is a request to amend a planning application by amending what the application proposes by adding the following:

- Demolition of buildings
- Alteration to an existing access to a Road Zone Category 1
- Remove non-native vegetation.

The amended plans now show:

- A 6 metre setback to Vincent Street North (Item 1a).
- Overlooking is addressed on Plan TP26. It is noted a screen will be used for the northern balcony and a new 2 metre high fence will mitigate any overlooking to the dwelling to the east (Item 1b).
- Balconies are dimensioned (refer to TP10) and show an area of 4.5sqm and 6.5sqm for each balcony. Standard B28 (40sqm) is not met and we submit that this should not be imposed as the application proposes tourist accommodation in the main which will not be permanently occupied as private dwellings would be. I refer to the staff accommodation open space below (Item 1c).
- The open space to the staff accommodation is communal open space on the ground floor and on the first floor the balconies will be used as open space (Item 1d). It is important to note that this is for worker accommodation for staff that work at the same premises. They will be known to each other and work in a collegiate environment. If the workers are not satisfied with this arrangement, then they always have the option of seeking their own accommodation. A fundamental basis of this application is to solve the operational issues associated with retaining and accommodating staff in a tourist town where most of the private dwelling accommodation is priced out of the market on sites like AirBnB and Stayz. My client would like staff to stay and work longer but the nature of the hospitality industry is that there is a level of high level of staff turnover.
- The windows overlooking the communal staff courtyard now contain obscure glass – refer to Plan TP17 (Item 1e).
- The first floor balconies for the staff accommodation now have side screen extensions (refer to Plan TP10). It is still proposed to have the eastern side of these balconies open as it is part of the staff accommodation which has a focus on communal open space (Item 1f).

- We do not believe internal storage is required for the staff accommodation as the nature of employees is that are usually backpackers that travel light (Item 1g). Notwithstanding this Plan TP8 shows a dedicated storage room in the basement for staff.
- Plan TP8 now shows a dedicated bin storage area in the basement (Item 1h).
- Retaining wall details are shown on Plans TP29.
- An amended landscape plan is contained on Plans TP13 and 14 (Item 2). This now contains an appropriate species mix and water garden areas in accordance with Clause 53.18. If further updates are required we request this be the subject of permit condition.
- A cut and fill plan (Item 3) is contained at Plan TP27.
- Plan TP13 shows the STORM rating report as required under Clause 53.18 (Item 4).
- We are unsure why a car parking demand assessment is required, and in this instance believe we have provided an adequate level of parking. We refer to the planning report at Section 7.4 that states:
 - *All suites are one bedroom with kitchenette facilities. As such Clause 52.06 requires one car parking space per 'dwelling'.*
 - *A total of 21 spaces is required. A total of 18 spaces have been provided so this permit application seeks a reduction of three spaces. We believe this is appropriate for the following reasons:*
 - *The plans indicate there is the potential for 13 additional parking spaces to be created on Trimble Street. This will adequately meet the shortfall.*
 - *14 of the 15 tourist accommodation suites have the capacity to provide a dual key accommodation for families. This will reduce the need for parking.*
 - *It is the experience of my client that not all workers have their own vehicle and use a bike to get around. This will mitigate the shortfall.*

We re-confirm that parking will be provided in the Trimble Street road reserve. When considered in the yield assessment this proposal provides 31 spaces, significantly more than the statutory requirement. This additional parking is provided immediately adjacent the site and could only reasonably be used by this proposal or the tourist accommodation business to the south (operated by my client). This does not upset traffic along this 'closed' part of Trimble Street and will present this Council-owned road reserve in a better condition than currently.

- A further concern highlighted by Council is the side setback to the southern boundary is less than Standard B17 would require. We accept this is the case. We note this provision (Standard B17) is located at Clause 55.04 which addresses amenity issues. In response we note there is no immediate sensitive residential interface as it is a corner lot and amenity concerns should be tested by the advertising of the proposal. Landscaping proposed along this boundary will be significant and present an appropriate screen to the built form.
- Signage will be the subject of a further application, but we can say it will be modest, if required at all. No pole signs would be required.
- We accept the need for a final materials/colours/finishes information is required and this can be the subject of a permit application. Plan TP15 contains some indicative information.

Should you wish to discuss this further please contact me on 0428 132713.

Yours sincerely



David Merrett
Director

ENGINEERING CONDITIONS

Application No	:	PA – 3417
File	:	101897P
Property No	:	101897
Address of Land	:	40 Vincent Street North, Daylesford
Description	:	Group Accommodation

1. Stormwater Drainage

- All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.
- Prior to statement of compliance/commencement of use, professionally prepared plans and calculations for the construction of all underground and/or surface drainage works, that are considered necessary by the Responsible Authority, shall be supplied to the Responsible Authority by the Applicant. Such drainage works shall be designed and installed to transport stormwater runoff from the subject land and surrounding land and/or adjoining road(s) to an approved point of discharge. No concentrated stormwater shall drain or discharge from the land to adjoining properties. Construction shall not commence until the plans have been approved by the Responsible Authority. All drainage construction shall be carried out in accordance with the approved plans. All works must be constructed and completed prior to commencement of use.
- Return period for a Detention system is to be 5% AEP where there is overland escape path and 1% AEP if the failure of the detention system will cause property damage or inundation of freehold titles.
- It is the responsibility of the developer, to prepare a Stormwater Strategy Plan to identify and record the manner by which the quantity and quality of stormwater shall be managed for the catchment, not just the immediate development, including any new infrastructure that may be required to convey stormwater to a registered waterway. The stormwater strategy plan must demonstrate how to avoid adverse impact on neighbouring properties and surrounding road network due to the development. Drainage design plans and legal point of discharge will not be considered until the drainage strategy has been established.
- It is the responsibility of the developer to meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines

Note: Additional information for requirements can be found at <https://www.epa.vic.gov.au/business-and-industry/guidelines/water-guidance/urban-stormwater-bpemg>

2. Access

- Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.
 - All vehicle entry to and egress from the property shall be in a forward motion. Vehicle turn around must be provided within the property
- ATTACHMENT 10.1.6
- Prior to the occupation the following will be constructed for approval.
 - Vehicle access/crossing is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 245 or to approval of responsible authority
 - Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.
 - Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.
 - Any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.
 - The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.

3. Carparking

- Before construction works start associated with the provision of carparking, detailed layout plans demonstrating compliance with AustRoads Publication 'Guide to Traffic Engineering Practice: Part 11 Parking', Australian Standard "AS2890: Parking Facilities" and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions.
- Before the use or occupation of the development starts, the area(s) set aside for parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) surfaced with an all-weather surface and treated to prevent dust;
 - b) drained in accordance with an approved drainage plan;
 - c) provision for vehicles to pass on driveways and
 - d) constructed and completed to the satisfaction of the Responsible Authority.
 - e) Allow for turning movements of delivery vehicle
- Where the boundary of any car space, access lane or driveway adjoins a footpath or a garden area, a kerb or a similar barrier shall be constructed to the satisfaction of Responsible Authority

4. Road Upgrade Works

- Trimble Street parking area requires detailed plans that must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions.

- All footpaths shall be designed and constructed in accordance with the relevant Australian Standards, Infrastructure Design Manual [IDM] and to the satisfaction of the Responsible Authority. ATTACHMENT 10.1.6
- Minimum width of the footpaths shall be 1.5m and are to be constructed in accordance with IDM Standard Drawings SD 205 – Typical Footpath Detail.
- Footpaths shall be provided along the parking area on Trimble Street and the frontage of Vincent Street north along with a connection into the shared pathway on Vincent Street North.

5. Waste Management

- A private waste collection shall be required to service the development. It is the responsibility of the developer to prepare a waste management strategy, to the satisfaction of the Responsible Authority, which demonstrates:
 - Collection arrangement
 - Maximum waste collection vehicle dimension and weight
 - Adequacy of common property pavement to handle waste vehicles
 - Adequacy and safety of the access roads
 - Compliance with enter forward, exit forward vehicle movements
 - Compliance with Environment Protection Authority noise standards
- 6. Prior to statement of compliance it is the responsibility of the developer to meet the requirements and standards as set out in the IDM (Infrastructure Design Manual) version 5.20
- 7. All works must construct and complete prior to commencement of use.
- 8. All costs incurred in complying with the above conditions shall be borne by the permit holder.

Prepared by: Ashley Goad – Engineering Development Officer
Date: 29/11/2021

Doc code: 21/27553 Sect 55 2021-12-10
Your ref: PA3417

10th December 2021

James McInnes
Planning Officer
Hepburn Shire Council
P.O. Box 21
DAYLESFORD VIC 3460

Dear James,

**Application for Planning Permit, Use and development of land for group accommodation.
Reduction in car parking, 40 Vincent Street North, Daylesford.**

We refer to your letter received 4th November 2021 and advise that in accordance with Section 56(1)(a) of the Planning and Environment Act, this Authority has no objection to the issue of a planning permit.

Yours faithfully,



Casey Boucher
Senior Officer Planning



GMW Ref: PP-21-01215
Doc ID: A4188967

Hepburn Shire Council
Planning Department
shire@hepburn.vic.gov.au

11 November 2021

Dear Sir and/or Madam,

Planning Permit Application - Accommodation - Group Accommodation & Reduction in car parking

Application No: PA 3417
Applicant: Spectrum Planning Solutions C/- David Merrett
Location: 40 Vincent Street North DAYLESFORD VIC 3460
V 10186 F 237 Lot 1 Plan 333144S

Thank you for your letter and information received 4 November 2021 in accordance with Section 55 of *the Planning and Environment Act 1987*.

Goulburn-Murray Water's (GMW) areas of interest are surface water and groundwater quality, use and disposal. GMW requires that development proposals do not impact detrimentally on GMW's infrastructure and the flow and quality of surface water and groundwater. Applicants must ensure that any required water supplies are available from an approved source.

Based on the information provided and in accordance with Section 56 (a) of *the Planning and Environment Act 1987*, GMW has no objection to this planning permit being granted.

If you require further information please e-mail planning.referrals@gmwater.com.au or contact 1800 013 357.

Yours sincerely

Ranine McKenzie
SECTION LEADER STATUTORY PLANNING
Per: (original signed by Loretta Mulla)

NCCMA Ref: NCCMA-F-2021-01392
Council Ref: PA 3417
Date: 15 November 2021

James McInnes
Statutory Planner
Hepburn Shire Council
PO Box 21,
Daylesford Vic 3460

Dear James

Planning Permit Application No: PA 3417
Development Description: group accommodation units
Street Address: 40 Vincent Street Daylesford Vic 3460
Applicant: David Merrett, Spectrum Planning Solutions

Thank you for your referral under Section 55 of the *Planning and Environment Act, 1987* dated 4 November 2021, and received by North Central Catchment Management Authority (CMA) on 4 November 2021, regarding the above matter.

North Central CMA, pursuant to *Section 56* of the *Planning and Environment Act 1987*, **does not object** to the granting of a permit.

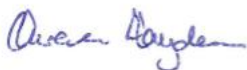
Advice to Applicant / Council

Information available at North Central CMA indicates that the location described above is not subject to flooding from any designated waterway based on a flood level that has a probability of occurrence of 1% in any one year. It would be in your best interest to contact the relevant Local Council regarding the impact of overland flows associated with the local drainage system.

Should you have any queries, please do not hesitate to contact me on **(03) 5440 1896**.

To assist the CMA in handling any enquiries and the supply of further information, please ensure you quote **NCCMA-F-2021-01392** in your correspondence.

Yours sincerely



Owen Hayden
Waterways and Floodplain Officer
Cc: David Merrett, Spectrum Planning Solutions

Information contained in this correspondence is subject to the definitions and disclaimers attached.



Attached: Definitions and Disclaimers

Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100-year ARI flood will occur on average once every 100 years.
5. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.
6. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
7. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use for the whole or any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it will appear.
8. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.



GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

James McInnes
Hepburn Shire Council
10 Duke Street
Daylesford VIC 3460

Dear James

PLANNING APPLICATION NO.: PA 3417
DEPARTMENT REFERENCE NO: PPR 38389/21
PROPERTY ADDRESS: 40 VINCENT STREET, DAYLESFORD VIC 3460

Section 55 – No objection subject to conditions

Thank you for your referral, referring details of the above application to the Department of Transport (Head, Transport for Victoria) pursuant to Section 55 of the Planning and Environment Act 1987.

The application is for:

Use and development of land for group accommodation and reduction in car parking adjacent Road Zone Category 1.

The Department has considered the application and in principle has no objection to the proposal, but would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:

1. Prior to the commencement of construction of the dwellings the existing crossover and driveway must be upgraded to be at least 6m wide to allow two-way traffic movements to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.

Please forward a copy of the Planning Permit, Notice of Decision to Grant or Refusal to Grant a Planning Permit to the Department at western.mail@roads.vic.gov.au, as required under Section 66 of the Planning and Environment Act 1987.

Should you have any enquiries regarding this matter, please contact western.mail@roads.vic.gov.au

Yours sincerely

for

CHRIS DUNLOP
MANAGER DEVELOPMENT
GRAMPIANS REGION
Under delegation from the Head, Transport for Victoria
27/01/2022

Cc: Permit applicant

File No:

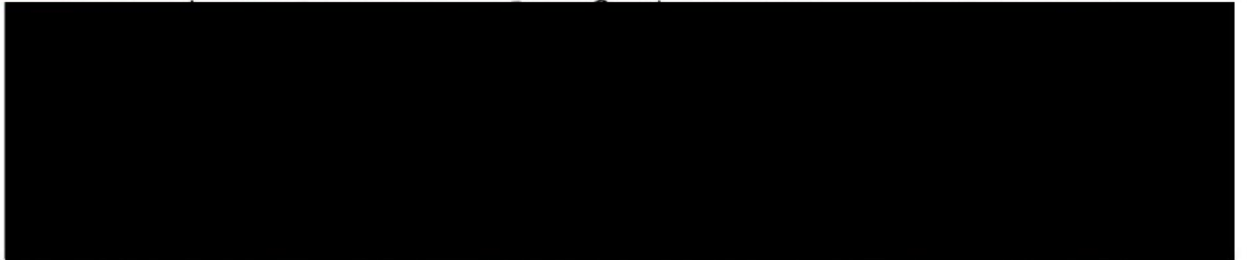
Rec'd Date: 27 JAN 2022

Please use block letters

Rec'd By: Dale Street

Action By: Planning & Environment Act 1987

Reg No:

WHO IS OBJECTING:**WHAT APPLICATION DO YOU OBJECT TO?**

Permit application no. PInPA003417

Proposal: Use and development of land for group accomodation & associated works

Who has applied for the permit: Spectrum Planning - David Merrett.

WHAT ARE THE REASONS FOR YOUR OBJECTION?

- This is a large commercial proposal in a residential zone.
- It does not respect the residential character of the neighbourhood.
- Noise & disturbance resulting from proposed use of the property
- Reading through ALL of the application there are many contradictions and assumptions that cannot be backed up.
- Drainage is a major concern due to the "Freehold United" mine shafts being flooded by underground water which impacts that property most of the year, this should be of concern as there is already see page through the reef that causes roadway breakdown.
- This part of the main road is predominantly single residential houses. see attached sheet. 1.

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

- NOISE: Thirty or more people on site will create excessive noise far exceeding the previous 6 tenants that lived there.
- I am in a unique little community that will become divided.
- I will feel more isolated.
- The granting of this permit by council will make me inconsolable to the fact that this permit has more importance than how I, a ratepayer of 37 years and my family feel.
- It will increase my anxiety and depression.

~~Signature~~

1. What are the reasons for your objection, :continued

- The estimate of cars being used by guests could very likely double in many cases.
- Traffic safety and generation very locally.

Environment Act 1987 and the requirement under the Act that you use any particular form.

2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the Responsible Authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the Responsible Authority as shown on the Public Notice – Application for a Planning Permit.
4. An objection must:
 - state the reasons for your objection, and
 - state how you would be affected if a permit is granted.
5. The Responsible Authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the Responsible Authority considers your objection, make sure that the Authority received it by the date shown in the notice you were sent, or which you saw in a newspaper, or on the site.
9. If you object before the Responsible Authority makes a decision, the Authority will tell you its decision.
10. If despite your objection the Responsible Authority decided to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the Responsible Authority. The closing date for appeals is 21 days of the Responsible Authority giving notice of its decision.
11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

File No:

Rec'd Date: 27 JAN 2022

Rec'd By: Dulce street

Action By: Planning & Environment Act 1987

Reg No:

Please use block letters

WHO IS OBJECTING:**WHAT APPLICATION DO YOU OBJECT TO?**

Permit application no. Pln PA003417

Proposal: Use and development of land for group accommodation and associated works

Who has applied for the permit: SPECTRUM Planning Solutions - David Merritt

WHAT ARE THE REASONS FOR YOUR OBJECTION?

- Does not respect the residential character of the neighbourhood.
- This part of the main rd is predominately single residential homes.
- Drainage is a major concern due to the "Frehold United" mine shafts being flooded by underground water which impacts that property most of the year, which will be of concern as there is already seepage through the reef that causes roadway breakdown.
- Noise and disturbance from proposed use of property.
- This is a large Commercial "Motel" proposal for a residential zone.
- The estimate of cars being used by guests is dubious to say the least.

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

- I am full of despair at the thought of council granting this permit with seemingly no regard to the feelings of myself and my family, having lived here for 48 years.
- It will impact the community feel of our immediate neighbourhood.
- Thirty or more people on site will create excessive noise.
- Being a carer I am deeply concerned that this large facility with all its ramifications will worsen my wife's condition.
- The density of accommodation will impact our peaceful enjoyment.

• It could make me feel more isolated.

If insufficient space, please attach separate sheet

Privacy Collection Notice

Your objection and the personal information on this form is collected by council for the purposes of the planning process as set out in the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, council will not be able to consider your objection. Your objection will be available at the council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and

Signature

..... Or Tick Box

Date:

1-1-

TO PLANNING PERMIT APPLICATIONS

1. This form is to help you make an objection to an application in a way which complies with the Planning and Environment Act 1987, and which can be readily understood by the Responsible Authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the Responsible Authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the Responsible Authority as shown on the Public Notice – Application for a Planning Permit.
4. An objection must:
 - state the reasons for your objection, and
 - state how you would be affected if a permit is granted.
5. The Responsible Authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
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9. If you object before the Responsible Authority makes a decision, the Authority will tell you its decision.
10. If despite your objection the Responsible Authority decided to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the Responsible Authority. The closing date for appeals is 21 days of the Responsible Authority giving notice of its decision.
11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.



OBJECTION TO PLANNING PERMIT APPLICATION

WHO IS OBJECTING:

[REDACTED]

[REDACTED]

Postal Address (if different to above)

[REDACTED]

[REDACTED]

WHAT APPLICATION DO YOU OBJECT TO?

Permit application no. PInPA003417

The land affected by the application is located at:

40-42 Vincent Street North, DAYLESFORD VIC 3460 Lot 1 PS 333144 PSH PWO

Proposal:

Use and development of land for group accommodation and associated works including demolition of an existing building, alteration of access to a road in a Road Zone, Category 1, reduction in car parking requirement, and removal of vegetation

Who has applied for the permit:

Spectrum Planning Solutions - David Merrett

WHAT ARE THE REASONS FOR YOUR OBJECTION?

1. Over-Development of Site

The original rationale of this development was to provide affordable accommodation for staff working in the hospitality industry. There are six such single-bedroom units provided, but the major part of the development is a commercial venture providing 15 interconnected accommodation suites for tourists.

The development is too large and will dominate the streetscape. It needs to be reduced in size, so that it alleviates the problem of lack of accommodation for hospitality staff, which was cited as the motivating reason for the development, without becoming a pretext for a commercial development.

This is a general residential zone and what is effectively a motel is not appropriate for this zoning.

2. General Loss of Amenity

Over-development will inevitably lead to an increase in noise that is detrimental to the health of neighbours and their enjoyment of their homes and gardens.

It will overwhelm existing infrastructure such as the main road and NBN.

3. Damage to Neighbourhood Character

Proposal specifies buildings of a maximum height of 9.1 metres with imposing angular rooflines. These are not in keeping with the character of residential buildings in individual gardens that give the street its character.

Even the proposed semi-mature tree planting along Vincent St. N will not hide this.

4. On-Site Parking

There are a total of 21 suites, but only 18 car parking spaces are provided on site. Outside the southern boundary, through a pedestrian gate connecting to a staff entry, 13 car parking spaces

have been marked on Trimble Street which has for some years been used for parking by the B&B at 38 Vincent St Nth. This would provide the extra 3 parking places needed for 21 suites. Trimble St, although not a through road at this point, is a public road not a private car park. It is so eroded by rain runoff that it is difficult, even dangerous for pedestrians to walk through from Little Street to Vincent Street North, as there is no footpath.

5. Traffic Management and public safety

Driveways on Vincent St. Nth between Hospital St. and North St. can be dangerous to enter and exit as because of traffic coming over the curve from Hepburn Springs (sometimes speeding) and entering from North Street.

There is an expectation that bikes will be used for transport and fewer car spaces will be needed. Anyone walking or riding into town will need to cross the highway as there is no paved footpath on the side of the development until Hospital Street. Cars often speed over the crest from Hepburn and have little time to see or react to anything on the road. Wood Ducks also regularly gather and cross here.

Topography of the area does not allow the road to be widened so cars can pass safely. There are no safety guards if vehicles swerve off the road.

6. Drainage

No Storm water drains were put in when blocks 40-42 and 44 were sold in the late 1960s or early 1970s. During heavy rain, water flows down the hill from Little Street over the surface of these properties to the gutter. The grass verge becomes very boggy. This will be a problem both during construction, and if visitors to the accommodation park on verge.

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

[REDACTED]

I will be significantly affected during the

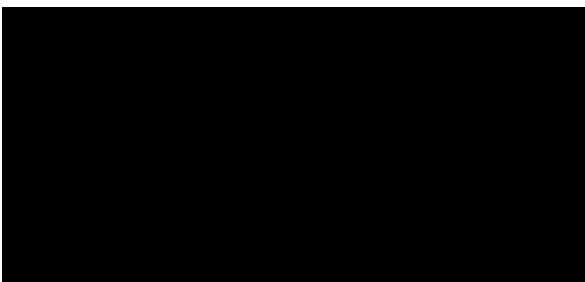
development of the project and when the development is completed.

General Loss of Amenities

- 1) Loss of privacy, especially in garden.
- 2) Increase of noise and the inevitable loss of peace and quiet especially during the construction phase.
- 3) Trucks and vehicles involved in the development may park on the verge, including possibly in front of my house, which will damage verge and make it more difficult to walk across. There is no footpath. It may also make it more dangerous to exit my property due to obstruction of sight lines by trade vehicles. Inherent dangers of this section of Vincent Street Nth will worsen (see objections 4 Traffic Management).
- 4) Will services like NBN be adequate? Telstra states that the internet connection cannot reach the maximum speeds of my current plan which includes the Standard Plus speed. Telstra has recently sent us a letter stating NBN service is not up to the standard promised, and this development may add scores of new devices that need to access it.

In Summary

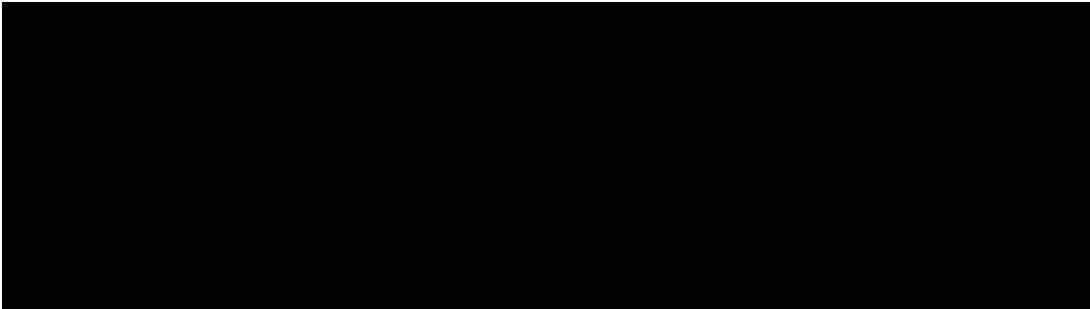
It is difficult to understand how this application can be allowed when it clearly isn't consistent within the purpose of the zoning requirements for the general residential zone.





OBJECTION TO PLANNING PERMIT APPLICATION

WHO IS OBJECTING:



WHAT APPLICATION DO YOU OBJECT TO?

Permit application no. PInPA003417

The land affected by the application is located at:

40-42 Vincent Street North, DAYLESFORD VIC 3460 Lot 1 PS 333144 PSH PWO

Proposal: Use and development of land for group accommodation and associated works including demolition of an existing building, alteration of access to a road in a Road Zone, Category 1, reduction in car parking requirement, and removal of vegetation

Who has applied for the permit: Spectrum Planning Solutions - David Merrett

WHAT ARE THE REASONS FOR YOUR OBJECTION?

1) Community Notification

The article in the Ballarat newspaper The Courier, dated 14 January 2022, seems to be the first time these development plans were made known to the public. Although available for sale in Daylesford, and behind a paywall online, it can not be assumed that Daylesford residents, including those directly affected by the proposal, would likely learn about it via this source.

There was no article about the proposed in the subsequent 17 January issue of The Local, which is a free paper distributed in

Daylesford, nor was there any Facebook post on Daylesford - The Community Grapevine.

If this development is such a boon to the community, in the form of affordable staff accommodation, as The Courier article and planning proposal claim, and so in keeping with neighbourhood character, why was there not communication with the public notifying them about the proposal? The community does not seem to have been considered. Living next door to the development, we only learned about it from a Notice of an application for Planning permit found in the letterbox on January 19. Luckily we were not away for holidays or we may have missed chance to object by 31st.

2) The Daylesford Staff Accommodation Crisis

The planning proposal is for "group accommodation" not "staff accommodation", yet it is presented as inspired by the need for affordable accommodation for hospitality staff, which is at crisis point in Daylesford, and as a solution to that problem.

The letter to James McInnes, Town Planning, Hepburn Shire Council, dated 2 December 2021, states

" A fundamental basis of this application is to solve the operational issues associated with retaining and accommodating staff in a tourist town where most of the private dwelling accommodation is priced out of the market on sites like AirBnB and Stayz. My client would like staff to stay and work longer but the nature of the hospitality industry is that there is a level of high level of staff turnover."

Yet, when referring to balconies and communal open space for staff, it says

"It is important to note that this is for worker accommodation for staff that work at the same premises."

The October 2021 proposal from Spectrum Planning Solutions, page 1 states:

" Flexibility will be provided for the use of the staff accommodation as tourist accommodation if there is demand. A key business constraint for our client has been to attract and retain good staff to this part of regional Victoria. With the popularity of Airbnb accommodation in Daylesford, reasonably priced workers accommodation is difficult to find and currently some workers are living in the surrounding villages. My client has responded to this proactively by including staff accommodation in this proposal as one way of attracting and retaining good staff. "

It seems to me that this is somewhat contradictory. In the guise of solving a community lack of affordable staff accommodation, the development will include 6 staff accommodations, but these staff will work at the same premises. And if there is "demand" the staff accommodation may be used for tourists. So in reality, this is a new commercial tourist motel of 15 suites, with staff quarters, which will in no way alleviate the already existing lack of staff accommodation. It only serves as a pretext to build the "guest accommodation", which is to be a commercial venture in a General Residential Zone.

As also stated "One of the client partners operates one of the largest food and beverage and tourist accommodation businesses in Daylesford." It would seem this development is solely for the benefit of this client, increasing their power in the community. It will further push Daylesford into being one of those tourist towns in which locals can no longer afford to live including those people essential to a healthy local community, such as medical staff, supermarket workers, teachers, CFA and SES workers.

3) Neighbourhood Character

The development is mainly surrounded by residential buildings, included the one at 38 Vincent St. N, which is used for tourist accommodation, but is in keeping with the neighbourhood character, unlike the proposed commercial development.

Plans include a "striking" sawtooth roofline, to maximise efficiency of solar panels, which are not shown in plan sketches or The Courier, which will presumably make the buildings more visually jagged and imposing, which is visually not in keeping with the

neighbourhood character. They may also throw up glare to the higher neighbouring buildings at 17 Trimble St. and 44A Vincent street. Will they be treated with an anti-reflective coating?

4) Future Proofing and Energy Efficiency

" Future-proofing and energy efficiency are key parts of this proposal. Four EV charging points will be provided externally and 11 E-bike charging points will be provided in the main foyer."

Solar Panels will be installed, and presumably the insulation will be to a high standard. EV vehicle charging points are provided for cars and bikes.

Does the developer intend to provide e-bikes for the guests to use, as it is presuming that there will be less need for car parking as bikes will be used for transport. Daylesford is a place of very steep hills, and not all guests will be able to use bikes, especially if they are not e-bikes. The easiest place to access by bike is the town centre, and recent local law changes make this problematic.

" AN AUTOMATIC GROUND IRRIGATION SYSTEM IS TO BE PROVIDED TO ALL LANDSCAPED AREAS"

Yet there is no provision for rainwater collection tanks, nor are there any grey water systems to be installed as part of this development, that could be used for this irrigation. The garden will be irrigated from the local water supply. If this runs low in times of drought, it is the locals that will suffer the consequences, not the tourists that this development caters for.

5) Car Parking

18 of the required 21 car parks will be provided on site, with the remaining three catered for by 13 marked parking bays in Trimble St. These will be accessible via a pedestrian gate from the south side where there is a staff entrance. Will guests be able to use this gate too? If not they will have to walk across the unpaved verge

which for months may be boggy, and so messy and potentially dangerous to walk on. Especially if vehicles have left deep ruts. These ruts can later dry to hard ridges which are also hazardous.

The development needs to include a paved path along Vincent Street North to Trimble St. If they really want to do something for the community they should also provide a safe paved walking and bike path from Vincent St. N through the Trimble car park to the continuation of Trimble Street. Trimble Street is a public road, not a private car park, so this would be a way to make it more accessible to the public, as well as their guests. It would provide the start of a route off the main road, to the Sunday Market, shops such as Clifty's, the Convent Gallery and Wombat Hill Botanical Gardens.

Also, the presumption that currently only the guests at 38 Vincent St. N use this area for parking is incorrect. You cannot park on the west side of Vincent St. N and as the east verges are often boggy as mentioned, visitors to nearby residences do sometimes park here.

6) Disabled Access

There is one disabled parking space, it is located near the lift which allows wheelchair access to each floor. There is a lot of tourist accommodation in Daylesford, but I suspect very little that is wheelchair friendly. So a person using a wheelchair can park, get to the lift and up to a floor. What next? Is there any provision to make even one suite more functional for a guest using a wheelchair? There does not appear to be. There is no ramp a wheelchair can use if there is a power failure and the lift cannot be used. Is there a backup generator? What about evacuation during a bushfire? The disabled parking space functions mainly as a legal requirement ticked off, when there is neither a wheelchair ramp or a wheelchair friendly suite.

7) The Road and Traffic

The east side of Vincent St. N from 40 northwards to the curve up and around to Hepburn Springs contains no space to pull over or

park. There are trees and a steep drop down to the service road, accessed at Trimble St.

The proposal states that it is "providing tourist accommodation in a location that has excellent walking access to the Daylesford activity centre and other attractions."

For years, residents have complained about the planting down the steep incline to the road outside 38 Vincent St. N, that forces people to either walk along or cross the highway. There is no paved walking path to town on the east side where the development is until you cross Hospital Street. There is a track up a steep sometimes slippery slope in parts. You must walk across the verge or along the highway to Trimble Street to cross over the main road and down the slope to the service road and use that until you reach the footpath at Hodge Street.

Anyone crossing on foot or by bike will be doing so in a dangerous stretch of road. Vehicles, including large trucks, coming over the crest from Hepburn Springs have little time to see or react to anyone or anything on the road. There is no room to pull over to the west, and if people do park on the road on the east side, there is even less room to avoid accidents. Vehicles often speed along here, as it has the feel of a main country road, and they do not expect to encounter pedestrians.

Wood Ducks regularly cross here, coming from the dam down the hill to feed on the verges. They are an additional traffic hazard, and some are killed every year. Echidnas also cross to access the garden at 44.

I have no idea of the procedure for emptying the 3 skips for rubbish collection at the development, but presumably it will not happen at times of peak road usage.

During the construction phase of this development, the comings and goings of trade vehicles, their parking and operating will inevitably negatively impact road safety and usage.

8) NBN

Guests and staff will be expecting to be able to use streaming services to televisions in suites, have laptops, mobile phones and other devices for which they will expect wi-fi access. Potentially over a hundred devices may need access to an NBN service that does not perform well even with current user load. The Telstra pit on the boundary with 44 is in an intermittent creek bed that receives a lot of runoff in heavy rain. It floods and effects the service. The Telstra pit at Trimble St is also in an area that experiences a lot of rain runoff, as evidenced by the erosion in Trimble St.

9) Noise

All the planning report says about noise is this:

"Noise – we do not believe excessive noise will emanate from the proposal. The setbacks and landscaping will soften any potential impact"

Tourists coming to Daylesford are not just coming to the country to have a quiet relaxing getaway from the city. In asking for a reduction in carparking, the plan states "14 of the 15 tourist accommodation suites have the capacity to provide a dual key accommodation for families. This will reduce the need for parking." This gives the impression that families will be a significant percentage of guests, yet the suites are clearly single suites.

One of the main tourist attractions in Daylesford is the Chillout Festival. Many people come to Chillout to party, to celebrate and to be unconstrained, which is wonderful - except for one thing. This means many people play loud music with thumping bass which does not just irritate the neighbours, it can have deleterious effects on their health. Noise complaints also make demands on police resources. The dual key suites and enclosed walkways will facilitate partying and subsequent noise on occasions such as Chillout and New Year's Eve.

Setbacks and landscaping can only do so much to stop the Low Frequency Noise caused by loud music with a heavy insistent beat.

Especially as portable Bluetooth speakers can easily be used on balconies and in garden areas. This kind of noise travels through the ground into surrounding buildings. Some people are extremely sensitive to it. Studies show that it can cause irritability, annoyance, fatigue, lack of concentration and anger, and a feeling of vibration and pressure. Physiological reactions can effect blood pressure, heart rate, cause headaches, sleep disturbance and anxiety. I do not believe the problems caused by tourists playing loud music should be so disregarded as they currently are. Not all tourists are inconsiderate, but some feel no need to moderate how their music affects the neighbours, because soon they will be leaving.

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

I and other neighbours to 40-42 Vincent Street North are already being affected by this planning permit, before it has even been approved. We are suffering anxiety and sleeplessness due to our concerns about the development and how it will affect our properties and lives. Concerns range from loss of privacy, noise and light pollution, traffic and road conditions, drainage and runoff, destabilisation of the hillside, property devaluation, impaired NBN service, and the effects of all this on people's health and plans for the future and whether they will be able to continue living in their homes.

Due to the extensive nature of the development, such as cutting into the hillside, the construction phase is going to be extremely noisy and disruptive. The proposal states that " It is more appropriate to locate tourist accommodation on a main road where amenity expectations are less than what they may be for residential streets." But this is a residential street on a narrow main road into a country town. Nobody buying this surrounding properties had reason to envision such a development.

My house is a sanctuary for me because I have extreme sensory sensitivities due to a number of health issues. I rarely leave the property. Here I am surrounded by nature in a garden full of plants birds and animals. We have established a garden with many

different areas to suit the needs of different animals. There are many food plants for birds and bees and many different water sources. Many of the birds I know individually, especially the cockatoos, who are very interactive. If the plantings in the development contained some native bird attracting plants instead of showy plants like camellias, the birds will visit them too, for the guests to enjoy.

The noise of the construction works, especially things such as reverse beepers, will have a significant effect on my mental, emotional and physical health. It will severely disrupt my sleep and Physical and emotional well-being. And it is not just a matter of suffering through the construction phase, it's the anxiety about living next to the finished "motel" when it is operational. The noise of people and music invading the house and garden will severely affect my quality of life. I cannot go anywhere to get away from it. If I have to move, I do not just lose my home and garden, but my long established interactive relationship with the cockatoos that to me are as important as other people's pets are to them.

There are many large trees on the 44/44A property whose roots no doubt extend under the boundary line to 40-42. I am worried that the construction, particularly the cutting in, may affect their root systems and their health and cause them to become unstable.

The building of a 2m fence and planting of screening trees along the boundary that the proposal claims will give us privacy from the development and hide the development when the trees mature is very important to me. But I worry that it may harm the trees on our side of the fence line, which are currently all that will screen us from the development. How long will the newly planted trees take to mature? The development gains considerable benefit from the trees on surrounding properties, but I worry that it might hurt them.

My house is higher up the hillside than the development. The buildings will be 9.1m high but due to the cut-in the proposal says it will not obstruct my view. But if this is so, I am worried about the reflectivity of the solar panels on the suite in the north-east corner of the development, that may cause glare and reflect light towards my house and into my face as I come and go. I do not

know if there will be an anti-reflective coating on the solar panels, but I would prefer there were no panels on this north-east corner unit.

I am very sensitive to light which can trigger my medical conditions, as can noise. And if the buildings do obstruct my view of the sunset and the weather, that will be a great loss.

[REDACTED]

This development [REDACTED] at 40-42 is creating anxiety and concern for us both about our futures.

[REDACTED]

From:

[Redacted]

[Redacted]

Date:

Tuesday, 8 February 2022 3:37:38 PM

Good afternoon James

**Planning Application No. PinPA003417
40--42 Vincent Street North, Daylesford**

[Redacted]

Our clients have significant concerns about the above mentioned town planning application, including the wholesale removal of vegetation within the site, the appearance and extent of new built form, overlooking and subsequent loss of privacy, building bulk, insufficient provision of car parking, and substantial impact the new structures will have on their amenity. As such, we have recently received instructions to submit on their behalf a detailed objection to the development proposal, which shall be done under separate cover following a review of the plans and associated documentation. Our assessment will involve an inspection of the application site and neighbouring properties, arranged to take place early next week.

We are mindful that the Notice of Application for a Planning Permit advises that a decision will not be made before 31.01.2022. Given that this date has now passed, we considered it appropriate to contact you at this time to advise that our objection will be lodged in due course.

[Redacted]

Kind regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

17 June 2022

Wallie Cron and Lipi Patel
Town Planning Manager
Hepburn Shire Council
By email: shire@hepburn.vic.gov.au

Dear Wallie and Lipi

**RE: Planning Application PA3417
Proposed Group Accommodation
40-42 Vincent Street North, Daylesford**

I refer to our discussion regarding the objections for the above planning permit application for 40 Vincent Street North, Daylesford. Spectrum Planning Solutions continues to act for the permit applicant, Me and Him Daylesford Pty Ltd.

We provide the following response to the 6 objections received. We understand two objections are from the one objector (dated 8 February 2022 and 15 June 2022).

We note since the application was lodged Hepburn Amendment C80hepb was approved on 12 May 2022. The land is now in the Neighbourhood Residential Zone (Schedule 1 – Daylesford Neighbourhood Residential Precincts), not the General Residential Zone. We also note this broad rezoning of Daylesford's residential areas was not supported by an independent planning panel, a position Council and DELWP did not share.

The following overlays apply:

- Environmental Significance Overlay – Schedule 1 (Special Water Supply Catchment Protection)
- Neighbourhood Character Overlay – Schedule 3 (Daylesford Neighbourhood Character Precinct 5)

This response responds to these new provisions also.

The NRZ now requires an adjustment to the plans because with a height of 9.1 metres proposed the development is now prohibited as the maximum building height of the NRZ is now 9 metres (not the 11 metres for the GRZ we were dealing with at the time of lodgement). We suggest Council use a Condition 1 requirement to require amended plans to reduce the height from 9.114 metres to 9 metres (refer to Plan TP16).

The issues raised can be summarised as:

Form of public notification

Criticism has been made of how Council managed the public notification process. This is a matter for Council, but we note the receipt of 6 objections is evidence that the process was fair and well managed.

Definition of the land use

Criticism has been made that the land use proposed is not appropriate for a residential area, should be defined as a motel and be located in a commercial area. We have applied for group accommodation which is defined as:

Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence ATTACHMENT 10.1.12

This is a permit required land use in the NRZ. Conversely, a motel is defined as:

Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.

A motel is also a permit required land use in the NRZ. We note however the difference between the two definitions is the current proposal does not propose serviced rooms, so the group accommodation definition is appropriate. Each suite complies with the definition of a dwelling as a self contained room or rooms. We also note that staff accommodation is not a defined land use in the Victoria Planning Provisions, but the nature of the use fits the group accommodation definition.

We note the former GRZ provisions also had the same permit requirement for either group accommodation or motel.

Pedestrian access to Daylesford shopping centre

Criticism has been made of the lack of a footpath connection to the Daylesford shopping centre. We acknowledge this and note there is a general lack of footpaths outside of the shopping centre area. This is a matter for Council to consider however we believe it would be disproportionate to require the permit applicant to solely pay for this entire footpath link of some hundreds of metres which would clearly be a benefit to the broader community, for which there should be a Council contribution.

The permit applicant is willing to provide a footpath along the site frontage to Vincent Street North and the north side of Trimble Street aligning with the eastern property boundary.

Building height and neighbourhood character

Criticism has been made the building is too high at 9.114 metres. As discussed previously, the NRZ now has a maximum building height of 9 metres, so we request a condition 1 requirement for amended plans to reduce the height to a maximum of 9 metres. We are prepared to have discussions with Council on further reductions if a 'flatter' roof form was preferred in response to the relevant decision guideline discussed latter in this response.

The NRZ1 seeks "to ensure development achieves the identified preferred neighbourhood character for Daylesford." This is set out in the Neighbourhood Character Overlay (Schedule 3) that applies to the land. The Statement of neighbourhood character in NCO3 states in part:

While all architectural eras are represented, there is a predominance of older miner's cottages providing reminders of the town's history. Newer dwellings sit within the landscape. There is an openness to the area created by the wide road verges, presence of side setbacks between buildings and the low, open style front fences, if present. The street trees are more frequent close to the township, forming an avenue that creates a sense of entrance and a cohesiveness to the precinct.

The following requirements apply:

- Ensuring buildings are setback from both side boundaries.
- Ensuring buildings and driveways are designed to follow the topography.
- Retaining the low scale nature of the dwellings.
- Ensuring that if required, front fences are low and open style.
- Maintaining the rhythm and pattern of the prevailing rectilinear form of subdivision.
- Retaining the wide, grassy verges.
- Maintaining and enhancing the existing avenue street tree planting.

In response to these we consider:

- There are no buildings on boundaries
- The driveway effectively follows the current alignment of the driveway

- The design philosophy was to locate the building to the rear of the site with a site cut that would embed the building in the landscape. This significantly reduces the built form impact. The view from the property to the rear would be of a height similar to a single storey building.
- No front fencing is proposed
- No subdivision is proposed. We consider this provision refers primarily to the potential of battleaxe lots that would be seen to be inconsistent with neighbourhood character
- The grassy naturestrips to Vincent Street North and Trimble Street will be retained.
- If required, we are prepared to plant avenue plantings along the Vincent Street North naturestrip to supplement the other avenue plantings.

The building height along the closed part of Trimble Street has been criticised. This has a non-residential interface with a closed road reserve. Again, the built form is set lower in the landscape with the benefit of the site cut with the majority of the ground floor obscured or hidden. It is noted the elevations only show built form and not landscaping. The renders show the visual impact of landscaping on all sides of the building. The landscaping plan provides for dense planting with Acacia's to a mature height of 10 metres and landscaping within the road reserve.

Externally, selected timber cladding will be used that will naturally fade over time and ensure the building is not a dominate form in the landscape.

Criticism has been made that the proposal is inconsistent with the neighbourhood character of the area. We accept there will be a change to the current development on the land. This does not mean that no redevelopment can occur.

The neighbourhood character of the area is set by NCO3. We provide the following response to the decision guidelines:

- Whether the building is appropriate to the building era of the area.

The NCO3 notes that “while all architectural styles are presented, there is a predominance of old miners cottages...” We note the current 1970's dwelling on the land is not of significance and there is an eclectic mix of dwelling types and styles in the surrounding area. In this context we believe the building is appropriate for its setting considering the use of appropriate materials that evoke the mining heritage of the area with stone gabion walls, exposed metal and natural timbers as external cladding.

- Whether the building will match the typical single storey wall height.

We note the dwelling at 38 Vincent Street North is double storey, so it should not be assumed that single storey dwellings are the only typology of the area. Even where there are single storey dwellings the wall height of the western facade facing land that slopes away from the building is around 4-5 metres in height. This gives the impression of height even though the dwelling is of moderate scale.

The height impact of the building is mitigated by its location to the rear of the land and its single storey presence to the dwelling not the rear.

- Whether the building utilises low pitched roof forms.

As discussed above, the roof form has been pitched to maximise the use of solar panels. The environmental credentials of this development are important as it proposes 4 Electric Vehicle charging stations and 11 E-bike charging stations. We believe this an important consideration, but we are open to further discussions.

- Whether the building is setback from both side boundaries.

The building is setback from both side boundaries.

- Whether the building respects the predominant height of buildings in the street and of nearby properties.

Refer to the discussion above.

- Whether an acceptable landscape plan that includes exotic and native trees has been prepared.

The proposed landscaping plan provides a mix of exotic and native trees.

- Whether large, established trees are to be retained and the provision of planting of new trees.

The landscaping plan proposes the planting of advanced tree stock in numerous places to screen the building from the road and neighbours.

Some established trees will be retained.

- Whether the design of the front and side facades of the building are articulated to reflect existing building forms in the street.

We believe the front and side facades have an appropriate level of articulation, but we would consider augmenting this if required.

- Whether existing vegetation is to be retained, especially on steeply sloping sites.

Some existing vegetation is to be retained.

- Whether the building and driveways have been designed to follow the contours of the site or step down the site.

Refer to earlier discussion.

- Whether timber or other non-masonry cladding materials, or earthy toned building materials and finishes are used.

There is a suitable mix of stone gabion walls and stringybark cladding to the building that will fade over time and provide a natural palette. The use of double glazing is an important feature to minimise the use of heating.

- Whether open style front fencing is proposed with a maximum height of 1.2 metres.

No front fencing is proposed.

Landscaping

Refer to earlier discussion.

Traffic and car parking impacts

Criticism has been made of the access to Vincent Street North and the lack of parking and the use of the Trimble Street road reserve for parking.

We have requested a reduction of the overall parking requirement of 3 spaces, from 21 to 18. This is compensated for by the provision of 13 spaces along the closed road reserve of Trimble Street.

We note:

- All vehicles leaving the site will do so in a forward direction. Sight distance is excellent. Making provision for speeding vehicles is not a relevant requirement.
- The driveway is in roughly the same location as the existing driveway.
- Trimble Street is closed next to the land and available for its purpose as a road reserve. We believe the part use of this reserve in the same manner as 38 Vincent Street North currently uses it is consistent with the purpose of a road reserve to convey traffic and accommodate parking in a safe and efficient manner. We understand Council's engineers are satisfied with this outcome.

Stormwater management

We will be advised by Council engineers of the stormwater management requirements for this development. We have provided a STORM rating report in accordance with Clause 53.18.

Noise impacts

Noise impacts arising from land use are common forms of objection. This should be seen in context. There are no State Environment Planning Policies addressing noise from residential premises. The use cannot be construed as a commerce, industry or trade premises where SEPPN-1 applies. As a tourist and staff accommodation use it would be expected there would be little noise impacts as most residents will be away from the premises visiting the sites of the area during the day or eating out at night. Similar to the use of 38 Vincent Street North as tourist accommodation with no history of complaints, it is expected this use will also operate well with neighbouring properties.

Windows have been screened or use opaque glass where required and all balconies to the rear of the land are a significant distance from adjoining land to an extent that they do not require screening (i.e. in excess of 9 metres).

Should you wish to discuss this further please contact me on 0428 132713.

Yours sincerely



David Merrett
Director

11 A RESILIENT AND SUSTAINABLE ENVIRONMENT

11.1 CONTRACT AWARD - HEPBU.RFT2020.109 - HEPBURN SHIRE WEED CONTROL

Go to 01:10:00 in the meeting recording to view this item.

DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Manager Operations, I Tristan May have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL - Confidential Procurement Tender Report
HEPBU.RFT2020.109 Hep (1) [**11.1.1** - 6 pages]
2. CONFIDENTIAL - Confidential Evaluation Matrix - HEPBU.RFT2020.109 [**11.1.2** - 2 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider awarding a panel contract HEPBU.RFT2020.109 for weed control works throughout the Hepburn Shire to a panel of approved suppliers for a period of three (3) years with two (2) additional one (1) year options for extension by mutual agreement.

Council's operations department undertakes weed management activities across the municipality on an annual basis to control roadside weeds as far as resources allow. Further to this and as a result of the June 2021 Storm event in the east of our municipality, the vast amount of roadside vegetation clearance and subsequent disturbance will now require a focus on attempting to control the inevitable roadside weed growth expected.

The contractors proposed for inclusion on the panel contract have various skills and capacities ranging from intricate hand work through to large mechanical weed clearing capabilities. Expenditure through this contract is expected to be between \$50,000 - \$100,000 per year, although this may vary depending on available funding and operational requirements.

OFFICER'S RECOMMENDATION

That Council:

1. *Award Contract Number HEPBU.RFT2022.04 for the schedule of rates exclusive of GST to the following tenderers:*

- *Southern Ecosystems Management*
- *Maine Environmental Services Pty Ltd*
- *Aus Eco Solutions*
- *Central Spraying*

- *BUSHCO – Land Management*
 - *Keogh Contracting Pty Ltd*
 - *EME Contracting*
 - *Callanish Restorations Pty Ltd*
 - *SmarterSafety Pty Ltd*
 - *SHAE Enterprises Pty Ltd*
 - *Landlinks Environmental Services P/L*
 - *TMC Enviro*
 - *Summit Open Space Services*
 - *Lockwood Excavations*
2. *That Chief Executive Officer be delegated to sign the contract documents on behalf of Council.*
 3. *Provide a letter of acceptance to the appointed panel members confirming:*
 - *That the submission, as supplied, has been accepted for a period of three (3) years with two options to extend for a further one (1) year by mutual agreement;*
 - *There is no guarantee of minimal works being issued to them; and*
 - *Outline the form of Contract.*
 4. *Authorise Council officers to approve individual purchase orders, within Officer delegation and approved budgets, as required, to an approved panel of suppliers.*
 5. *Authorise Director Infrastructure and Delivery to exercise the contract extension options, pending internal contract performance reviews.*

MOTION

That Council:

1. *Award Contract Number HEPBU.RFT2020.109 for the schedule of rates exclusive of GST to the following tenderers:*
 - *Southern Ecosystems Management*
 - *Maine Environmental Services Pty Ltd*

- *Aus Eco Solutions*
- *Central Spraying*
- *BUSHCO – Land Management*
- *Keogh Contracting Pty Ltd*
- *EME Contracting*
- *Callanish Restorations Pty Ltd*
- *SmarterSafety Pty Ltd*
- *SHAE Enterprises Pty Ltd*
- *Landlinks Environmental Services P/L*
- *TMC Enviro*
- *Summit Open Space Services*
- *Lockwood Excavations*

2. *That Chief Executive Officer be delegated to sign the contract documents on behalf of Council.*

3. *Provide a letter of acceptance to the appointed panel members confirming:*

- *That the submission, as supplied, has been accepted for a period of three (3) years with two options to extend for a further one (1) year by mutual agreement;*
- *There is no guarantee of minimal works being issued to them; and*
- *Outline the form of Contract.*

4. *Authorise Council officers to approve individual purchase orders, within Officer delegation and approved budgets, as required, to an approved panel of suppliers.*

5. *Authorise Director Infrastructure and Delivery to exercise the contract extension options, pending internal contract performance reviews.*

Moved: Cr Don Henderson

Seconded: Cr Lesley Hewitt

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

Through the course of delivering a suite of environmental maintenance work scenarios, Council's Operations department are the predominate team which engage the services of environmental maintenance contractors.

Council is seeking to establish a panel of approved and suitable suppliers to deliver weed control works throughout the Hepburn Shire. This will create more efficient procurement practices and source improved/competitive rates from contractors. Although the total use of panelled suppliers is hard to characterise, it is estimated that expenditure will range between \$50,000 - \$100,000 depending on the specific capital projects in any given financial year.

The use of panelled suppliers could include works such as:

- Spraying (Nap sack and boom)
- Manual control
 - Cut & Paint,
 - Drill & Fill,
 - Non-herbicide manual control
- Mechanical weed control
- Other means of weed Control ie: Steam units, solarisation and any other alternate weed control methods.

KEY ISSUES

Tenders were invited via public advertisement on Council's e-tender portal and The Courier (Ballarat) in accordance with Council's Procurement Policy.

The closing date for acceptance of submissions was 7 September 2022 and fourteen (14) tender submissions were received.

The tender submissions were evaluated by an evaluation panel consisting of:

- Environmental Works Officer
- Coordinator Parks and Open Spaces
- Coordinator Sport and Active Recreation

The Evaluation Panel evaluated the tenders received against the following criteria:

- Price
- Risk/OHS/Quality Management
- Local Content
- Social Procurement Value
- Response to Specification

- Experience and Qualifications
- Business and Financial Capacity
- Sustainability

The outcome of the Tender evaluation is detailed in the attached Confidential Tender Evaluation Report.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2021 - 2025

A resilient, sustainable and protected environment

1.2 Prioritise environmental management, protection and regeneration.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

Any sustainability implications associated with this contract will arise from the execution of this service/works. It is considered that these are the responsibility of the Contractor and will be managed through the contract documentation ensuring sustainability implications are addressed and best environmental management practices are used and adhered to.

FINANCIAL IMPLICATIONS

The funding for this service will be drawn from various approved budget allocations during the life of the contract. Based on past expenditure data, Council Officers across various teams are expected to spend in the vicinity of \$50,000 - \$100,000 per year through this contract.

RISK IMPLICATIONS

There are no risk implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report.

11.2 CONTRACT AWARD - HEPBU.RFT2022.04 - ARBORICULTURE MAINTENANCE AND REMOVAL WORKS

Go to 01:15:16 in the meeting recording to view this item.

DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Manager Operations, I Tristan May have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL - Confidential Procurement Tender Report HEPBU RFT2022 04 Arboriculture [**11.2.1** - 6 pages]
2. CONFIDENTIAL - Confidential HEPBU.RFT2022.04 - Scoring Summary [**11.2.2** - 4 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider awarding a panel contract HEPBU.RFT2022.04 for Arboriculture Maintenance and Removal Works to approved suppliers for a period of two (2) years with two (2) additional one (1) year options for extension by mutual agreement.

Various Council departments use arboriculturist expertise ranging from specialist tree advice through to maintenance and removal works. In order to maximise procurement efficiency, officers are seeking to continue the panel contract approach.

Anticipated expenditure through the panel contract is expected to range between \$200,000 to \$300,000 per year, although this can vary significantly as experienced through the Trentham storm event in June 2021.

Council's previous Tree Maintenance panel contract concluded recently which required officers to go out to market again. The Contractors proposed to be included onto the panel includes a healthy mix of local and regional contractors all with various skills and capabilities sufficient for Council to continue operational requirements.

OFFICER'S RECOMMENDATION

That Council:

1. *Award Contract Number HEPBU.RFT2022.04 for the schedule of rates exclusive of GST to the following tenderers:*

- *A1 Tree Solutions*
- *Ballarat Tree Fella*
- *Ballarat Treeworks*

- *Carter Group National Pty Ltd*
 - *Cutting Edge Tree Management*
 - *Daylesford Hire and Contracting*
 - *Environmental Vegetation Management Australia Pty Ltd*
 - *Gravity Tree Worx Pty Ltd*
 - *Keogh Contracting Vic Pty Ltd*
 - *Kupper's Contracting*
 - *Lockwood Excavations*
 - *SHAE Enterprises Pty Ltd*
 - *Skyrider Tower Hire*
 - *Summit Open Space Services*
 - *TMC Enviro*
 - *Tree Mason*
 - *Tree Top Tower Hire*
2. *The Chief Executive Officer be delegated to sign the contract documents on behalf of Council; and*
 3. *Provide a letter of acceptance to the appointed panel members confirming:*
 - *That the submission, as supplied, has been accepted for a period of two (2) years with two options to extend for a further one (1) year by mutual agreement;*
 - *There is no guarantee of minimal works being issued to them;*
 - *Outline the form of Contract; and*
 4. *Authorise Council officers to approve individual purchase orders, within Officer delegation and within approved budgets, as required, to an approved panel of suppliers; and*
 5. *Authorise Director Infrastructure and Delivery to exercise the contract extension options, pending internal contract performance reviews.*

MOTION

That Council:

1. *Award Contract Number HEPBU.RFT2022.04 for the schedule of rates exclusive of GST to the following tenderers:*
 - *A1 Tree Solutions*

- *Ballarat Tree Fella*
- *Ballarat Treeworks*
- *Carter Group National Pty Ltd*
- *Cutting Edge Tree Management*
- *Daylesford Hire and Contracting*
- *Environmental Vegetation Management Australia Pty Ltd*
- *Gravity Tree Worx Pty Ltd*
- *Keogh Contracting Vic Pty Ltd*
- *Kupper's Contracting*
- *Lockwood Excavations*
- *SHAE Enterprises Pty Ltd*
- *Skyrider Tower Hire*
- *Summit Open Space Services*
- *TMC Enviro*
- *Tree Mason*
- *Tree Top Tower Hire*

2. *The Chief Executive Officer be delegated to sign the contract documents on behalf of Council; and*

3. *Provide a letter of acceptance to the appointed panel members confirming:*

- *That the submission, as supplied, has been accepted for a period of two (2) years with two options to extend for a further one (1) year by mutual agreement;*
- *There is no guarantee of minimal works being issued to them;*
- *Outline the form of Contract; and*

4. *Authorise Council officers to approve individual purchase orders, within Officer delegation and within approved budgets, as required, to an approved panel of suppliers; and*

5. *Authorise Director Infrastructure and Delivery to exercise the contract extension options, pending internal contract performance reviews.*

Moved: Cr Lesley Hewitt

Seconded: Cr Don Henderson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

Through the course of delivering a suite of infrastructure maintenance works and special projects, multiple Council departments use arborist and tree maintenance contractors.

In order to streamline procurement, receive better competitive rates, develop ongoing relationships with experienced contractors and meet Councils' Procurement Policy thresholds, Council is seeking to establish a panel of approved and suitable suppliers.

Although the total use of panelled suppliers is hard to characterise, it is estimated that expenditure will range between \$200,000 and \$300,000 per year depending on the specific capital projects within any given financial year.

The use of panelled suppliers could include works such as:

- Tree removals
- Tree pruning
- Emergency clean up
- Stump grinding
- Chipping
- Elevated work platform works
- Tree mulching

KEY ISSUES

Tenders were invited via public advertisement on Council's e-tender portal and The Courier (Ballarat) in accordance with Council's Procurement Policy.

The closing date for acceptance of submissions was 7 September 2022 and 18 tender submissions were received.

The tender submissions were evaluated by an evaluation panel consisting of:

- Coordinator Parks and Open Spaces
- Infrastructure Administration Support Officer
- Coordinator Work Health and Safety

The Evaluation Panel evaluated the tenders received against the following criteria:

- Price
- Sustainability
- Local Content
- Social Procurement Value
- Risk/OHS/Quality Management
- Response to Specification

- Experience and Qualifications
- Business and Financial Capacity

The outcome of the Tender evaluation is detailed in the attached Confidential Tender Evaluation Report.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

5.5 Strong asset management and renewal.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

Any sustainability implications associated with this contract will arise from the execution of this service/works. It is considered that these are the responsibility of the Contractor and will be managed through the contract documentation.

FINANCIAL IMPLICATIONS

The funding for this service will be drawn from various approved budget allocations during the life of the contract. Based on past expenditure data, Council Officers across various teams will spend in the vicinity of \$300k per year through this contract.

RISK IMPLICATIONS

There are no risk implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report.

12 A HEALTHY, SUPPORTED, AND EMPOWERED COMMUNITY

Cr Don Henderson left the meeting at 6:51pm due to a general conflict of interest in relation to item 12.1 Round One Community Grants 2022/2023.

12.1 ROUND ONE COMMUNITY GRANTS 2022/2023

Go to 01:24:00 in the meeting recording to view this item.

DIRECTOR COMMUNITY AND DEVELOPMENT

In providing this advice to Council as the Community Development Officer, I Kelly Bevan have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

The Community Grants Program 2022/2023 aligns with the Council Plan to support the strength and resilience of the community. Eligible community groups can access funds in four rounds annually across five categories that support a range of community needs. Round 1 opened on Wednesday 22 June 2022 and closed on Wednesday 20 July 2022.

It is recommended that Council award full funding of the requested amount to the seven applications that were assessed as meeting the criteria. This represents a total of \$15,269 in grants as outlined in Table 1 and 2 below. The grant monies awarded will support community projects worth in total \$31,709.

OFFICER'S RECOMMENDATION

That Council:

- 1. Make grants available for the recommended Round 1 Community Grant applications as follows:*

Table 1.

<i>Applicant</i>	<i>Name of Project</i>	<i>Recommended grant amount</i>
<i>Doxa Youth Foundation</i>	<i>Combined Welcome & Smoking Ceremony</i>	<i>\$2,200</i>
<i>Lyonville Community Planning Group Inc</i>	<i>Lyonville Community Planning Group Inc.</i>	<i>\$2,000</i>

<i>Creswick Railway Workshops Association CRWA Inc</i>	<i>Creswick New Residents Welcome Events</i>	<i>\$1,450</i>
<i>Clunes Free Lending Library</i>	<i>Spring Fever Event</i>	<i>\$2,500</i>
<i>Daylesford Community Brass Band</i>	<i>Purchase of a portable PA/sound system</i>	<i>\$2,119</i>
<i>Daylesford Neighbourhood Centre Inc</i>	<i>Homeless Shower and Laundry Facility</i>	<i>\$2,500</i>
<i>Glenlyon and District Pony Club Inc</i>	<i>Show Jumping Equipment Renewal</i>	<i>\$2,500</i>

MOTION

That Council:

- 1. Make grants available for the recommended Round 1 Community Grant applications as follows:*

Table 1.

<i>Applicant</i>	<i>Name of Project</i>	<i>Recommended grant amount</i>
<i>Doxa Youth Foundation</i>	<i>Combined Welcome & Smoking Ceremony</i>	<i>\$2,200</i>
<i>Lyonville Community Planning Group Inc</i>	<i>Lyonville Community Planning Group Inc.</i>	<i>\$2,000</i>
<i>Creswick Railway Workshops Association CRWA Inc</i>	<i>Creswick New Residents Welcome Events</i>	<i>\$1,450</i>
<i>Clunes Free Lending Library</i>	<i>Spring Fever Event</i>	<i>\$2,500</i>
<i>Daylesford Community Brass Band</i>	<i>Purchase of a portable PA/sound system</i>	<i>\$2,119</i>
<i>Daylesford Neighbourhood</i>	<i>Homeless Shower and Laundry</i>	<i>\$2,500</i>

<i>Centre Inc</i>	<i>Facility</i>	
<i>Glenlyon and District Pony Club Inc</i>	<i>Show Jumping Equipment Renewal</i>	<i>\$2,500</i>

Moved: Cr Jen Bray

Seconded: Cr Brian Hood

Carried

Voted for: Cr Brian Hood, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

The Community Grants Program 2022/2023 receives applications and awards funding on a quarterly basis. Key Program dates are as follows:

Round 1

Round Opens 22 June 2022

Round Closes 20 July 2022

Council Meeting 20 September 2022

Round 2

Round Opens 21 September 2022

Round Closes 9 October 2022

Council Meeting 20 December 2022

Round 3

Round Opens 25 January 2023

Round Closes 22 February 2023

Council Meeting 18 April 2023

Round 4

Round Opens 31 March 2023

Round Closes 28 April 2023

Council Meeting 21 June 2023

The Community Grants program has five categories that support a range of community needs.

These include:

- A. Active and Engaged Communities including Welcome to New Residents Sessions in Round 1 (up to \$2,500)
- B. Quality Community Infrastructure including, including small equipment (up to \$2,500)
- C. Sustainable Environments (up to \$2,500)
- D. Children’s Program (up to \$2,500)
- E. Charitable Purposes (up to \$2,000) offered in Round 3

The overall annual Program budget is \$65,000. Categories A-C are funded through the Community Grants Program Fund of \$45,000, including \$3,000 for New Resident Sessions. Category D is funded through the Children’s Program Fund of \$10,000. Category E is funded through the Charitable Purposes Fund of \$10,000, of which a maximum of \$2,000 can be awarded per Council ward.

KEY ISSUES

Round 1 applications opened on Wednesday 22 June 2022 and closed on Wednesday 20 July 2022. During this time Council Officers promoted the opportunity to community groups across the Shire and advertised publicly through both printed and digital platforms. All applicants were encouraged to contact the grants officer to discuss their application. Applicants were required to consider any potential implications of the pandemic on the delivery of their project as part of their application. Applications were reviewed by an assessment panel consisting of one external community member and three Council officers whose expertise aligned with the submissions including: Reconciliation Officer, Events Officer and Positive Ageing Officer. After the initial online assessment process, an assessment panel meeting was implemented where all applications were further reviewed by the panel.

Applications received for Round 1 of the 2022/2023 Community Grants Program

Eight eligible applications were received in Round 1 of the 2022/2023 Community Grants Program, including two applications received for Category A Welcome to New Residents Sessions. The assessment panel have recommended that Council award funding to seven of the eligible applications, based on alignment to the Program Guidelines and the Assessment Criteria.

Recommended Distribution of Funds

Table 2: Summary of projects recommended for full funding

Applicant	Funding requested	Total value of project	Project	Project description	Overarching Comments
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Doxa Youth Foundation	\$2,200	\$2,200	Combined Welcome & Smoking Ceremony	Welcome to Country and Smoking Ceremony to educate campers on Country and to promote understanding and respect for Dja Dja Wurrung land. Will also include a didgeridoo performance for each camp.	The summer school holiday program addresses social cohesion and inclusion of 80 marginalised children from a wide range of areas, by offering heavily subsidised camps located in Glenlyon. This project will enhance the camp experience and provide an opportunity to protect, promote and support Dja Dja Wurrung culture and connection to Country. Recommended for full funding
Lyonville Community Planning Group Inc	\$2,000	\$5,100	Lyonville Community Planning Group Inc.	An open gardens event to highlight the skills and diversity of the gardeners in Lyonville by opening a number of gardens for the public to visit.	This is a positive event to engage the community after COVID. It also aligns with one of the actions from the Lyonville Community Plan: 'To embrace tourism, sharing the assets of Lyonville whilst maintaining our village feel and protecting the environment'. Recommended for full funding
Creswick Railway Workshops Association CRWA Inc	\$1,450	\$2,150	Creswick New Residents Welcome Event	To welcome new residents to the Creswick District and provide information by involving local agencies such as CFA, SES, Police as well as Hepburn Shire, and supporting their short presentation to the participants.	This program involves three events over a year and adds value to Council and State Government objectives in helping people connect after COVID. It assists a range of new residents including those who have moved from urban environments to country environments. The group has hosted these events for a number of years with great success. Recommended for full funding
Clunes Free Lending Library	\$2,500	\$3,540	Spring Fever Event	To hold a family focused community event at the Clunes Free Lending Library with live music, children's games, art installations and catering.	This will be a first-time community initiative celebrating local community and the history of a significant local building. The event celebrates the role the community has played in preserving history, and the role that spaces such as the Clunes Free Lending Library play in enhancing the quality of people's lives. It will celebrate collaboration and empowerment, providing

					people with an opportunity to come together with the Friends of the Clunes Free Lending Library. Recommended for full funding
Daylesford Community Brass Band	\$2,119	\$2,119	Purchase of a portable PA/sound system	Purchase of a portable sound system to use at public performances.	A worthy application from an established, much appreciated organisation which frequently provides entertainment and supports many community events in the Hepburn Shire. Recommended for full funding
Daylesford Neighbourhood Centre Inc	\$2,500	\$14,100	Homeless Shower and Laundry Facility	Installation of a shower and laundry facility for people who are homeless or sleeping rough. The provision of the facility will link to wrap around services.	This project provides welcome support for a group in the community who are often overlooked. Providing a service to meet the basic human need of hygiene and clean clothes, it directly supports priority [3] of The Municipal Public Health and Wellbeing Plan 2021-2025 (MPHWP): Improving mental wellbeing. The project will involve improving access to support services, strengthening social connection, and improving people's sense of dignity. Recommended for full funding
Glenlyon and District Pony Club Inc	\$2,500	\$2,500	Show Jumping Equipment Renewal	To renew jumping equipment to bring it into line with new safety standards	Light weight jumping equipment will address new safety standards and reduce the risk of injury to participants. Events and clubs that will also benefit from this funding include - The Daylesford Show, The New Year's Day Sports, Glenlyon and District Adult Riders and Daylesford Riding for the Disabled. Recommended for full funding

POLICY AND STATUTORY ISSUES

Council Plan 2021-2025

A resilient, sustainable and protected environment

1.5 Protect and regenerate the natural resources of the Shire including soils, water and ecological systems from both current and future threats

A healthy, supported, and empowered community

2.2 Increase the availability and accessibility of services in the Hepburn Shire area to support liveability, health, and wellbeing.

2.3 Optimise the use of public spaces to increase participation and community connection.

Embracing our past and planning for the future

3.1 Partner with and empower our Traditional Owners and broader community to acknowledge, understand, celebrate and preserve our area's cultures, traditions and environs.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

The Community Grants Program supports projects by volunteer community groups. The focus of these projects is to strengthen community resilience and connection, promote sustainability and to assist in the implementation of community priorities.

FINANCIAL IMPLICATIONS

Annual Budget	Current funds available for 2022/2023	Total Grants Recommended for Round 1
\$65,000	\$65,000	\$15,269

RISK IMPLICATIONS

All applicants are required to identify how project risk and safety issues will be managed and this formed part of the assessment process. Insurance, not-for-profit-status and ABNs are checked for all applications to determine eligibility. Applicants were asked to supply COVID Safe Plans where appropriate. All successful applicants are required to sign grant terms and conditions prior to receiving the grant allocation. Council Officers monitor the receipt of acquittals and follow up any outstanding acquittals.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

A communication plan was implemented via Facebook posts, advertising via Hepburn Life, by email and direct contact with community groups. Council Officers also offered approximately three hours of one-on-one phone and email support to applicants during the application process. All applicants were encouraged to contact Council for support and advice during the application process.

Cr Don Henderson returned to the meeting at 6:56pm.

12.2 INTERNATIONAL WOMEN'S DAY HONOUR ROLL GUIDELINES

Go to 01:27:10 in the meeting recording to view this item.

DIRECTOR COMMUNITY AND DEVELOPMENT

In providing this advice to Council as the Events Officer, I Bridgette O'Brien have no interests to disclose in this report.

ATTACHMENTS

1. International Women's Day Nomination Form 2023 [12.2.1 - 7 pages]

EXECUTIVE SUMMARY

The Heather Mutimer International Women's Day Honour Roll Advisory Committee wish to provide Council with recommendations in relation to minor changes to the Honour Roll selection criteria, eligibility criteria and nomination form.

In 2021/2022 there was only one nomination made and there were concerns about the form being too complex. The Advisory committee undertook a review of the form and have suggested changes which are outlined under the Key Issues section of this report. This report is seeking Council's endorsement of the Advisory Committee's recommendations.

OFFICER'S RECOMMENDATION

That Council endorses the recommendation from the International Women's Day Advisory Committee to amend the Hepburn Shire International Women's Day Honour Roll selection criteria, eligibility criteria and nomination form.

MOTION

That Council endorses the recommendation from the International Women's Day Advisory Committee to amend the Hepburn Shire International Women's Day Honour Roll selection criteria, eligibility criteria and nomination form.

Moved: Cr Juliet Simpson

Seconded: Cr Don Henderson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

The Hepburn Shire Council Heather Mutimer International Women's Day Women's Honour Roll Organising Committee was first established by Council as an Advisory Committee in October 2009 to oversee the Women's Honour Roll process and organise an appropriate function.

The Heather Mutimer International Women's Day Honour Roll was launched in 2005 and each year, as part of the week of International Women's Day, up to five names are added to the Honour Roll.

Honour Roll inductees are announced at an annual civic function which takes place around International Women's Day held in March each year.

At the Ordinary Meeting of Council in July 2021, Council endorsed the Terms of Reference for the Heather Mutimer International Women's Day Honour Roll Advisory Committee. At the Ordinary Meeting of Council in September 2021, seven community members were endorsed to make up the Advisory committee. The current committee includes Councillor Henderson (Chair) and Councillor Simpson.

The Advisory committee delivered a successful event earlier this year and have since identified that the Honour Roll Guidelines needed to be reviewed and updated to encourage more applications. A review was conducted and proposed changes are included in the attachment.

KEY ISSUES

In the 2021/2022 year, there was only one nomination received and the Advisory committee believe that this was due to the complex form, some directive language used in the form and the short time frame that nominations were open for.

The Advisory committee are proposing that the following changes are made to the selection and eligibility criteria and nomination form:

Current 2021/2022	Proposed change for 2022/2023
Selection criteria Currently states that each eligible nominee will be assessed against a number of considerations.	To make the process easier include the words 'as relevant' i.e. each eligible nominee will be assessed against a number of considerations 'as relevant.'
Selection criteria Each eligible nominee will be assessed against a number of criteria including 'Through their personal achievements or projects.'	Delete 'Through their personal achievements or projects' and remove the need to provide a list of the nominees relevant life

	experiences/achievements. This is a duplication and has been captured in other Selection Criteria.
Currently it states: Your nomination must include.	Change the language to soften the tone from 'must' to 'should' for example: 'Nominees should.'
The nomination form currently states: The Honour Roll is open to women over the age of 18 and from any field of endeavour.	Remove the requirement for nominees to be over the age of 18 to encourage inspiring younger women to apply. Adding a consent from a parental guardian for those under 18.
The nomination form currently states: The Honour Roll is open to women over the age of 18 and from any field of endeavour.	Added under the who can be nominated section: 'Identify as a woman' to be inclusive of trans, gender diverse women.
Currently there are no nomination categories.	Included the nomination categories from the Victorian Honour Roll Guidelines to demonstrate and encourage a broad range of women to nominate ie: Trailblazer, change agent, local champion, emerging leader, leading through disaster. The Victorian Government have confirmed that these categories can be used.
Currently it is a requirement to attach a minimum of 2 but no more than 3 quotations/testimonials from others about the nominee.	Amended to attach a minimum of 1 and maximum of 4 testimonials from others about the nominee to ease the nomination process.
Currently it is a requirement to have a seconder to support the nomination	Remove requirement for a seconder. Covered under testimonials and less onerous on the nominator.
Currently it is a requirement to attach a good quality photo of the nominee to the submission.	Removed the requirement to submit a photo with the nomination form, as the photos are not used, and photos are taken at the event. This makes the process easier for nominators.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

5.6 Be a leader in gender equality and equity and promote respect and safety in our community.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

The Advisory Committee has reviewed the Honour Roll Guidelines and streamline the process to encourage more applications. If the proposed changes are not implemented there is a risk of receiving minimal applications.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Changes to the Heather Mutimer International Womens Day Honour Roll Nomination Form have been discussed and recommended by Advisory Committee members. This has included consultation with Heather Mutimer and assistance, support and advice from Council Officers including Council's Inclusion Officer.

Nomination Form Instructions

The Hepburn Shire Council recognises the leadership and achievements of women from all walks of life through the Hepburn Shire International Women’s Day Heather Mutimer Women’s Honour Roll which was launched on International Women’s Day in 2005.

Each year - as part of the week of International Women’s Day - up to five names are added to the Roll. Posthumous nominations can also be submitted. The full list of Honour Roll inductees can be viewed on the Hepburn Shire Council website www.hepburnshire.com.au.

Who can be nominated?

The Honour Roll is open to women from any field of endeavour. Organisations are not eligible to be nominated. Nominees should:

- Identify as a woman
- Have lived, worked or volunteered in the Hepburn Shire.
- Be able to demonstrate the benefit of their activities (paid or unpaid) either through the organisation they serve or have served, or directly to the community.

Nomination Categories

Nominations can be submitted under one or more of the following categories:

- Trailblazer: an inspiring role model who effectively leads the way for women starting out in a field that is traditionally male-dominated and has significant barriers for women
- Local champion: a dedicated member of their community who has used their skills and expertise in a voluntary or professional capacity
- Change agent: a woman who has made an enduring commitment in their field of expertise, interest or endeavour that has brought about significant and lasting change
- Emerging leader: a young woman redefining leadership in their career, field or passion
- Leading through disaster: a woman has led their organisation or community in disaster preparedness and response at a grassroots, state or global level.

Please tick the most appropriate category or categories below:

Trailblazer	
-------------	--

Heather Mutimer International Women's Day
 Honour Roll
 Nomination Form 2022

Local champion	
Change agent	
Emerging leader	
Leading through disaster	

Preparing a nomination

Your nomination should include:

- A fully completed nominator details form (question 5).
- Assurance that, should the nomination be successful, it would be accepted ie. Get permission from your nominee (question 2).
- A response to all relevant selection criteria questions outlined in this form (question 6 to 10 of this form).
- Up to four testimonials from others about the nominee (refer to point 11 on this form).
- It is important that you address as many sections of this nomination form as possible. This is a competitive Honour Roll as only a maximum of five names are added each year. The assessment panel need to be able to clearly understand and evaluate your submission.

Selection criteria

Each eligible nominee will be assessed against the following considerations as relevant:

- Advancing women's status, interests and gender equity;
- Leadership qualities and sharing of individual skills and knowledge;
- Expanding the lives of individual women and their families;
- Creating long term sustainable change;
- Contributing creative, unique or innovative ideas or initiatives;
- Overcoming difficulties or challenges.

Heather Mutimer International Women's Day
 Honour Roll
 Nomination Form 2022

1. NOMINEE'S DETAILS

Title:	Family name:	
Given names:		
Preferred name:		
Postal address:		
Township:		Postcode:
Phone:		Mobile:
Email:		
Date of birth:		Place of birth:
Is the nominee deceased? NO – go to 2 & 5 YES – go to 3, 4 & 5		
Has the nominee, lived, worked or volunteered in the Hepburn Shire? YES - please proceed with nomination NO – This nominee is not eligible		

2. NOMINEE'S AGREEMENT

For the Heather Mutimer International Women's Day Honour Roll Committee to be able to accept the nomination, the nominee's agreement and signature should be provided.

I have gained permission from my nominee to proceed with this application, should it be successful, my nominee would accept being placed on the Heather Mutimer Honour Roll. My nominee has agreed for her information to be provided.

Signed by nominee:

If the nominee is under 18 years, please provide consent from a parental guardian:

Signed by parental guardian:

Heather Mutimer International Women's Day
 Honour Roll
 Nomination Form 2022

3. POSTHUMOUS AWARDS

If the nominee is deceased please provide next of kin details.

Nominee's date of death:	
Next of kin name:	
Relationship to nominee:	
Postal address:	
Township:	Postcode:
Phone:	Mobile:

4. NEXT OF KIN ACCEPTANCE (POSTHUMOUS ONLY)

*I am willing to accept the nomination on behalf of the above nominee.
 The nominee * lived or worked in the Shire of Hepburn (*delete that which is not applicable).*

Next of kin's signature of acceptance:

Click or tap here to enter text.

Date: Click or tap to enter a date.

5. NOMINATOR

Title:	Family name:
Given names:	
Nomination organisation (if applicable):	
Postal address:	
Suburb:	Postcode:
Phone:	
Email:	
Signature: Click or tap here to enter text.	
Date: Click or tap to enter a date.	

Selection Criteria

6. Please provide examples of how the nominee has advanced women's status, interests and/or gender equality (400-500 word limit)

Examples of this could include:

- *Inspiring role model who breaks new ground and lays a foundation for women starting out in a traditionally male dominated field.*
- *Women who challenge traditional gender stereotypes, attitudes and norms.*

7. Has the nominee demonstrated leadership qualities and/or shared her individual skills and knowledge: (400-500 word limit)

Examples of this could include:

- *Community heroes who have made an outstanding contribution (voluntary activities or professional) to the Hepburn Shire community, whose accomplishments make them a strong role model for women.*
- *Women who have excelled professionally or academically using their skills and knowledge, whose accomplishments empower confidence and inspire other women.*

8. Has the nominee enhanced the lives of individual women and their families, please provide examples: (400-500 word limit)

Examples of this could include:

- *Women who have had a significant impact in improving lives of other women and their families.*
- *Helping those less fortunate, providing professional or educational opportunities for other women.*

9. Please describe how the nominee has overcome difficulties or challenges through their personal achievements or projects: (400-500 word limit)

(There is no time to be shy or modest about the nominee – give them the recognition they deserve, tell us about their story, the challenges they have overcome and their achievements.)

Heather Mutimer International Women's Day
Honour Roll
Nomination Form 2022

10. Has the nominee contributed creative, unique, sustainable or innovative ideas or initiatives? (400-500 word limit)

Examples of this could include:

- Celebrating women, who create an impact, innovate and make a difference with a unique idea.
- Women who position themselves as an innovative leader through the achievements that come from creative ideas and initiatives.

11. Please attach testimonials (minimum 1 and maximum 4) from others about the nominee.

Lodging your nomination

Mail to:

Hepburn Shire Heather Mutimer Women's Honour Roll
PO Box 21
Daylesford VIC 3460

Email: shire@hepburn.vic.gov.au

Nominations close at 5pm on Friday 21 October 2022

Please note that late entries or appeals will not be accepted.

13 A DYNAMIC AND RESPONSIVE COUNCIL

13.1 ANNUAL FINANCIAL AND PERFORMANCE STATEMENTS 2021/2022

Go to 01:43:40 in the meeting recording to view this item.

DIRECTOR ORGANISATIONAL SERVICES

In providing this advice to Council as the Manager Financial Services, I Kathy Fulton have no interests to disclose in this report.

ATTACHMENTS

1. Financial Statements 2021/2022 [**13.1.1** - 56 pages]
2. Performance Statement - 2021/2022 [**13.1.2** - 12 pages]
3. Report of Operations 2021/2022 [**13.1.3** - 4 pages]

EXECUTIVE SUMMARY

The Annual Financial Statements and Performance Statement are still subject to audit clearance however have been finalised to a stage where the draft statements are presented for Councillor consideration, as changes are expected to only be minimal.

Details of the report are included in the key issues section that details Council's performance during the 2021/2022 financial year.

Once the final statements have been approved in principle by Council and signed by the nominated Councillors and the Chief Executive Officer, the independent auditor's report will be received by the Victorian Auditor General's Office (VAGO). These documents will form part of Council's annual report which will be forwarded to the Minister by 31 October 2022.

OFFICER'S RECOMMENDATION

That Council:

1. *Receives and notes the financial statements and performance statement for the year ended 30 June 2022 and recommends the performance statement and financial report to Council for adoption; and*
2. *Notes that once the final statements have been certified by the nominated Councillors and the independent auditor's reports received from VAGO, they will form part of Council's Annual Report which will be forwarded to the Minister by 31 October 2022.*

MOTION

That Council:

1. *Receives and notes the financial statements and performance statement for the year ended 30 June 2022 and recommends the performance statement and financial report to Council for adoption; and*
2. *Notes that once the final statements have been certified by the nominated Councillors and the independent auditor's reports received from VAGO, they will form part of Council's Annual Report which will be forwarded to the Minister by 31 October 2022.*

Moved: Cr Brian Hood

Seconded: Cr Jen Bray

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

Audit

Council Officers prepared an initial draft set of statements for the year ended 30 June 2022. Crowe Australia, as Council's appointed external auditors, conducted an audit of the accounts between 22–26 August 2022.

The Statements are presented by officers and representatives from Crowe Australia have confirmed that an unqualified audit opinion will be issued.

Financial Statements

The Annual Financial Report has been prepared in accordance with the Local Government Better Practice Guide, Model Financial Report and the Local Government Better Practice Guide – Performance Reporting Template. The following statements are contained in the report:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cashflows
- Statement of Capital Works
- Notes to the Financial Statements
- Performance Statement

The financial statements provide information on current and prior year balances and other information as required by accounting standards, the *Local Government Act 2020* and Regulations.

The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures as developed by the Victorian Government under the performance reporting framework.

KEY ISSUES

Financial Statements

Council, like most local governments, is experiencing a challenging fiscal environment with the continuing impacts of the COVID-19 pandemic, two major storm events during the year and the current rising costs in the economy. Although rate capping has been implemented for several years, the impact on rate revenue for small rural councils is still significant.

Council is in a stable financial position, however, will need to closely monitor its financial position and performance over the coming years to ensure it remains in a financially and sustainable position.

Council has adopted that as part of a mid-year review, officers will undertake an organisational service scan by December 2022 to identify opportunities to review operations and projects to ensure Council's ongoing financial sustainability.

A major impact on Councils' financial position during the year was the cost of recovery works following two major storms at Trentham and Creswick. A significant percentage of the recovery costs will be reimbursed through government funding, but Council is forecasting a \$1.7m shortfall in the funding received when the recovery works are completed.

Surplus/Deficit

The operating result for 2021/2022 was a deficit of \$5.6 million.

It is not unusual for Councils to report a deficit, however, sometimes it does not reflect the "true" financial performance and cash position of Council. The 2021/2022 results for Council include several unique items which have had a significant impact on the operating result.

The underlying surplus/deficit can be a better measure of Council's performance and with the adjustment for these unique items Council's underlying result is a smaller deficit for the 2021/2022 financial year.

	2021/2022
	\$'000
Surplus /Deficit for the year	(5,565)
Less non-recurrent capital grants	(3,969)

Less non-monetary contributions	(38)
Adjusted underlying Surplus/(Deficit)	(9,572)
Add back loss on disposal of assets	1,346
Add back Write off of WIP (Work in Progress)	3,562
Storm income received	(4,167)
Storm Expense incurred	7,316
Underlying Surplus/(Deficit) after removal of material one-off items	(1,515)

Income

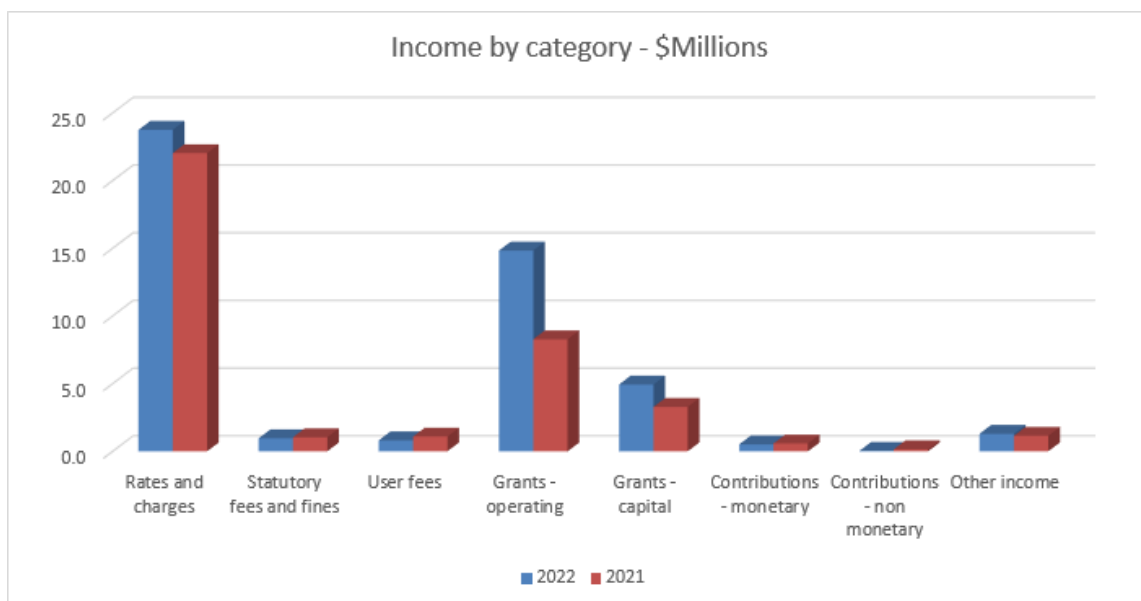
Council receives income from a wide range of sources, including rates, user fees, statutory fees, grants, contributions and other income. The total income received for 2021/2022 was \$47.1M (\$37.6M in 2020/2021) an increase of 25.3%.

Traditional income categories of rates, fees and other income remained constant however an increase in operating grants was due to the early receipt of 75% of the 2022/2023 Financial Assistance Grant allocations. Note three of the financial statements provides a more detailed breakdown against prior year actual.

Explanation of key income movements include:

- Rates and charges increased \$1,718k (7.8%) which is in line with the State Government rate cap, growth and increase in waste charges. Interest on overdue rates of \$258k was charged in 2021/2022 unlike 2020/2021 where this was not charged as a COVID response mechanism.
- User fees and charges decreased by \$277k (25.4%) which was a combination of reduced service levels in aged care, transfer station utilisation decreasing and a reduction in building service fees.
- Operating grants increased by \$6,555K (79.2%). The major increase was grants received for reimbursement of storm recovery costs \$4,681k and early receipt of Financial Assistance Grants \$2,323k.
- Capital grants increased by \$1,661k (50.7%) which was all non-recurrent State capital grants for projects.

The below graph provides the income categories with a comparison of the current year and prior year.



Council's income of \$47.15M was \$6.24M (15%) above budget, which was due to increased operating grants for reimbursement of storm recovery costs, partially offset by operating grants for projects that had not progressed in line with budget. Note 2.1.1 provides analysis of current year performance against budget.

Expenses

Council's total operating expenditure including depreciation for 2021/2022 was \$52.71M. Expenditure relates to the ongoing or operation costs to deliver services that benefit the community. Expenditure categories summarised below include employee costs, materials and services, depreciation and other expenses.

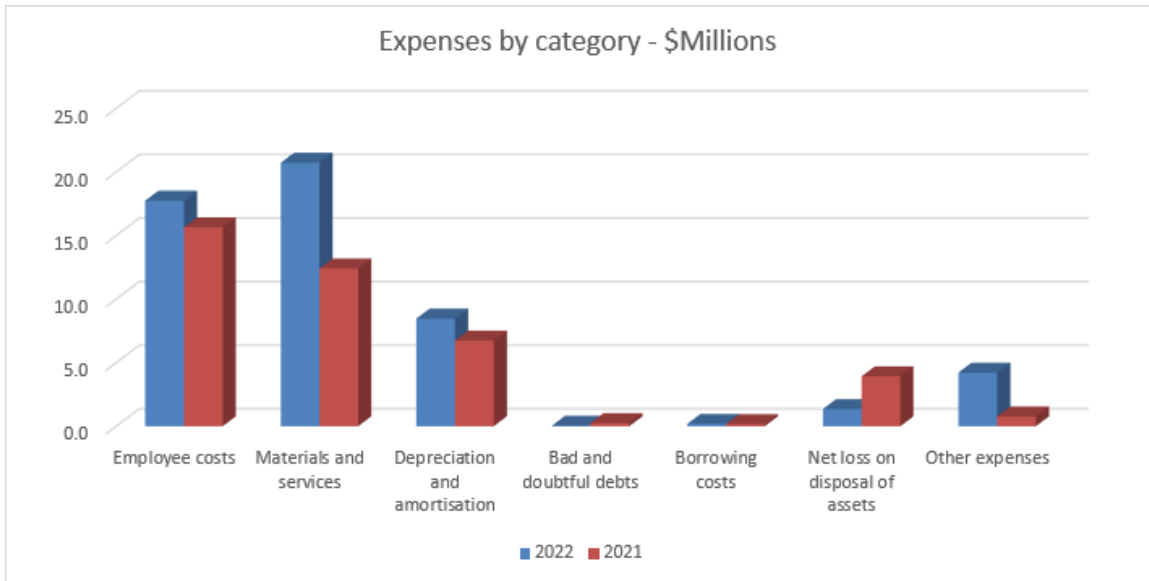
Total operational expenditure has increased significantly from the prior year \$39.83M, an increase of \$12.82M (32%).

Explanation of key expenditure movements include:

- Employee costs increased by \$2.1M (13.3%) which was due to additional staff being employed to work on the storm recovery project \$756k.
- Materials and services increased by \$8.31M (67%) due to costs associated with the storm recovery works \$6.6M.
- Depreciation expense increased by \$1.88M (28%) due to the impact of the land and building revaluation that was completed and the increase capitalisation of new assets.
- Other expenses increased by \$3.44M (450%). This is due to writing off costs previously recorded as Work In Progress with the major write off being costs associated with The Rex.

Total operational expenditure was \$16.89M (47%) above budget due to similar factors outlined above, with two major impacts being storm recovery costs and writing off old work in progress balances.

The below graph provides the expense categories with a comparison of the current and previous financial year.

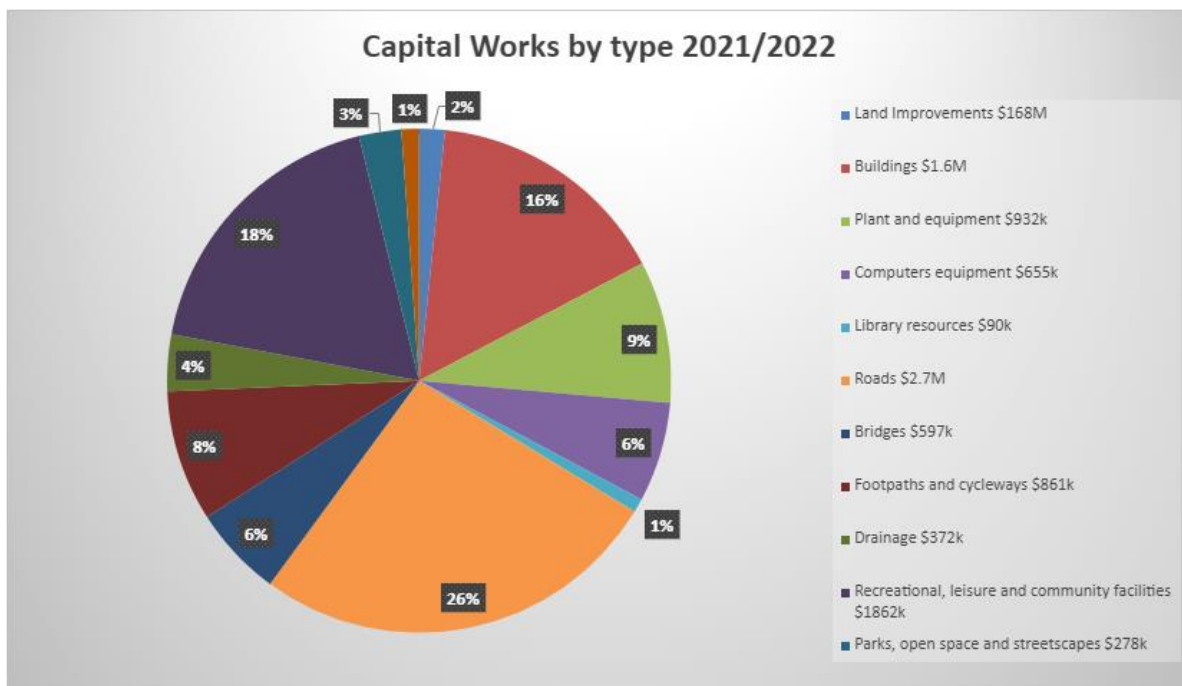


Capital Works

Council delivered \$10.2M of capital works throughout the financial year (\$9.4M in 2020/2021). The most in recent history. The most significant areas of capital investment were on plant and equipment, roads and recreational, leisure and community facilities. The \$10.2M is 87.8% of the total capital works budget for 2021/2022 an increase from the 72.1% that was delivered against budget in 2020/2021.

An estimate of \$5.4M of capital works and \$3.1M of special projects expenditure will be carried forward into 2022/2023 (\$11.60M in 2020/2021) with the intention of completing these projects in 2022/2023. These amounts are based on the budget at 30 June 2022 and may fluctuate due to cost inflation in the construction industry and a changing economic climate.

The following chart illustrates the value of each type of capital works expenditure delivered during 2021/2022.



Financial Sustainability

In 2021/2022 the Victorian Government capped overall rate increases at 1.5%. Council elected not to apply for an exemption to this rate cap and continued to review operations throughout the year to ensure delivery of important services and best value for money for the community.

Reduced revenue and increasing costs mean that it is vital for Council to identify efficiencies and alternative funding opportunities to reduce the reliance of rate revenue. Council relies heavily on support from State and Federal Governments to deliver key infrastructure projects and provide support for other important programs.

Key Sustainability Indicators

The Victorian Auditor General (VAGO) issues several financial sustainability indicators which are used to compare all 79 Councils. The below table provides Council's indicators for 2021/2022. These indicators should be considered collectively and are more useful when assessed over time as part of trend analysis. Council remains mainly in the "low" risk category.

Indicator	Result	Risk Rating	Formula
Underlying result	-24%	High	Adjusted net surplus/ total underlying revenue

Liquidity	1.95:1	Low	Current assets/ current liabilities
Indebtedness	17%	Low	Non-current liabilities/ own-sourced revenue
Self-financing	21%	Low	Net operating cash flows/ underlying revenue
Capital replacement	121%	Medium	Capital expenditure/ depreciation
Renewal gap	103%	Low	Renewal and upgrade expenditure/ depreciation

Rating per VAGO's risk matrix

Council's underlying result of negative 24% places them in the high-risk category. This is because of unique items that impacted the operating result in 2021/2022. Council has budgeted for an improved position at the end of 2022/2023 with a slightly negative underlying result which then moves to a positive position in subsequent years. Given the current financial climate, this financial performance is reasonable in the short term, but not sustainable long term. Council is reviewing future year results to assist with improving financial viability and acknowledges improvement will be a step process.

It is positive that four indicators remain in the low-risk rating category.

Balance Sheet

Council operates a solid balance sheet as detailed above in the VAGO indicators. Many of the balance sheet line items remained similar, major changes are explained below.

- Cash and other financial assets (term deposits) totalled \$23.8M as at 30 June 2022 which was a decrease of \$2.7M from the previous year. The decrease was due to the delivery of projects for which funding had been received the previous year and the storm recovery costs that were paid but the reimbursement has not been received. Further detail is provided in relation to Council's unrestricted cash assets in note 5.1.
- Non-current assets increased by \$17M to a total valuation of \$343.3M. This is a combination of \$10.2M of capital work expenditure, \$8.5M of depreciation and asset revaluations for land and buildings of \$20.1M. Further detail is provided in relation to Council's property, plant and infrastructure assets in note 6.1.

- Trade and other receivables increased by \$2.3M predominately due to invoices raised on government departments in June 2022, there is no risk of non-payment of these invoices.
- Trade and other payables increased by \$1.5M due to increased creditor invoices being processed in June but not paid until July. This relates to timing only.
- Unearned Income/revenue increased by \$2.86M due to grants being received in advance of works being completed.
- Interest-bearing liabilities decreased in total due to a loan being paid out in November 2021 and no new loans being drawn down during the year.
- Reserves increased by \$19.65M to a total of \$198.7M. Most of this movement was due to the revaluation of Land and Buildings which is a non – cash transaction. Other reserves decreased from \$3.9M to \$3.5M and reflect cash backed reserves such as open space and the Mineral Springs Reserve which are allocations of funding for future works.

Unrestricted cash assets – Council has cash and other financial assets (term deposits) that total \$23.8M, however it is important to note that the majority of these funds have intended allocations which are detailed below.

	2021/2022	2020/2021
Total Financial Assets (\$'000s)	23,781	27,014
Council's cash and cash equivalents are subject to external restrictions		
Trust funds and deposits (Note 5.3)	(1,169)	(1,205)
Statutory reserves (Note 9.1(b))	<u>(2,008)</u>	(1,526)
Total unrestricted financial assets	20,604	24,310
Amounts allocated for specific future purposes by Council		
Cash held to fund carried forward works	(8,531)	(12,125)
Unexpended grants received (Note 3.4(c))	(8,038)	(6,386)
Discretionary reserves (Note 9.1(b))	<u>(1,479)</u>	(2,416)
Total unrestricted financial assets	2,556	3,383
2022/2023 Grants Commission received in advance	(4,430)	(2,541)
Storm claim income to be received	2,835	-
Total unrestricted and allocated financial	961	842

assets		
--------	--	--

With a low unrestricted cash balance – Council will need to carefully manage this financial position over coming years. It has remained at similar levels as 2020/2021 and when compared to other Local Governments is lower than the average. This is due to Council being a lower rating Council than average and the reliance on grant funding.

In relation to the overall financial position, it is worth noting that unrestricted cash improved slightly in a financially challenging environment which included the impact of storms, significant cost escalations and the continued impact of COVID during 2021/2022.

Performance Reporting

Attached is the current performance statement which details a set of audited results against State Government prescribed performance indicators and measures.

The majority of indicators have remained stable whilst others continue to be impacted by COVID-19 and unique events during 2021/2022.

Sustainable Capacity

The construction and renewal of infrastructure assets has increased the value of all infrastructure controlled by Council. The growing proportion of infrastructure relative to the population shows Council’s commitment to improving and accurately recording infrastructure.

The revenue generated by Council compared to the population has increased this year on a per person basis as the impacts of reduced rents, registration fees and waiving of interest in prior years due to COVID is not relevant this year as business returned to normal.

Service Performance

Visits to the pools increased by 0.44 visits per person which is more aligned to pre COVID visit rates. Pool entry remains free of charge.

Library results for participation remained low due to continued closures during COVID and were also impacted by Government vaccination protocols once the libraries reopened.

Maternal and Child Health participation has increased as centres reopen, and children attend appointments missed during COVID due to centres being closed.

Statutory planning performance has decreased during the year due to resource issues in this area, specifically in the time taken to decide a planning permit.

Financial Performance

The measure of liquidity is one reflection of Council's current financial position. The higher assets relative to liabilities shows Council can settle its liabilities. The reduction from prior years reflects the decreasing financial position as Council implements a significant capital works program, additional costs due to storm recovery works and lower rates due to the State Government rate capping system.

Interest bearing loans as a percentage of rate revenue decreased this year as Council paid off a loan during the year and did not draw down any new loans.

Non-current liabilities as a percentage of Council's revenue from rates and fees decreased due to a loan being repaid during the year and an increase in rates revenue. This result confirms that Council is well within its capacity to meet its loan repayment obligations.

Generally, the financial performance results remain within the expected range.

Report of Operations

Attached is the current report of operations.

This is the key service performance indicators that form part of the Local Government Performance Reporting Framework and is part of the data that forms the public reporting to the Know Your Council website (expected in November).

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

Under Section 98 of the *Local Government Act 2020*:

- 1) A Council must prepare an annual report in respect of each financial year.
- 2) An annual report must contain the following:
 - a) A report of operations of the Council;
 - b) An audited performance statement;
 - c) Audited financial statements;
 - d) A copy of the auditor's report on the performance statement;
 - e) A copy of the auditor's report on the financial statements under Part 3 of the *Audit Act 1994*;
 - f) Any other matter required by the regulations.

Under Section 99 of the *Local Government Act 2020*;

3) The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by -

- a) Two Councillors authorised by the Council for the purpose of this subsection.
- b) Any other persons prescribed by the regulations for the purposes of this subsection.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report, rather this report presents Council's performance and position.

RISK IMPLICATIONS

There are no risk implications associated with this report. The Financial Statements and Performance Statement were presented to the Audit and Risk Committee at their meeting on 12 September 2022. The statements will be presented by officers and representatives from Crowe Australia, who will speak to the audit process and advise that an unqualified audit opinion will be issued.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Once the final statements have been certified by the nominated Councillors and the independent auditor's report received from VAGO, they will form part of Council's annual report which will be forwarded to the Minister by 31 October 2022. After the annual report has been submitted to the Minister, Council must give public notice that the annual report has been prepared and can be inspected at the Council offices and on Council's website. Other appropriate communication of Council's financial performance and results will be undertaken including media release, inclusion in Hepburn Life and reports placed on Council's website.



ANNUAL FINANCIAL REPORT

For the Year Ended 30 June 2022



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Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.

Kathy Fulton - Certified Practising Accountant

Principal Accounting Officer

Date : 20th September 2022

Daylesford

In our opinion the accompanying financial statements present fairly the financial transactions of Hepburn Shire Council for the year ended 30 June 2022 and the financial position of the Council as at that date.

As at the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Mayor Cr Tim Drylie

Councillor

Date : 20th September 2022

Daylesford

Deputy Mayor Cr Jen Bray

Councillor

Date : 20th September 2022

Daylesford

Bradley Thomas

Chief Executive Officer

Date : 20th September 2022

Daylesford

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Comprehensive Income Statement For the Year Ended 30 June 2022

	Note	2022 \$'000	2021 \$'000
Income			
Rates and charges	3.1	23,745	22,027
Statutory fees and fines	3.2	963	1,040
User fees	3.3	814	1,091
Grants - operating	3.4	14,833	8,278
Grants - capital	3.4	4,940	3,279
Contributions - monetary	3.5	518	582
Contributions - non monetary	3.5	38	147
Other income	3.7	1,298	1,151
Total income		47,149	37,595
Expenses			
Employee costs	4.1	17,742	15,647
Materials and services	4.2	20,723	12,408
Depreciation	4.3	8,469	6,593
Amortisation - intangible assets	4.4	-	133
Bad and doubtful debts	4.5	33	247
Borrowing costs	4.6	188	165
Net loss on disposal of property, infrastructure, plant and equipment	3.6	1,346	3,931
Other expenses	4.7	4,213	766
Total expenses		52,714	39,890
Surplus/(deficit) for the year		(5,565)	(2,295)
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment	6.1	20,114	32,826
Total other comprehensive result		20,114	32,826
Total comprehensive result		14,549	30,531

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet As at 30 June 2022

	Note	2022 \$'000	2021 \$'000
Assets			
Current assets			
Cash and cash equivalents	5.1(a)	6,579	8,839
Trade and other receivables	5.1(c)	6,860	4,542
Other financial assets	5.1(b)	17,202	18,202
Inventories	5.2(a)	17	19
Prepayments	5.2(b)	117	130
Total current assets		30,775	31,732
Non-current assets			
Property, infrastructure, plant and equipment	6.1	343,347	326,340
Intangible assets	5.2 (c)	-	408
Total non-current assets		343,347	326,748
Total assets		374,122	358,480
Liabilities			
Current liabilities			
Trade and other payables	5.3 (a)	3,099	1,546
Trust funds and deposits	5.3 (b)	1,169	1,205
Unearned Income /revenue	5.3 (a)	8,191	6,884
Provisions	5.5	2,723	2,482
Interest-bearing liabilities	5.4	629	2,065
Total current liabilities		15,811	14,182
Non-current liabilities			
Provisions	5.5	514	455
Interest-bearing liabilities	5.4	3,897	4,526
Other liabilities		60	26
Total non-current liabilities		4,471	5,007
Total liabilities		20,282	19,189
Net assets		353,840	339,291
Equity			
Accumulated surplus		155,156	160,264
Reserves	9.1	198,684	179,026
Total equity		353,840	339,290

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity For the Year Ended 30 June 2022

2022		Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
	Balance at beginning of the financial year	339,290	160,264	175,084	3,942
	Surplus/(deficit) for the year	(5,565)	(5,565)	-	-
	Net asset revaluation increment/(decrement) 6.1	20,114	-	20,114	-
	Transfers to other reserves 9.1 (b)	-	6,514	-	(6,514)
	Transfers from other reserves 9.1 (b)	-	(6,058)	-	6,058
	Balance at end of the financial year	353,840	155,156	195,198	3,486

2021		Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
	Balance at beginning of the financial year	308,760	163,155	142,258	3,347
	Surplus/(deficit) for the year	(2,296)	(2,296)	-	-
	6.1	32,826	-	32,826	-
	Transfers to other reserves 9.1 (a)	-	(888)	-	888
	Transfers from other reserves 9.1 (b)	-	293	-	(293)
	Balance at end of the financial year	339,290	160,264	175,084	3,942

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows
For the Year Ended 30 June 2022

	Note	2022 Inflows/ (Outflows) \$'000	2021 Inflows/ (Outflows) \$'000
Cash flows from operating activities			
Rates and charges		23,205	21,768
Statutory fees and fines		962	1,007
User fees		828	915
Grants - operating		13,941	9,316
Grants - capital		6,247	8,510
Contributions - monetary		518	582
Interest received		130	97
Rent received		960	720
Trust funds and deposits taken		(90)	-
Other receipts		244	122
Net GST refund		2,141	1,502
Employee costs		(17,508)	(15,491)
Materials and services		(22,070)	(15,194)
Trust funds and deposits repaid		-	(2)
Other payments		(440)	(843)
Net cash provided by/(used in) operating activities	9.2	9,068	13,009
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment		(10,232)	(9,364)
Payments for intangible assets		-	(125)
Proceeds from sale of property, infrastructure, plant and equipment	3.6	157	41
Proceeds from sale of assets held for sale	3.6	-	712
Payments for investments		1,000	(17,010)
Net cash used in investing activities		(9,075)	(25,746)
Cash flows from financing activities			
Finance costs		(188)	(165)
Repayment of borrowings		(2,065)	(412)
Proceeds of borrowings		-	3,012
Net cash provided by/(used in) financing activities		(2,253)	2,435
Net increase/(decrease) in cash and cash equivalents		(2,260)	(10,302)
Cash and cash equivalents at the beginning of the financial year		8,839	19,141
Cash and cash equivalents at the end of the financial year	5.1	6,579	8,839
Financing arrangements	5.6		
Restrictions on cash assets	5.1		

The above statement of cash flows should be read in conjunction with the accompanying notes.

**Statement of Capital Works
For the Year Ended 30 June 2022**

	Note	2022 \$'000	2021 \$'000
Property			
Land improvements		168	-
Buildings		1,602	2,838
Total property		1,770	2,838
Plant and equipment			
Plant, machinery and equipment		932	496
Computers and telecommunications		655	208
Library Resources		90	68
Total plant and equipment		1,677	772
Infrastructure			
Roads		2,700	3,695
Bridges		597	201
Footpaths and cycleways		861	947
Drainage		372	38
Recreational, leisure and community facilities		1,862	276
Parks, open space and streetscapes		278	497
Other infrastructure		115	100
Total infrastructure		6,785	5,754
Total capital works expenditure		10,232	9,364
Represented by:			
New asset expenditure		1,473	749
Asset renewal expenditure		6,583	4,841
Asset upgrade expenditure		2,176	3,774
Total capital works expenditure		10,232	9,364

The above statement of capital works should be read in conjunction with the accompanying notes.

Notes to the Financial Report For the Year Ended 30 June 2022

Note 1 OVERVIEW

Introduction

The Hepburn Shire Council was established by an Order of the Governor in Council on 19 January 1995 and is a body corporate. The Council's main office is located at 76 Vincent Street, Daylesford 3460

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to not-for-profit entity under the Australian Accounting Standards.

Significant accounting policies

(a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)

Notes to the Financial Report For the Year Ended 30 June 2022

- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3)
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

(b) Impact of Covid-19

During 2021/2022 the COVID pandemic continued to impact on Councils operations but not as significantly as the prior two years.

Council were still in receipt of funding for some of the programs commenced during COVID such as Outdoor Dining Activation and Business Concierge which also had costs associated with them. Many services for Council returned to business as usual.

(c) Storm Events

Council has been impacted by two significant storm events during 2021/2022. The first event occurred in the Trentham area in June 2021 and the second event was in the Creswick area in January 2022.

The result of these storms was significant damage to property and infrastructure across the areas. A storm recovery team was set up by council to co-ordinate a response to the disasters and provide support and information to the affected communities.

The costs to respond to these events is unbudgeted and is being partially reimbursed through government disaster recovery funding and insurance claim assessments and approval. Total costs for the 2021/2022 financial year are \$7.3M but Council are forecasting a \$1.7M shortfall in the funding received when the recovery works are completed.

	Storm Event Trentham June 2021	Storm Event Creswick January 2022	Total 2021/2022
	\$'000	\$'000	\$'000
Claims Received	4,163	-	4,163
Costs			
Employee Benefits	498	258	756
Contractors	4,711	1,583	6,294
Other	177	88	265
Total expenditure	5,386	1,929	7,315
Cost to Council	(1,223)	(1,929)	(3,152)

(d) Carried Forward Works

The carried forward works value disclosed in Note 5.1(b) is stated at 30 June 2022 budget value. This amount may fluctuate due to cost inflation in the construction industry and the changing economic climate.

Notes to the Financial Report For the Year Ended 30 June 2022

Note 2.1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of 10 percent and \$100,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 29 June 2021. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

2.1.1 Income and expenditure

	Budget 2022 \$'000	Actual 2022 \$'000	Variance \$'000	Variance %	Ref
Income					
Rates and charges	23,547	23,745	198	0.8%	
Statutory fees and fines	946	963	17	1.8%	
User fees	1,043	814	(229)	-22.0%	1
Grants - operating	4,260	14,833	10,573	248.2%	2
Grants - capital	9,199	4,940	(4,259)	-46.3%	3
Contributions - monetary	528	518	(10)	-1.9%	
Contributions - non monetary	-	38	38	100.0%	
Other income	1,384	1,298	(86)	-6.2%	
Total income	40,907	47,149	6,242	15.3%	
Expenses					
Employee costs	15,412	17,742	(2,330)	-15.1%	4
Materials and services	12,318	20,723	(8,405)	-68.2%	5
Depreciation	6,926	8,469	(1,543)	-22.3%	6
Amortisation - Intangible assets	121	-	121	100.0%	
Bad and doubtful debts	15	33	(18)	-120.0%	
Borrowing costs	213	188	25	11.7%	
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	30	1,346	(1,316)	-4386.7%	7
Other expenses	786	4,213	(3,427)	-436.0%	8
Total expenses	35,821	52,714	(16,893)	-47.2%	
Surplus (deficit) for the year	5,086	(5,565)	(10,651)	-209.4%	9

Notes to the Financial Report For the Year Ended 30 June 2022

Note 2.1 Performance against budget (continued)

2.1.1 Income and expenditure (continued)

(i) Explanation of material variations

Ref	Item / Explanation
1	User fees - The decrease in user fees is attributable to aged service fees being unfavourable to budget by \$225k due to reduced employee resources to deliver estimated and targeted service hours and outdoor dining permits unfavourable by \$68k due to not being charged to assist with economic recovery from COVID-19. This was partially offset by increased fee income at the transfer station \$62k.
2	Grants Operating - The increase in operating grants is a result of 75% of the 2022/2023 financial assistance grants allocation (\$4.4m) being received in 2021/2022 and storm recovery grants of \$4.8m being received to reimburse for storm recovery costs.
3	Grants - capital - The decrease in Capital Grants received is predominantly due to grants being received as stimulus funding in 2020/2021, for capital projects in advance of works being completed. These projects include Trentham Community Hub \$1.0m, Creswick Town Hall \$0.3m, Hammon Park Trail Head \$0.725m, Footpath Expansion \$0.2m, Bullarto Station \$0.1m, Wombat Hill Botanic Gardens \$0.1m and Outdoor Activation \$0.3m.
4	Employee Costs - Employee costs are unfavourable to budget predominately due to temporary staff \$1.95m over budget which is attributable to covering vacant positions and temporary staff responding to storm events \$756k (which is mostly refunded by State/Federal Government)
5	Materials and Services - Materials and services are unfavourable to budget by \$8.4m which is in response to storm clean-up activities \$7.7m which is mostly recoverable from State/Federal Government. An increase in the use of consultants across the organisation \$0.4m to respond to legislative requirements and additional investment in ICT \$0.4m.
6	Depreciation - The increase in depreciation is a result of asset revaluations and increased capital program.
7	Net gain/(loss) on disposal of property, infrastructure, plant and equipment - The increase compared to budget relates to the written down value of disposed infrastructure (roads, footpaths etc) as a result of capital works undertaken. Given the value of infrastructure disposed is difficult to assume and the fact that it is non-cash it is not budgeted.
8	Other Expenses - The increase compared to budget relates to the write off of expenses allocated to capital projects that will not result in recognition of assets \$3.4m.
9	Surplus (deficit) for the year - Result is unfavourable to budget as it is significantly impacted by a number of events that occurred during the year, including two major storm events (\$3.2M) and writing off of costs associated with capital projects that will not be recognised as assets (\$3.4M).

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 2.1 Performance against budget (continued)

2.1.2 Capital works

	Budget 2022 \$'000	Actual 2022 \$'000	Variance \$'000	Variance %	Ref
Property					
Land improvements	-	168	168	100%	1
Buildings and Building Improvements	1,246	1,602	356	28.6%	2
Total property	1,246	1,770	524	42.1%	
Plant and equipment					
Plant, machinery and equipment	860	932	72	8.4%	
Computers and telecommunications	917	655	(262)	-28.6%	3
Library books	60	90	30	50.0%	
Total plant and equipment	1,837	1,677	(160)	-8.7%	
Infrastructure					
Roads	3,077	2,700	(377)	-12.3%	4
Bridges	600	597	(3)	-0.5%	
Footpaths and cycleways	534	861	327	61.2%	5
Drainage	270	372	102	37.8%	6
Recreational, leisure & community facilities	2,943	1,862	(1,081)	-36.7%	7
Parks, open space and streetscapes	763	278	(485)	-63.6%	8
Other infrastructure	381	115	(266)	-69.8%	9
Total infrastructure	8,569	6,785	(1,784)	-20.8%	
Total capital works expenditure	11,652	10,232	(1,420)	-12.2%	
Represented by:					
New asset expenditure	1,670	1,473	(197)	-11.8%	
Asset renewal expenditure	7,761	6,583	(1,178)	-15.2%	
Asset upgrade expenditure	2,221	2,176	(45)	-2.0%	
Total capital works expenditure	11,652	10,232	(1,420)	-12.2%	

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 2.1 Performance against budget (continued)

2.1.2 Capital works

(i) Explanation of material variations

Ref	Item / Explanation
1	Land improvements - remediation works completed on land at Glenlyon Recreation Reserve.
2	Buildings and Building Improvements - A number of projects that had been delayed in the previous year were completed. This included the Clunes Town Hall \$0.856m and netball courts and pavilion at Hepburn \$0.765m. The Bullarto Station and Creswick Town had significant funding allocated in the current but due to delays did not progress as expected. These funds will be carried forward to 2022/2023.
3	Computers and telecommunications - Focus during the year was on Hardware and Technology renewal however there was underspend on server equipment replacement and other technology development.
4	Roads - projects funded from prior year stimulus funding were completed resulting in the delay of a couple of current year projects.
5	Footpaths and cycleways - All budgeted projects were completed and additional work was completed at the Doug Lindsay Reserve on shared pathways.
6	Drainage - A major drainage project budgeted for in the prior year at Pearman Street, Creswick was completed, however drainage works in Daylesford were delayed.
7	Recreational, leisure and community facilities - A number of construction projects did not proceed as much as had been expected during the financial year and a number were also delayed. Many of these are expected to be completed in the 2022/2023 financial year.
8	Parks, open space and streetscapes - Minor delay in the Wombat Hill Botanic Gardens project has impacted current year spend as well as underspends in some minor projects.
9	Other Infrastructure - Delays due to projects being put on hold has impacted the current year spend. These projects will be delivered in 2022/2023.

Notes to the Financial Report For the Year Ended 30 June 2022

Note 2.2 Analysis of Council results by program

2.2.1 Council delivers its functions and activities through the following programs.

CEO

The Chief Executive Office (CEO) provides the strategic direction across council to enable the efficient, effective delivery of policy commitments, council vision and mission.

Infrastructure and Delivery

Infrastructure and Delivery Services is responsible for constructing new infrastructure and maintaining existing infrastructure across a very diverse range of assets that underpin the wellbeing of the community. These assets include capital works engineering services, environment and waste, parks and gardens, emergency management and municipal resources, including the delivery of major projects. Health and community safety services and facilities maintenance are also included as part of this program.

Community and Development

Community Services provides high quality community focused programs, service delivery and communication to residents. Community Services is comprised of community care, connected communities, family services, health communities, leisure and recreational services and social planning and investment.

Community Services is underpinned by both customer commitments and customer service strategies. Community and economic development are responsible for business improvement and customer service. Community and economic development also advocate on behalf of the community for major events, arts, culture, economic development and cultural opportunities including the delivery of a reconciliation action plan with the traditional owners of the land of the Dja Dja Wurrung.

Development Services incorporates planning services and includes the assessment of shire development, planning strategy and urban growth.

Organisational Services

Organisational Services provides efficient, effective and proactive support services across council to enable the delivery of all council services. The provision of these services includes finance services, governance, risk, digital information and technology and culture performance.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 2.2 Analysis of Council results by program (continued)

2.2.2 Summary of income, expenses, assets and capital expenses by program

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2022					
CEO	-	1,049	(1,049)	-	-
Infrastructure and Delivery Services	18,258	26,098	(7,840)	11,792	271,908
Community and Development Services	3,504	7,798	(4,294)	2,520	35,068
Organisational Services	25,387	17,769	7,618	5,461	67,146
	47,149	52,714	(5,565)	19,773	374,122
	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2021					
CEO	1	979	(978)	-	-
Infrastructure and Delivery Services	10,257	13,750	(3,493)	4,646	263,281
Community and Development Services	3,456	7,278	(3,822)	2,240	31,075
Organisational Services	23,881	17,883	5,998	4,671	64,124
	37,595	39,890	(2,295)	11,557	358,480

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 3 Funding for the delivery of our services	2022	2021
3.1 Rates and charges	\$'000	\$'000

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is an approximation of its market value.

The valuation base used to calculate general rates for 2021/2022 was \$6,654,477 million (2020/2021 \$6,087,346 million).

General rates	18,776	18,272
Garbage and Recycling Charges	2,074	1,673
Waste management charge	2,356	1,911
Special rates and charges	140	57
Supplementary rates and rate adjustments	140	108
Interest on rates and charges	258	-
Revenue in lieu of rates	1	6
Total rates and charges	<u>23,745</u>	<u>22,027</u>

The date of the latest general revaluation of land for rating purposes within the municipal district was 01/01/2022, and the valuation will be first applied in the rating year commencing 1/07/2022.

Annual rates and charges are recognised as revenues when Council issues annual rates notices.

Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2 Statutory fees and fines

Infringements and costs	41	79
Permits	68	77
Registration fees	211	226
Town planning fees	605	594
Other fees and fines	38	64
Total statutory fees and fines	<u>963</u>	<u>1,040</u>

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

3.3 User fees

Aged and health services	76	107
Building Services	261	329
Waste management services	387	428
Other fees and charges	90	227
Total user fees	<u>814</u>	<u>1,091</u>
User fees by timing of revenue recognition		
User fees recognised at a point in time	<u>814</u>	<u>1,091</u>
Total user fees	<u>814</u>	<u>1,091</u>

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 3 Funding for the delivery of our services (continued)

3.4 Funding from other levels of government	2022	2021
Grants were received in respect of the following :	\$'000	\$'000
Summary of grants		
Commonwealth funded grants	8,956	6,495
State funded grants	10,817	5,062
Total grants received	19,773	11,557
(a) Operating Grants		
<i>Recurrent - Commonwealth Government</i>		
Financial Assistance Grants - VGC	5,047	3,386
Local road funding	2,267	1,605
Aged care	669	349
Community health	3	23
<i>Recurrent - State Government</i>		
Aged care	88	115
Libraries	174	168
Maternal and child health	339	204
School crossing supervisors	43	36
Youth	30	24
Other	56	53
Total recurrent operating grants	8,716	5,963
<i>Non-recurrent - Commonwealth Government</i>		
Aged care	-	164
<i>Non-recurrent - State Government</i>		
Commerce and tourism	700	766
Emergency management	146	222
Recreation	-	97
Transport	4	18
Waste and environment	182	65
Working for Victoria	204	860
Storm Events	4,681	-
Other	200	122
Total non-recurrent operating grants	6,117	2,315
Total operating grants	14,833	8,278
(b) Capital Grants		
<i>Recurrent - Commonwealth Government</i>		
Roads to recovery	971	969
Total recurrent capital grants	971	969
<i>Non-recurrent - State Government</i>		
Buildings	787	904
Roads	1,511	589
Recreation, leisure and community facilities	1,416	546
Waste and Environment	-	4
Storm Events	125	-
Other	130	267
Total non-recurrent capital grants	3,969	2,310
Total capital grants	4,940	3,279

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 3 Funding for the delivery of our services (continued)

3.4 Funding from other levels of government (continued)

	2022	2021
	\$'000	\$'000
(c) Unspent grants received on condition that they be spent in a specific manner		
Operating		
Balance at start of year	1,570	2,053
Received during financial year and remained unspent at balance date	872	976
Received in prior years and spent during the financial year	(64)	(1,459)
Balance at year end	<u>2,378</u>	<u>1,570</u>
Capital		
Balance at start of year	4,816	1,835
Received during financial year and remained unspent at balance date	2,401	4,716
Received in prior years and spent during the financial year	(1,557)	(1,735)
Balance at year end	<u>5,660</u>	<u>4,816</u>

Grant income is recognised at the point in time when the council satisfies its performance obligations as specified in the underlying agreement.

(d) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

Income recognised under AASB 1058 Income of Not-for-Profit Entities

Specific purpose grants to acquire non-financial assets	120	-
Other specific purpose grants	2,368	560

Revenue recognised under AASB 15 Revenue from Contracts with Customers

Specific purpose grants	4	-
	<u>2,492</u>	<u>560</u>

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 3 Funding for the delivery of our services (continued)

3.5 Contributions

Monetary	518	582
Non-monetary	38	147
Total contributions	556	729

Contributions of non-monetary assets were received in relation to the following asset classes.

Roads	-	52
Other Infrastructure	38	95
Total non-monetary contributions	38	147

Monetary and non monetary contributions are recognised as revenue at their fair value when Council obtains control over the contributed asset.

3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment

Proceeds of sale	157	41
Written down value of assets disposed	(26)	(11)
Written down value of infrastructure assets renewed	(1,477)	(3,738)
Proceeds of sale - Assets Held for Sale	-	712
Written down value of assets disposed - Assets Held for Sale	-	(935)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	(1,346)	(3,931)

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

	2022	2021
	\$'000	\$'000
3.7 Other income		
Interest	130	96
Reimbursements	112	33
Facilities rental income	924	932
Sale of materials	127	84
Other	5	6
Total other income	1,298	1,151

Interest is recognised as it is earned. Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 4 The cost of delivering services

	2022	2021
	\$'000	\$'000
4.1 (a) Employee costs		
Wages and salaries	13,576	13,109
WorkCover	612	406
Superannuation	1,334	1,194
Fringe benefits tax	79	80
Agency staff	2,141	858
Total employee costs	<u>17,742</u>	<u>15,647</u>

\$756k costs associated due to storm events in 2022.

(b) Superannuation

Council made contributions to the following funds:

Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	48	50
	<u>48</u>	<u>50</u>
Employer contributions payable at reporting date.	-	-

Accumulation funds

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	531	501
Employer contributions - other funds	755	643
	<u>1,286</u>	<u>1,144</u>
Employer contributions payable at reporting date.	-	-

Refer to Note 9.3 for further information relating to Council's superannuation obligations.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 4 The cost of delivering services (continued)

	2022	2021
	\$'000	\$'000
4.2 Materials and services		
Building maintenance	56	89
Consultants	1,794	1,354
Contract payments		
Waste Service	3,067	3,332
Infrastructure Maintenance	1,777	504
General Contracts	7,450	2,101
Information technology	1,076	637
Insurance	537	500
Materials and services	3,860	2,774
Office administration	492	455
Utilities	614	662
Total materials and services	20,723	12,408

Expenses are recognised as they are incurred and reported in the financial year to which they relate.
\$6.3M was incurred in 2022 in relation to storm recovery.

4.3 Depreciation

Property	2,327	1,220
Plant and equipment	1,031	796
Infrastructure	5,111	4,577
Total depreciation	8,469	6,593

4.4 Amortisation - Intangible assets

Software	-	133
Total Amortisation - Intangible assets	-	133

Refer to Note 5.2(c) and 6.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

4.5 Bad and doubtful debts

Rental Debtors	1	163
Other debtors	32	84
Total bad and doubtful debts	33	247

Movement in provisions for doubtful debts

Balance at the beginning of the year	(79)	(138)
New provisions recognised during the year	(31)	(79)
Amounts already provided for and written off as uncollectible	-	138
Amounts provided for but recovered during the year	-	-
Balance at end of year	(110)	(79)

Provision for doubtful debt is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 4 The cost of delivering services (continued)

	2022	2021
	\$'000	\$'000
4.6 Borrowing costs		
Interest - Borrowings	188	165
Total borrowing costs	188	165

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

4.7 Other expenses

Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	44	58
Auditors' remuneration - Internal Audit	30	27
Councillors' allowances	220	192
Community grants	274	326
Operating pension rebate	37	38
Tourism board membership	20	80
Work in Progress Write Off #	3,562	-
Others	26	45
Total other expenses	4,213	766

A decision was made by Council not to continue with the capital works project on the Rex building. This write off figures includes the works completed on The Rex that will not be recognised as an asset due to the decision to sell the building

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022 \$'000	2021 \$'000
5.1 (c) Trade and other receivables		
Current		
<i>Statutory receivables</i>		
Rates debtors	3,678	3,138
Special rate assessment	374	320
Infringement debtors	171	170
Net GST receivable	741	277
<i>Non statutory receivables</i>		
Loans and advances to community organisations		
Other debtors - rental	190	194
Other debtors - government grants	1,347	110
Other debtors - miscellaneous	469	412
Provision for doubtful debts - other debtors	(110)	(79)
Total current trade and other receivables	6,860	4,542

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of Receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	1,812	97
Past due by up to 30 days	1	167
Past due between 31 and 180 days	70	310
Past due between 181 and 365 days	11	31
Past due by more than 1 year	3	32
Total trade and other receivables	1,897	637

(e) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$110,000 were impaired. The amount of the provision raised against these debtors was \$110,000. They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	31
Past due between 181 and 365 days	-	6
Past due by more than 1 year	110	42
Total trade & other receivables	110	79

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022 \$'000	2021 \$'000
5.2 Non-financial assets		
(a) Inventories		
Inventories held for distribution	17	19
Total inventories	17	19
Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential.		
(b) Other assets		
Prepayments	117	130
Total other assets	117	130
(c) Intangible assets		
Software	-	408
Total intangible assets	-	408
Gross carrying amount		
Balance at 1 July	1,282	1,157
Additions	-	-
WIP	-	125
Write-Off	(1,282)	-
Balance at 30 June	-	1,282
Accumulated amortisation and impairment		
Balance at 1 July	874	741
Amortisation expense	-	133
Write-Off	(874)	-
Balance at 30 June	-	874
Net book value at 30 June	-	408

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

5.3 Payables, trust funds and deposits and unearned income /revenue

(a) Trade and other payables

Non-statutory payables

Trade payables	2,336	993
Accrued expenses	763	553
Income in advance	8,191	6,884
Total trade and other payables	11,290	8,430

**Notes to the Financial Report
For the Year Ended 30 June 2022**

(b) Trust funds and deposits

Refundable deposits	148	197
Fire services levy	374	320
Retention amounts	70	87
Other trust funds and deposits	577	601
Total trust funds and deposits	1,169	1,205

5.3 Payables (continued)

Unearned income/revenue represents contract liabilities and reflect consideration received in advance from customers in respect of capital and other grants. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

Purpose and nature of items

Refundable deposits - Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

5.4 Interest-bearing liabilities	2022	2021
Current	\$'000	\$'000
Borrowings - secured	629	2,065
Non-current		
Borrowings - secured	3,897	4,526
Total	4,526	6,591

Borrowings are secured by a deed of charge over council rates

(a) The maturity profile for Council's borrowings is:

Not later than one year	629	2,065
Later than one year and not later than five years	2,605	2,629
Later than five years	1,292	1,897
Total Interest-bearing liabilities	4,526	6,591

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.

5.5 Provisions

	Employee \$ '000	Landfill restoration \$ '000	Total \$ '000
2022			
Balance at beginning of the financial year	2,614	323	2,937
Additional provisions	1,511	-	1,511
Amounts used	(1,216)	(22)	(1,238)
Balance at the end of the financial year	2,909	301	3,210
2021			
Balance at beginning of the financial year	2,418	301	2,719
Additional provisions	1,222	23	1,244
Amounts used	(1,026)	-	(1,026)
Balance at the end of the financial year	2,614	323	2,937
		2022	2021
(a) Employee provisions		\$'000	\$'000
Current provisions expected to be wholly settled within 12 months			
Annual leave		925	876
Long service leave		335	215
Other		51	62
		1,311	1,153
Current provisions expected to be wholly settled after 12 months			
Annual leave		85	51
Long service leave		1,300	1,253
		1,385	1,304
Total current employee provisions		2,696	2,457
Non-current			
Long service leave		213	157
Annual leave		-	-
Total non-current employee provisions		213	157
Aggregate carrying amount of employee provisions:			
Current		2,696	2,457
Non-current		213	157
Total aggregate carrying amount of employee provisions		2,909	2,614

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

5.5 Provisions (continued)

Annual Leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

<i>Long service leave</i>	2022	2021
	\$'000	\$'000
Key assumptions:		
- discount rate	3.69%	1.49%
- index rate	2.50%	1.80%
- settlement rate	7 years	7 years
(b) Landfill restoration		
Current	27	25
Non-current	301	298
	328	323
Key assumptions:		
- Aftercare period	30 years	30 years
- discount rate	3.69%	1.12%
- index rate	2.50%	2.50%

Council is obligated to restore landfill sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

5.6 Financing arrangements

	2022	2021
	\$'000	\$'000
The Council has the following funding arrangements in place as at 30 June		
Credit card facilities	150	50
Total facilities	150	50
Used facilities	59	15
Unused facilities	91	35

**Notes to the Financial Report
For the Year Ended 30 June 2022**

5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

(a) Commitments for expenditure

	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
2022					
Operating					
Transfer station	660	-	-	-	660
Maternal and child health	365	122	-	-	487
Library services	144	143	144	-	431
Kerbside Collection	2,840	2,953	3,071	3,194	12,058
Other	62	-	-	-	62
Total	4,071	3,218	3,215	3,194	13,699
Capital					
Buildings	6,840	-	-	-	6,840
Infrastructure	4,778	-	-	-	4,778
Total	11,618	-	-	-	11,618
	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
2021					
Operating					
Transfer station	519	500	-	-	1,019
Maternal and child health	365	365	122	-	852
Library services	143	144	287	-	574
Swimming pools	6	-	-	-	6
Other	108	37	-	-	145
Total	1,141	1,046	409	-	2,596
Capital					
Buildings	4,760	-	-	-	4,760
Infrastructure	12	-	-	-	12
Total	4,772	-	-	-	4,772

**Notes to the Financial Report
For the Year Ended 30 June 2022**

5.7 Commitments (continued)	2022	2021
<i>Operating lease commitments</i>	\$'000	\$'000
Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of equipment and land and buildings that have a lease term of 12 months or less and leases of low-value assets. Council recognises the lease payments associated with the leases as an expense on a straight-line basis over the lease term.		
Not later than one year	14	-
Later than one year and not later than five years	16	-
Later than five years	3	-
	<u>33</u>	<u>-</u>

The above lease falls into the category of short term and low value. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

(b) Operating lease receivables

Operating lease receivables

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 25 years. All leases include a CPI based revision of the rental charge annually.

Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows.

Not later than one year	1,044	887
Later than one year and not later than five years	4,684	3,446
Later than five years	3,762	3,925
	<u>9,490</u>	<u>8,258</u>

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 6 Assets We Manage

6.1 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	Carrying amount 2021	Additions	Found assets	Revaluation	Depreciation	Disposal	Write-off	Asset class transfers	Carrying amount 2022
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property	118,990	-	-	20,114	(2,281)	-	-	1,778	138,601
Plant and equipment	3,263	71	-	-	(1,031)	(26)	-	1,553	3,830
Infrastructure	196,219	9	-	-	(5,156)	(1,477)	-	5,716	195,311
Work in progress	7,868	10,152	-	-	-	-	(3,368)	(9,047)	5,605
Total	326,340	10,232	-	20,114	(8,468)	(1,503)	(3,368)	-	343,347

Summary of Work in Progress (WIP)

	Opening WIP	Additions	Write-off	Transfers	Closing WIP
	\$'000	\$'000	\$'000	\$'000	\$'000
Property	5,405	1,770	(3,191)	(2,206)	1,778
Plant and equipment	897	1,597	(30)	(1,462)	1,002
Infrastructure	1,566	6,785	(147)	(5,379)	2,825
Total	7,868	10,152	(3,368)	(9,047)	5,605

Notes to the Financial Report
For the Year Ended 30 June 2022

6.1 Property, infrastructure, plant and equipment (continued)

(a) Property

Land - specialised	Land - specialised	Land - non specialised	Land improvements	Total land & land Improvements	Buildings - specialised	Buildings - non specialised	Total buildings	Work in progress	Total property
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount 2021	26,115	18,778	13,982	58,875	116,862	18,168	135,030	5,405	199,310
Accumulated depreciation at 30 June 2021	-	-	(5,421)	(5,421)	(62,647)	(6,847)	(69,494)	-	(74,915)
Adjusted Opening Balance	26,115	18,778	8,561	53,454	54,215	11,321	65,536	5,405	124,395
Movements in fair value									
Additions	-	-	-	-	-	-	-	1,770	1,770
Revaluation	9,428	6,871	-	16,299	13,586	(4,849)	8,737	-	25,036
Transfers from Work in Progress	-	-	-	-	1,468	310	1,778	(2,206)	(428)
Write-Off	-	-	-	-	-	-	-	(3,191)	(3,191)
	9,428	6,871	-	16,299	15,054	(4,539)	10,515	(3,627)	23,187
Movements in accumulated depreciation									
Depreciation and amortisation	-	-	(405)	(405)	(1,617)	(259)	(1,876)	-	(2,281)
Revaluation	-	-	-	-	(7,713)	2,791	(4,922)	-	(4,922)
	-	-	(405)	(405)	(9,330)	2,532	(6,798)	-	(7,203)
Carrying amount 2022	35,543	25,649	13,982	75,174	131,916	13,629	145,545	1,778	222,497
Accumulated depreciation at 30 June 2022	-	-	(5,826)	(5,826)	(71,977)	(4,315)	(76,292)	-	(82,118)
	35,543	25,649	8,156	69,348	59,939	9,314	69,252	1,778	140,379

**Notes to the Financial Report
For the Year Ended 30 June 2022**

6.1 Property, infrastructure, plant and equipment (continued)

(b) Plant and Equipment

	Plant machinery and equipment \$'000	Fixtures fittings and furniture \$'000	Computers and telecomms \$'000	Library collection \$'000	Work In progress \$'000	Total plant and equipment \$'000
Carrying amount 2021	6,985	873	1,287	877	897	10,919
Accumulated depreciation at 30 June 2021	(4,633)	(802)	(670)	(654)	-	(6,759)
	<u>2,352</u>	<u>71</u>	<u>617</u>	<u>223</u>	<u>897</u>	<u>4,160</u>
Movements in fair value						
Additions	41	5	25	-	1,597	1,668
Disposal	(331)	-	-	-	-	(331)
Transfers from Work in Progress	793	116	594	50	(1,462)	91
Write-Off	-	-	-	-	(30)	(30)
	<u>503</u>	<u>121</u>	<u>619</u>	<u>50</u>	<u>105</u>	<u>1,293</u>
Movements in accumulated depreciation						
Depreciation and amortisation	(633)	(19)	(353)	(26)	-	(1,031)
Accumulated depreciation of disposals	305	-	-	-	-	305
	<u>(328)</u>	<u>(19)</u>	<u>(353)</u>	<u>(26)</u>	<u>-</u>	<u>(726)</u>
Carrying amount 2022	7,488	994	1,906	927	1,002	12,317
Accumulated depreciation at 30 June 2022	(4,961)	(821)	(1,023)	(680)	-	(7,485)
	<u>2,527</u>	<u>173</u>	<u>883</u>	<u>247</u>	<u>1,002</u>	<u>4,832</u>

**Notes to the Financial Report
For the Year Ended 30 June 2022**

6.1 Property, infrastructure, plant and equipment (continued)

(c) Infrastructure

	Roads \$'000	Bridges \$'000	Footpaths and cycleways \$'000	Drainage \$'000	Recreational, leisure and community \$'000	Parks open spaces and streetscapes \$'000	Off street car parks \$'000	Other infrastructure \$'000	Work In progress \$'000	Total infrastructure \$'000
Carrying amount 2021	237,043	29,364	7,906	18,206	1,676	2,758	95	7,311	1,566	305,925
Accumulated depreciation at 30 June 2021	(78,228)	(14,711)	(3,311)	(8,830)	(747)	(80)	(20)	(2,213)	-	(108,140)
Adjusted Opening Balance	158,815	14,653	4,595	9,376	929	2,678	75	5,098	1,566	197,785
Movements in fair value										
Additions	-	-	-	-	-	9	-	-	6,785	6,794
Disposal	(2,708)	-	(71)	(4)	-	-	-	-	-	(2,783)
Write-off	-	-	-	-	-	-	-	-	(147)	(147)
Transfers from Work in Progress	2,667	608	1,149	624	226	216	164	62	(5,379)	337
	(41)	608	1,078	620	226	225	164	62	1,259	4,201
Movements in accumulated depreciation										
Depreciation and amortisation	(4,306)	(223)	(104)	(248)	(72)	(43)	(5)	(155)	-	(5,156)
Accumulated depreciation of disposals	1,301	-	1	4	-	-	-	-	-	1,306
Revaluation	-	-	-	-	-	-	-	-	-	-
	(3,005)	(223)	(103)	(244)	(72)	(43)	(5)	(155)	-	(3,850)
Carrying amount 2022	237,002	29,972	8,984	18,826	1,902	2,983	259	7,373	2,825	310,126
Accumulated depreciation at 30 June 2022	(81,233)	(14,934)	(3,414)	(9,074)	(819)	(123)	(25)	(2,368)	-	(111,990)
	155,769	15,038	5,570	9,752	1,083	2,860	234	5,005	2,825	198,136

Notes to the Financial Report For the Year Ended 30 June 2022

6.1 Property, infrastructure, plant and equipment (continued)

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit \$
<i>Asset recognition thresholds and depreciation periods</i>		
Land & land improvements		
land	-	1,000
land improvements	20 -100	1,000
Buildings		
buildings	25 - 150	1,000
building and leasehold improvements	25 - 150	1,000
Plant and Equipment		
plant, machinery and equipment	3 - 10 years	1,000
others	3 - 10 years	1,000
Infrastructure		
roads - pavements, substructure, formation and earthworks	10 - 80	1,000
roads - kerb, channel and minor culverts and other	10 - 65	1,000
bridges - deck and substructure	50 - 200	1,000
others	5 - 80 years	1,000
Intangible assets	3 -10 years	1,000

Land under roads

Council recognises land under roads acquired after 30 June 2008 at fair value. Council does not recognise land under roads that it controlled prior to that period in this financial report.

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

6.1 Property, infrastructure, plant and equipment (continued)

Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer Vincent John Bourke, AAPI, of Rating Valuation Services. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or un-serviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level2	Level 3	Date of Valuation
	\$'000	\$'000	\$'000	
Land	-	25,649	-	Jun-22
Specialised land	-	-	35,543	Jun-22
Land improvements	-	-	8,156	Jun-22
Buildings	-	9,314	59,939	Jun-22
Total	-	34,963	103,638	

Notes to the Financial Report For the Year Ended 30 June 2022

6.1 Property, infrastructure, plant and equipment (continued)

Valuation of infrastructure

Valuation of infrastructure assets has been determined in accordance with an in-house valuation as at 30 June 2021 undertaken by Manoj Bhattarai, Asset Coordinator of Hepburn Shire Council and by Moloney Asset Management Systems.

The date of the current valuation is detailed in the following table.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2022 are as follows:

Where no valuation date is provided, Council has deemed that the valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

	Level 1	Level 2	Level 3	Date of Valuation
	\$'000	\$'000	\$'000	
Roads	-	-	155,769	Jun-21
Bridges	-	-	15,038	Jan-18
Footpaths and cycleways	-	-	5,570	Jun-20
Drainage	-	-	3,632	Jun-20
Kerb and channel	-	-	6,121	Jun-21
Recreational, leisure and community facilities	-	-	1,083	-
Parks, open space and streetscapes	-	-	2,860	-
Off Street Car Parks	-	-	234	-
Other infrastructure	-	-	5,005	-
Total	-	-	195,312	

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$1 and \$1,600 per square metre.

Specialised buildings are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from \$150 to \$53,750 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 5 years to 150 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

6.1 Property, infrastructure, plant and equipment (continued)

Infrastructure assets are valued based on the current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 5 years to 200 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2022	2021
	\$'000	\$'000
Reconciliation of specialised land		
Land under roads	106	96
Parks and reserves	35,437	26,019
Total specialised land	35,543	26,115

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 7 People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Parent entity

Hepburn Shire Council is the parent entity.

(b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Hepburn Shire Council. The Councillors, Chief Executive Officer and Directors are deemed KMP

Councillors

Councillor Lesley Hewitt (Mayor to 15/11/2021)

Councillor Don Henderson

Councillor Jennifer Bray

Councillor Timothy Drylie (Mayor from 16/11/2021)

Councillor Brian Hood

Councillor Tessa Halliday

Councillor Juliet Simpson

Officers

Chief Executive Officer - Bradley Thomas

Director Infrastructure and Delivery - Bruce Lucas

Director Organisational Services - Andrew Burgess (from 20/09/2021)

Director Community and Development - Leigh McCallum (from 20/09/2021)

	2022	2021
	No.	No.
Total Number of Councillors	7	13
Total of Chief Executive Officer and other Key Management Personnel	4	4
Total Number of Key Management Personnel	11	17

**Notes to the Financial Report
For the Year Ended 30 June 2022**

7.1 Council and key management remuneration (continued)
(c) Remuneration of Key Management Personnel

	2022	2021
	\$	\$
Total remuneration of key management personnel was as follows:		
Short-term benefits	973,062	870,298
Long-term benefit	22,850	45,445
Post-employment benefit	85,666	52,190
Termination benefits	-	-
Total	1,081,578	967,933

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

\$1 - \$9,999	-	10
\$10,000 - \$19,999	-	1
\$20,000 - \$29,999	4	2
\$30,000 - \$39,999	1	-
\$40,000 - \$49,999	1	-
\$50,000 - \$59,999	1	-
\$70,000 - \$79,999	-	1
\$150,000 - \$159,999	1	-
\$160,000 - \$169,999	-	1
\$210,000 - \$219,999	2	-
\$220,000 - \$229,999	-	1
\$280,000 - \$289,999	1	-
\$290,000 - \$299,999	-	1
	11	17

(d) Senior Officer Remuneration

A Senior Officer is an officer of Council, other than Key Management

- a) that has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000.

The number of Senior Officers are shown below in their relevant income bands:

	2022	2021
	No.	No.
Income Range:		
less than \$151,000	-	3
	-	3

Total Remuneration for the reporting year for Senior Officers included above, amounted to

- 332,810

Notes to the Financial Report
For the Year Ended 30 June 2022

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council had no reportable transactions with related parties. 2021:Nil

(b) Outstanding balances with related parties

There are no outstanding balances at the end of the reporting period in relation to transactions with related parties. 2021:Nil

(c) Loans to/from related parties

Council does not make loans to or receive loans from related parties, no guarantees have been provided. 2021:Nil

(d) Commitments to/from related parties

Council has no outstanding commitments to or from related parties. 2021:Nil

Notes to the Financial Report For the Year Ended 30 June 2022

Note 8 Managing uncertainties

8.1 Contingent assets and liabilities

Contingent assets and liabilities are not recognised in the Balance Sheet, but are disclosed by way of a note and, if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

(a) Contingent assets

Council have not received all money for claims submitted for Storm recovery events. The below table outlines the amount receivable based on various claim rates.

Outstanding Claims from the June 2021 and January 2022 Storm recovery

Maximum Amount to be refunded			\$3,150,385
Claim rates on outstanding claims	80%	90 %	100%
Claim Amounts	\$2,520,308	\$2,835,346	\$3,150,385

(b) Contingent liabilities

Legal Matters

From time to time Council is involved in legal matters which are conducted through Council's solicitors. As these matters may yet be finalised, or the financial outcomes are unable to be reliably estimated, no allowance has for these contingencies has been made in the financial report.

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Future superannuation contributions

In addition to the disclosed contributions, Council has paid unfunded liability payments to Vision Super totalling \$0 (2020/21 \$0). There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 are \$53,000.

Liability Mutual Insurance

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

Notes to the Financial Report For the Year Ended 30 June 2022

MAV Workcare

Council was a participant of the MAV WorkCare Scheme. The MAV WorkCare Scheme provided workers compensation insurance. MAV WorkCare commenced business on 1 November 20017 and the last day the Scheme operated as a self-insurer was 30 June 2021. In accordance with the Workplace Injury Rehabilitation and Compensation Act 2013, there is a six year liability period following the cessation of the Scheme (to 30 June 2027). During the liability period, adjustment payments may be required (or received). The determination of any adjustment payments is dependent upon revised actuarial assessments of the Scheme's tail claims liabilities as undertaken by Work Safe Victoria. If required, adjustments will occur at the 3-year and 6-year points during the liability period, and will affect participating members.

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2022 reporting period. Council assesses the impact of these new standards. As at 30 June 2022 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2023 that are expected to impact Council.

8.3 Financial instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Notes to the Financial Report For the Year Ended 30 June 2022

8.3 Financial instruments (continued)

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

Notes to the Financial Report For the Year Ended 30 June 2022

8.3 Financial instruments (continued)

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 1% and -1% in market interest rates (AUD) from year-end RBA cash rates of 0.85%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

8.4 Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

- Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities;
- Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
- Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Notes to the Financial Report For the Year Ended 30 June 2022

8.4 Fair value measurement (continued)

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from two to five years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events occurring after balance date

At the Council meeting held on July 19 2022, council considered a report to sell The Rex building following a Community Engagement process. The officers recommendations were passed which allowed the property to be sold and delegated to the Chief Executive Officer the authority to manage the sale process by appointing an appropriate agent to undertake the sale. This process has commenced but an agent has not been appointed and there is no contract of sale for the property.

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 9 Other matters

9.1 Reserves

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
(a) Asset revaluation reserves			
2022			
Property			
Land and land improvements	38,494	16,299	54,793
Buildings	35,335	3,815	39,150
	<u>73,829</u>	<u>20,114</u>	<u>93,943</u>
Infrastructure			
Roads	89,788		89,788
Other infrastructure	11,467	-	11,467
	<u>101,255</u>	<u>-</u>	<u>101,255</u>
Total asset revaluation reserves	<u>175,084</u>	<u>20,114</u>	<u>195,198</u>
2021			
Property			
Land and land improvements	33,327	5,167	38,494
Buildings	35,335	-	35,335
	<u>68,662</u>	<u>5,167</u>	<u>73,829</u>
Infrastructure			
Roads	63,539	26,249	89,788
Other infrastructure	10,057	1,410	11,467
	<u>73,596</u>	<u>27,659</u>	<u>101,255</u>
Total asset revaluation reserves	<u>142,258</u>	<u>32,826</u>	<u>175,084</u>

The asset revaluation reserve is used to record the movement in fair value of Council's assets over time.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

9.1 Reserves (continued)

	Balance at beginning of reporting period \$'000	Transfer to accumulated surplus \$'000	Transfer from accumulated surplus \$'000	Balance at end of reporting period \$'000
(b) Other reserves				
2022				
Clunes caravan park reserve	7	-	-	7
Debt management reserve	1,792	-	(1,792)	-
Heritage advisory fund	20	-	-	20
Mineral springs financial reserve	1,060	599	(386)	1,273
Mt Beckworth pit reserve	28	-	-	28
Public open space reserve *	1,526	497	(16)	2,008
Smeaton hill pit reserve	74	-	-	74
Waste management reserve	(565)	4,962	(4,320)	77
Total Other reserves	3,942	6,058	(6,514)	3,486
2021				
Clunes caravan park reserve	7	-	-	7
Debt management reserve	1,592	200	-	1,792
Heritage advisory fund	20	-	-	20
Mineral springs financial reserve	824	236	-	1,060
Mt Beckworth pit reserve	28	-	-	28
Public open space reserve *	1,102	452	(28)	1,526
Smeaton hill pit reserve	74	-	-	74
Waste management reserve	(300)	-	(265)	(565)
Total Other reserves	3,347	888	(293)	3,942

* Indicates statutory reserve

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022	2021
9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)	\$'000	\$'000
Surplus/(deficit) for the year	(5,565)	(2,295)
Depreciation/amortisation	8,469	6,726
Loss on disposal of property, infrastructure and plant	1,346	3,931
Contributions - non monetary	(38)	(147)
Interest expense	188	165
Write off of Work in Process	3,812	-
<i>Change in assets and liabilities:</i>		-
Increase/(decrease) in trade and other receivables	(2,318)	(69)
(Increase)/decrease in prepayments	13	(91)
Increase/(decrease) in trade and other payables	1,553	(631)
(Decrease)/increase in unearned income / revenue	1,307	5,231
(Decrease)/increase in other liabilities	34	(36)
(Increase)/decrease in inventories	2	(4)
Increase/(decrease) in provisions	300	218
Increase/(decrease) in trust funds / deposits	(36)	11
Net cash provided by/(used in) operating activities	<u>9,069</u>	<u>13,009</u>

9.3 Superannuation

Hepburn Shire Council makes many of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in Comprehensive Operating Statement when they are made or due.

Accumulation

Council makes both employer and employee contributions to The Fund's accumulation category, Vision MySuper/Vision Super Saver, on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2022, this was 10.0% as required under Superannuation Guarantee (SG) legislation (2021:9.5%)).

Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

Notes to the Financial Report For the Year Ended 30 June 2022

Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

As at 30 June 2021, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category.

The vested benefit index (VBI) of the defined benefit category of which Council is a contributing employer was 109.8%. The financial assumptions used to calculate the VBI were:

Net investment returns 4.75% pa

Salary information 2.75% pa

Price inflation (CPI) 2.25% pa.

As at 30 June 2022, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category. It is expected to be completed by 31 October 2022.

Vision Super has advised that the estimated VBI at 30 June 2021 was 102.2%. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). The financial assumptions used to calculate this VBI were:

Net investment returns 5.5% pa

Salary information 2.50% pa to 30 June 2023, and 3.5%pa thereafter.

Price inflation (CPI) 3.0% pa.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2021 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Notes to the Financial Report For the Year Ended 30 June 2022

9.3 Superannuation (continued)

Employer contributions

Regular contributions

On the basis of the results of the 2021 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2022, this rate was 10% of members' salaries (9.5% in 2020/2021). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

The 2021 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2021 and the last full investigation was conducted at 30 June 2020.

Notes to the Financial Report For the Year Ended 30 June 2022

9.3 Superannuation (continued)

The Fund's actuarial investigations identified the following for the Defined Benefit category of which Council is a contributing employer:

	2021 (Interim) \$m	2020 (Triennial) \$m
A VBI surplus	\$214.70	\$100.00
A total service liability surplus	\$270.30	\$200.00
A discounted accrued benefits surplus	\$285.20	\$217.80

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2021.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2021.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2021.

Council was notified of the 30 June 2021 VBI during August 2021 (2020: August 2020).

The 2022 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2022 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2022.

Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2022 are detailed below:

Scheme	Type of Scheme	Rate	2022 \$'000	2021 \$'000
Vision super	Defined benefit	10.0%	48	50
Vision super	Accumulation fund	10.0%	531	501
Other funds	Accumulation fund	10.0%	755	643

Council has not paid any unfunded liability payments to Vision Super during the 2020/21 and 2021/22 years.

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 is \$53,000.

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 10 Change in accounting policy

There have been no changes to accounting policies in the 2021/2022 year.

There are no pending accounting standards that are likely to have a material impact on council.



PERFORMANCE STATEMENT
For the Year Ended 30 June 2022



Performance Statement
For the Year Ended 30 June 2022

Description of Municipality

Hepburn Shire is a small rural Shire, with a population of 16,157. The population is projected to reach 17,700 by 2036. The Shire covers an area of 1,473 square kilometres which includes Clunes, Creswick, Daylesford, Hepburn Springs and Trentham, and the villages of Glenlyon, Allendale, Kingston, Leonard's Hill, Lyonville, Newlyn, Denver and Smeaton, and other smaller settlements, each with their own unique identity and character. Located in central Victoria, the Shire is ideally situated within easy access to Melbourne, Ballarat and Bendigo. It is a great place to live, work, invest and visit.

Hepburn Shire has a rich cultural history which began with the Dja Dja Wurrung People, the Traditional Owner and custodian's of the area. Mass migration during Victoria's goldrush era saw many cultures settle in the region, which created a distinctive architecture and culture, still present throughout the Shire today. The Shire is renowned for its native forests, mineral springs reserves and waterways, botanical gardens, volcanic plains with rich soils, gold, and many spectacular heritage buildings. It is a popular tourist destination that has a reputation for indulgence and relaxation, festivals and outdoor recreational activities.

The Shire has a vibrant and diverse welcoming community that is well served by schools and childcare, recreation facilities, libraries, hospitals and shopping precincts. There is a large range of events throughout the year including markets, community run festivals, book fairs, LGBTIQ+ festivals and artisan masterclasses. With a strong arts community there are opportunities to visit artist studios, exhibitions and workshops.

The COVID-19 pandemic continued to have an impact on the operations of Council during 2021/2022. There were two significant storm events that impacted the Shire during 2021/2022 and the recovery works required following these storms have had a significant financial impact on the Council. Commentary throughout the performance statements will reflect the impact of COVID-19 and the storm events on Council's results.

Performance Statement
For the Year Ended 30 June 2022

Sustainable Capacity Indicators					
Indicator / measure [formula]	Results 2019	Results 2020	Results 2021	Results 2022	Comments
Population					
C1 Expenses per head of municipal population [Total expenses / Municipal population]	\$1,923.10	\$2,084.26	\$2,225.60	\$3,237.76	Total expenses have increased this year for costs associated with recovery works for storm events \$7.52m and writing off of costs incurred that will not be recognised as assets. It is expected that this ratio will return to normal in future years.
C2 Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	\$13,520.24	\$16,003.13	\$19,903.57	\$21,088.82	The construction and renewal of assets combined with revaluation of assets has increased the value of assets controlled by Council. The growing proportion of infrastructure relative to the population shows Council's commitment to improving and accurately recording infrastructure.
C3 Population density per length of road [Municipal population / Kilometres of local roads]	10.52	11.16	11.28	11.37	Result has remained consistent over the last four years, as length of the road network remains very similar.
Own-source revenue					
C4 Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,553.82	\$1,517.62	\$1,323.20	\$1,647.32	This indicator has increased due to the reallocation of loss on disposal of assets being recognised as an expense.
Recurrent grants					
C5 Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	\$444.47	\$471.92	\$439.19	\$594.99	The value of grants per person has increased due to the early receipt of 75% of the 2022/2023 Financial Assistance Grants allocation, within the 2021/2022 financial year.
Disadvantage					
C6 Relative Socio-Economic Disadvantage [Index of Relative Socio-Economic Disadvantage by decile]	6.00	6.00	6.00	6.00	The socio-economic index summarises a range of information about the economic and social conditions of people and households within the shire. The decile has remained constant throughout the past four years.

Performance Statement
For the Year Ended 30 June 2022

Sustainable Capacity Indicators					
Indicator / measure [formula]	Results 2019	Results 2020	Results 2021	Results 2022	Comments
Workforce turnover					
C7 <i>Percentage of staff turnover</i>	21.8%	22.3%	22.5%	35.3%	Workforce turnover has increased over the last year and includes the redundancies resulting from Council deciding to cease service delivery in the aged care sector. The workforce turnover rate would have been 28.67% if these redundancies were excluded from the calculation.
[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100					

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Performance Statement
For the Year Ended 30 June 2022

Service Performance Indicators					
Service/indicator/measure	Results 2019	Results 2020	Results 2021	Results 2022	Comments
Aquatic Facilities					
Utilisation					
AF6 <i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	0.73	1.59	1.20	1.64	Utilisation was able to increase as 2021 results were heavily impacted by COVID closures.
Animal Management					
Health and safety					
AM7 <i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	New in 2020	0%	0%	0%	Council has not prosecuted any person under the Domestic Animals Act as other enforcement actions have been successful.
Food Safety					
Health and safety					
FS4 <i>Critical and major non-compliance outcome notifications</i> [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	75.00%	100.00%	50.00%	100.00%	There has been a strong focus this year to ensure all Critical and Major Non Conformances have been followed up and appropriate enforcement action taken.
Governance					
Satisfaction					
G5 <i>Satisfaction with council decisions</i> [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	52.00	38.00	44.00	41.00	Slight decrease from the previous year with a number of key decisions undertaken during the year including sale of the Rex and the transitioning out of aged care service delivery.

Performance Statement
For the Year Ended 30 June 2022

Service Performance Indicators					
Service/indicator /measure	Results 2019	Results 2020	Results 2021	Results 2022	Comments
Libraries					
Participation					
LB4 <i>Active library borrowers in municipality</i>	19.49%	18.08%	15.66%	13.67%	The effects of lockdowns linger with a reduced number of active borrowers. The library network is working on programming to encourage members to return to the library as well as signing up new members.
[Number of active library borrowers in the last three years / The sum of the population for the last three years] x100					
Maternal and Child Health (MCH)					
Participation					
MC4 <i>Participation in the MCH service</i>	77.16%	78.99%	76.96%	86.01%	Increased rate of children attending appointments due to catch up appointments missed during Covid.
[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100					
MC5 <i>Participation in the MCH service by Aboriginal children</i>	88.24%	76.74%	75.76%	80.95%	Many families choose to access support services from Ballarat and District Aboriginal Cooperative.
[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100					
Roads					
Satisfaction					
R5 <i>Satisfaction with sealed local roads</i>	50.00	44.00	47.00	39.00	Overall decrease reflective of general satisfaction trends across Council and poor condition of arterial roads across the Shire.
[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]					

Performance Statement
For the Year Ended 30 June 2022

Service Performance Indicators					
Service/indicator /measure	Results 2019	Results 2020	Results 2021	Results 2022	Comments
Statutory Planning					
Decision making					
SP4 Council planning decisions upheld at VCAT	50.00%	0.00%	80.00%	50.00%	The percentage of set aside decisions after review of VCAT has increased over the last financial year due to an increase of applications being reviewed at VCAT. Current year saw five applications from ten set aside and previous year was four set aside from five applications.
[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100					
Waste Collection					
Waste diversion					
WC5 Kerbside collection waste diverted from landfill	37.08%	37.81%	48.46%	40.22%	It is believed that the decrease from 48% to 40% can be attributed to changes in the communities habits with changing COVID restriction levels, including an increase in visitors to the shire and residents spending less time at home following the lifting of restrictions.
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100					

Definitions

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library member" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under sections 131, 132 and 133 of the Act

"CALD" means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English

"class 1 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the Food Act 1984

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the resident population estimated by council

"target population" has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth

"WorkSafe reportable aquatic facility safety incident" means an incident relating to a council aquatic facility that is required to be notified to the Victorian Workcover Authority under Part 5 of the Occupational Health and Safety Act 2004.

ATTACHMENT 13.1.2

Financial Performance Indicators										
Dimension/indicator /measure	Results 2019	Results 2020	Results 2021	Results 2022	2023	2024	2025	2026	Material Variations and Comments	
Stability										
Rates concentration										
S1	Rates compared to adjusted underlying revenue	62.06%	64.66%	71.53%	54.71%	49.82%	58.70%	63.25%	67.23%	The decrease in the result is due to the increased level of grant funding received in the current year for capital projects and also the early receipt of 75% of the Financial Assistance Grants funding.
	[Rate revenue / Adjusted underlying revenue] x100									
Rates effort										
S2	Rates compared to property values	0.43%	0.38%	0.36%	0.35%	0.27%	0.27%	0.26%	0.26%	The reduction in rates compared to property values suggests that there is a small reduction in the overall rate burden upon property owners. The reduction also reflects Council's commitment to maintain rate increases within the State Government imposed restrictions on rate revenue.
	[Rate revenue / Capital improved value of rateable properties in the municipality] x100									

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants

"population "means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant "means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Performance Statement
For the Year Ended 30 June 2022

Other Information

1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures. The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its Annual Budget on 28 June 2022 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements.

Performance Statement
For the Year Ended 30 June 2022

Certification of the performance statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020.

Kathy Fulton - Certified Practising Accountant

Principal Accounting Officer

Date :

In our opinion, the accompanying performance statement of Hepburn Shire Council for the year ended 30 June 2022 presents fairly the results of council's performance in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by Council and by the Local Government (Planning and Reporting) Regulations 2020 to certify this performance statement in its final form.

Mayor Cr Tim Drylie

Councillor

Date :

Cr Jen Bray

Councillor

Date :

Bradley Thomas

Chief Executive Officer

Date :

REPORT OF OPERATIONS (ANNUAL REPORT INSERT)

Service Performance Indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

Service / indicator / measure	Results				Comments
	2019	2020	2021	2022	
Aquatic Facilities					
Service standard					
AF2 Health inspections of aquatic facilities [Number of authorised officer inspections of Council aquatic facilities / Number of Council aquatic facilities]	2.60	1.20	0.00	0.00	Council operates three outdoor pools which open for the summer season only. Proactive inspections were not undertaken because of the extraordinary demands upon Health Officers in addressing COVID pandemic compliance issues and storm event relief and recovery. This will be corrected in the 2022/2023 season.
Utilisation					
AF6 Utilisation of aquatic facilities [Number of visits to aquatic facilities / Municipal population]	0.73	1.59	1.20	1.64	Utilisation was able to increase as 2021 results were heavily impacted by COVID closures.
Service cost					
AF7 Cost of aquatic facilities [Direct cost of aquatic facilities less income received / Number of visits to aquatic facilities]	New in 2020	\$15.95	\$19.84	\$12.95	Reduced costs are as a result of the reduction of pool operational hours throughout the 2021/2022 season due to sector staff shortages. These cost reductions, coupled with an increase in the number of visits, which returned to more pre COVID levels, contributed to the reduced cost per swim.
Animal Management					
Timeliness					
AM1 Time taken to action animal management requests [Number of days between receipt and first response action for all animal management requests / Number of animal management requests]	2.26	1.58	4.14	4.48	The number of days taken to respond to animal requests is similar to the previous year. This does not include urgent requests that are responded to immediately.
Service standard					
AM2 Animals reclaimed [Number of animals reclaimed / Number of animals collected] x100	20.00%	83.33%	11.63%	13.75%	The percentage of domestic animals which have been reclaimed is slightly higher than the previous year. This figure does not include animals that can be identified and reunited with their owner the same day.
AM5 Animals rehomed [Number of animals rehomed / Number of animals collected] x100	New in 2020	55.56%	95.35%	27.50%	The percentage of domestic animals which have been rehomed is lower compared to last year. This could be due to a number of factors including an increased desire of the community for pet ownership during COVID and a change in internal processes that has led to more accurate reporting.
Service cost					
AM6 Cost of animal management service per population [Direct cost of the animal management service / Population]	New in 2020	\$8.29	\$10.91	\$9.72	The cost of animal management services has remained relatively similar across the four years.
Health and safety					
AM7 Animal management prosecutions [Number of successful animal management prosecutions / Number of animal management prosecutions] x 100	New in 2020	0.00%	0.00%	0.00%	Council has not prosecuted any person under the Domestic Animals Act as other enforcement actions have been successful.
Food Safety					
Timeliness					
FS1 Time taken to action food complaints [Number of days between receipt and first response action for all food complaints / Number of food complaints]	3.00	1.50	5.00	1.00	The number of days taken to respond to a public complaint about food safety has significantly decreased as the number of COVID related requests has reduced.
Service standard					
FS2 Food safety assessments	92.11%	74.30%	25.67%	48.44%	The percentage of registered food premises which were inspected has increased compared to the previous year but still remains below target as the Environmental Health Team were significantly impacted by severe storm events. Additional resources are being sought to correct this below target testing in 2021/2022.

REPORT OF OPERATIONS (ANNUAL REPORT INSERT)

Service Performance Indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

Service / indicator / measure	Results				Comments
	2019	2020	2021	2022	
<p>[Number of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment in accordance with the Food Act 1984 / Number of registered class 1 food premises and class 2 food premises that require an annual food safety assessment in accordance with the Food Act 1984] x100</p> <p>Service cost</p> <p>FS3 Cost of food safety service</p> <p>[Direct cost of the food safety service / Number of food premises registered or notified in accordance with the Food Act 1984]</p> <p>Health and safety</p> <p>FS4 Critical and major non-compliance outcome notifications</p> <p>[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100</p>	\$439.11	\$449.60	\$585.21	\$841.56	<p>The cost of food safety services per registered food premises has increased due to additional resources being allocated to the team structure to respond to the increasing demands.</p> <p>There has been a strong focus this year to ensure all Critical and Major Non Conformances have been followed up and appropriate enforcement action taken.</p>
<p>Governance</p> <p>Transparency</p> <p>G1 Council decisions made at meetings closed to the public</p> <p>[Number of Council resolutions made at meetings of Council, or at meetings of a delegated committee consisting only of Councillors, closed to the public / Number of Council resolutions made at meetings of Council or at meetings of a delegated committee consisting only of Councillors] x100</p> <p>Consultation and engagement</p> <p>G2 Satisfaction with community consultation and engagement</p> <p>[Community satisfaction rating out of 100 with how Council has performed on community consultation and engagement]</p> <p>Attendance</p> <p>G3 Councillor attendance at council meetings</p> <p>[The sum of the number of Councillors who attended each Council meeting / (Number of Council meetings) × (Number of Councillors elected at the last Council general election)] x100</p> <p>Service cost</p> <p>G4 Cost of elected representation</p> <p>[Direct cost of the governance service / Number of Councillors elected at the last Council general election]</p> <p>Satisfaction</p> <p>G5 Satisfaction with council decisions</p> <p>[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</p>	9.35%	3.03%	4.68%	9.29%	<p>Council continues to make as many decisions in public as possible for greater transparency. With an increase in development in the area, Council has seen an increase in the number of statutory planning applications referred to VCAT, leading to an increase in decisions made in closed meetings to comply with the VCAT Act 1998.</p> <p>Result has remained consistent with the previous year.</p> <p>Councillor attendance at Council meetings continues to be very high. The ability to hold hybrid and virtual meetings has made it easier for Councillors to attend.</p>
<p>Libraries</p> <p>Utilisation</p> <p>LB1 Physical library collection usage</p> <p>[Number of physical library collection item loans / Number of physical library collection items]</p> <p>Resource standard</p> <p>LB2 Recently purchased library collection</p> <p>[Number of library collection items purchased in the last 5 years / Number of library collection items] x100</p> <p>Participation</p>	4.45	3.61	2.50	3.16	<p>The collection usage rate is slowly returning to pre-COVID levels.</p> <p>Result has remained consistent over the last four years.</p>

REPORT OF OPERATIONS (ANNUAL REPORT INSERT)

Service Performance Indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

Service / indicator / measure	Results				Comments
	2019	2020	2021	2022	
LB4 <i>Active library borrowers in municipality</i> [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100 Service cost LB5 <i>Cost of library service per population</i> [Direct cost of the library service / Population]	19.49%	18.08%	15.66%	13.67%	The effects of lockdowns linger with a reduced number of active borrowers. The library network is working on programming to encourage members to return to the library as well as signing up new members. The cost of delivering the library service to the community has decreased slightly because opening hours were reduced due to COVID-19 pandemic restrictions.
Maternal and Child Health (MCH) Service standard MC2 <i>Infant enrolments in the MCH service</i> [Number of infants enrolled in the MCH service (from birth notifications received) / Number of birth notifications received] x100 Service cost MC3 <i>Cost of the MCH service</i> [Cost of the MCH service / Hours worked by MCH nurses]	100.77%	100.89%	101.50%	104.63%	We are seeing a slightly higher than normal birth rate from previous years. Increased cost due to increased funding in line with new variation of contract with Central Highlands Rural Health. The additional funding is for Sleep and Settling sessions and Family Violence Support.
Participation MC4 <i>Participation in the MCH service</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100 Participation MC5 <i>Participation in the MCH service by Aboriginal children</i> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100 Satisfaction MC6 <i>Participation in 4-week Key Age and Stage visit</i> [Number of 4-week key age and stage visits / Number of birth notifications received] x100	77.16%	78.99%	76.96%	86.01%	Increased rate of children attending appointments due to catch up appointments missed during Covid. Many families choose to access support services from Ballarat and District Aboriginal Cooperative.
Roads Satisfaction of use R1 <i>Sealed local road requests</i> [Number of sealed local road requests / Kilometres of sealed local roads] x100 Condition R2 <i>Sealed local roads maintained to condition standards</i> [Number of kilometres of sealed local roads below the renewal intervention level set by Council / Kilometres of sealed local roads] x100 Service cost R3 <i>Cost of sealed local road reconstruction</i> [Direct cost of sealed local road reconstruction / Square metres of sealed local roads reconstructed]	34.96	41.94	46.96	50.26	The number of customer requests about sealed road conditions has increased due to the high rainfall and a spike of requests related to the storm events. Result is consistent with prior years.
Service Cost R4 <i>Cost of sealed local road resealing</i> [Direct cost of sealed local road resealing / Square metres of sealed local roads resealed]	\$57.62	\$51.92	\$56.20	\$49.88	Cost decrease reflective of the nature of reconstruction projects complete in 2021/2022, being mostly large rural roads with little additional drainage or other costs incurred.
Satisfaction R5 <i>Satisfaction with sealed local roads</i>	\$6.62	\$6.80	\$7.59	\$8.67	Cost increase due to larger amount of reseal preparation (patching) in program.
Satisfaction R5 <i>Satisfaction with sealed local roads</i>	50.00	44.00	47.00	39.00	Overall decrease reflective of general satisfaction trends across Council and poor condition of arterial roads across the Shire.

Service Performance Indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

Service / indicator / measure	Results				Comments
	2019	2020	2021	2022	
[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]					
Statutory Planning					
Timeliness					
SP1 <i>Time taken to decide planning applications</i>	84.00	53.00	69.00	107.00	Increase in time taken to decide planning applications has occurred due to a significant spike in planning applications.
[The median number of days between receipt of a planning application and a decision on the application]					
Service standard					
SP2 <i>Planning applications decided within required time frames</i>	57.35%	60.99%	64.47%	19.70%	Increase in time taken to decide planning applications has occurred due to a significant spike in planning applications (up 25% from pre-COVID levels) and a number of vacancies within the team. Significant additional resources have been implemented and this is improving timeliness. From July 1 2022 to early September there has been a 19% reduction in the number of outstanding planning applications.
[(Number of regular planning application decisions made within 60 days) + (Number of VicSmart planning application decisions made within 10 days) / Number of planning application decisions made] x100					
Service cost					
SP3 <i>Cost of statutory planning service</i>	\$1,643.38	\$1,662.25	\$2,012.01	\$2,458.49	The cost of the Statutory Planning Service for each application received has risen slightly over the last financial year due to additional resources being employed to reduce overall assessment timeframes as a result of a large backlog of applications.
[Direct cost of the statutory planning service / Number of planning applications received]					
Decision making					
SP4 <i>Council planning decisions upheld at VCAT</i>	50.00%	0.00%	80.00%	50.00%	The percentage of set aside decisions after review of VCAT has increased over the last financial year due to an increase of applications being reviewed at VCAT. Current year saw five applications from ten set aside and previous year was four set aside from five applications.
[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100					
Waste Collection					
Satisfaction					
WC1 <i>Kerbside bin collection requests</i>	117.20	94.46	96.44	104.19	A small increase largely due to confusion and additional requests due to a bin collection schedule change.
[Number of kerbside garbage and recycling bin collection requests / Number of kerbside bin collection households] x1000					
Service standard					
WC2 <i>Kerbside collection bins missed</i>	4.06	4.58	3.59	5.89	A small increase largely due to confusion and additional requests due to a bin collection schedule change, as well as a new supplier as part of the changeover. Rates improved towards the end of the financial year.
[Number of kerbside garbage and recycling collection bins missed / Number of scheduled kerbside garbage and recycling collection bin lifts] x10,000					
Service cost					
WC3 <i>Cost of kerbside garbage bin collection service</i>	\$98.85	\$111.64	\$119.33	\$149.49	Change in kerbside contract and increase in landfill levy led to increased kerbside cost to residents for waste.
[Direct cost of the kerbside garbage bin collection service / Number of kerbside garbage collection bins]					
Service cost					
WC4 <i>Cost of kerbside recyclables collection service</i>	\$61.67	\$71.43	\$85.15	\$77.88	Change in kerbside contract led to a slight decrease in cost for recycling costs.
[Direct cost of the kerbside recyclables bin collection service / Number of kerbside recyclables collection bins]					
Waste diversion					
WC5 <i>Kerbside collection waste diverted from landfill</i>	37.08%	37.81%	48.46%	40.22%	It is believed that the decrease from 48% to 40% can be attributed to changes in the communities habits with changing COVID restriction levels, including an increase in visitors to the shire and residents spending less time at home following the lifting of restrictions.
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100					

13.2 REVISION OF INSTRUMENTS OF DELEGATION FROM COUNCIL TO THE CEO (S5) AND COUNCIL TO COUNCIL STAFF (S6)

Go to 01:46:47 in the meeting recording to view this item.

DIRECTOR ORGANISATIONAL SERVICES

In providing this advice to Council as the Manager Governance and Risk, I Rebecca Smith have no interests to disclose in this report.

ATTACHMENTS

1. S5 Instrument of Delegation Council to CEO - July 2022 Update [**13.2.1** - 4 pages]
2. S6 Instrument of Delegation Council to Council Staff - July 2022 Update [**13.2.2** - 110 pages]

EXECUTIVE SUMMARY

Instruments of Delegation represent the formal delegation of powers by Council under the *Local Government Act 2020* (the Act) and enable the business of Council to be carried out efficiently and in line with Council approved policies.

The previous Instrument of Delegation to the CEO and the Instrument of Delegation to Members of Council Staff were executed on 20 April 2022.

The revised instruments reflect staffing changes in the organisation, along with legislative changes and amendments suggested by Maddocks as part of their continual review processes.

An update of other Instruments revised as part of the regular maintenance has been provided for information. These Instruments will be authorised by the CEO and the Mayor once the above Instruments have been considered by Council.

OFFICER'S RECOMMENDATION

That Council:

1. *In the exercise of the power conferred by s 11(1)(b) of the Local Government Act 2020 (the Act), resolves that:*
 - a. *There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument;*
 - b. *The instrument comes into force immediately upon this resolution being made and is to be signed by the Chief Executive Officer and the Mayor;*
 - c. *On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked;*

2. *In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves that:*
- a. *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;*
 - b. *The instrument comes into force immediately upon resolution of Council and is to be signed by the Council's Chief Executive Officer and the Mayor;*
 - c. *On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked;*
 - d. *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.*

Moved: Cr Lesley Hewitt

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

Instruments of Delegation represent the formal delegation of powers by Council. Section 11(1)(b) of the *Local Government Act 2020* (the Act) provides for a Council to delegate powers, duties and functions to its CEO under the Act or any other Act, other than certain specified powers.

Delegations enable the business of Council to be carried out effectively, in line with Council approved policies and are assigned to positions within Council, rather than to staff individually. When executing powers under delegation, staff are also limited and bound by Council policies and procedures.

Section 11 of the Act specifies a number of powers, duties and functions that must be specified through Instruments of Delegation, along with a number of exclusions to what can be delegated to the CEO:

(1) A Council may by instrument of delegation delegate to—

(a) the members of a delegated committee; or

(b) the Chief Executive Officer— any power, duty or function of a Council under this Act or any other Act other than a power, duty or function specified in subsection (2).

(2) The following are specified for the purposes of subsection (1)—

(a) the power of delegation;

(b) the power to elect a Mayor or Deputy Mayor;

(c) the power to grant a reasonable request for leave under section 35;

(d) subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;

(e) the power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;

(f) the power to approve or amend the Council Plan;

(g) the power to adopt or amend any policy that the Council is required to adopt under this Act;

(h) the power to adopt or amend the Governance Rules;

(i) the power to appoint the chair or the members to a delegated committee;

(j) the power to make, amend or revoke a local law;

(k) the power to approve the budget or revised budget;

(l) the power to borrow money;

(m) subject to section 181H(1)(b) of the Local Government Act 1989, the power to declare general rates, municipal charges, service rates and charges and special rates and charges;

(n) any power, duty or function prescribed by the regulations for the purposes of this subsection.

(3) A Council may delegate to the Chief Executive Officer the power to appoint an Acting Chief Executive Officer for a period not exceeding 28 days.

(4) A delegation may be made subject to any conditions or limitations specified in the instrument of delegation.

(5) A delegation that includes the power to enter into a contract or make any expenditure must specify a maximum monetary limit that cannot be exceeded.

(6) A member of a delegated committee to whom a delegation is given under subsection (1)(a) can only exercise the delegation while acting as a member of the delegated committee at a meeting of the delegated committee.

(7) A Council must review, within the period of 12 months after a general election, all delegations which have been made under this section and are still in force.

(8) A Council must keep a public register of delegations made under this section

The current Instrument of Delegation to the Chief Executive Officer and Instrument of Delegation to Members of Council Staff were executed on 20 April 2022.

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments which are then tailored to organisational requirements. Maddocks have informed Council about the legislative changes that affect the powers, duties and functions of Council.

The following table provides an overview of Council's Instruments of Delegation, what powers are delegated, and what approval is required:

Delegation from Council

Require resolution of Council

Schedule 5 – Delegation from Council to the CEO under the *Local Government Act 2020*

Includes delegations required and excluded under the Local Government Act 2020

Schedule 6 – Delegation from Council to Council Staff under various Acts

Powers are delegated direct to officers under the following Acts:

- *Cemeteries and Crematoria Act 2003*
- *Domestic Animals Act 1994*
- *Environment Protection Act 1970*
- *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*

Schedule 18 - New Instrument of Delegation Environment Protection Authority powers from Council to members of Council staff

Allows authorised officer to exercise powers held by the Environment Protection Authority under the Environment Protection Act 2017, specifically relating to:

- *onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and*
- *noise from the construction, demolition or removal of residential premises.*

Delegation from the CEO

To be determined by the CEO

Schedule 7 – Sub-delegation from the CEO to Council Staff under various Acts Powers, as delegated to the CEO by Council or under various Acts, are sub-delegated to Council Staff under various Acts and through administrative powers.

Schedule 13 – delegation directly from the CEO to Council Staff under various Acts

Schedule 14 – delegation from the CEO to Council Staff related to VicSmart applications

Schedule 16 – delegation from the CEO to Council Staff related to bushfire reconstruction

KEY ISSUES

Instrument of Delegation to Chief Executive Officer (S5) – to be adopted by Council

There are no legislative changes advised by Maddocks for this instrument. The Instrument is based upon the Maddocks template, and continues the delegations approved in April 2022.

Instrument of Delegation to Members of Staff (S6) – to be adopted by Council

The revised Instrument of Delegation to Members of Council staff is based upon the previous Instrument considered by Council in April 2022. This revision has also been updated to include recent position changes across the organisation.

The Instrument has been revised to take into account recent legislative changes and to provide further clarity on officer powers.

Amendments to the delegated powers, duties and functions in the revised Instrument of Delegation to Members of Council Staff are largely administrative in nature and will not result in any significant changes to current practices.

The revised instrument, including tracked changes is attached. In summary, the legislative changes to the revised Instrument of Delegation are:

The following changes have been made to the S6:

- Minor amendments to the *Cemeteries and Crematoria Act 2003*;
- Minor amendments to the *Food Act 1984* following the passing of the *Food Amendment Act 2020*.
- Minor amendments to the *Planning and Environment Act 1987* following the passing of the *Planning and Environment Amendment Act 2021*.

Instruments of Delegation to be authorised by the CEO

The following instruments will be authorised by the CEO once Council has considered the Instrument of Delegation to the CEO.

Section 47 of the 2020 Act provides the CEO the power to sub-delegate any powers, duties or functions that has been delegated to them to members of Council staff. These powers, duties or functions may be delegated to a named person or to the holder of a specified position.

Instrument of Sub-Delegation by CEO (S7)

The revised Instrument of Delegation to Members of Council staff is based upon the previous Instrument considered by Council in April 2022. This revision has also been updated to include recent position changes across the organisation and recent legislative changes and to provide further clarity on officer powers.

The revised instrument, including tracked changes is attached. In summary, the legislative changes to the revised Instrument of Delegation are:

- Minor amendments and additions to the Domestic Animals Act 1994
- Minor amendments in the Fines Reform Act 2014
- Minor amendments to the Food Act 1984, Public Health and Wellbeing Act 2008 and Residential Tenancies Act 1997.
- Removal and addition of provisions within the Service Victoria Act 2018
- Additional provisions in relation to internal administrative processes.

Instrument of Delegation by CEO of CEO powers, duties and functions to Members of Council Staff (S13)

This instrument allows the CEO to delegate powers, duties and functions existing under all Victorian legislation. This differs to the Instrument of Sub-Delegation by CEO (S7) in that it does not relate to *Council* powers, duties and functions, but those vested in the CEO personally.

Amendments have been made to this instrument in line with the Service Victoria Act 2018 that have come into effect.

Instrument of Delegation by CEO for VicSmart Applications (S14)

The revised Instrument of Delegation by CEO for VicSmart Applications (S14) is based upon the previous Instrument considered by Council in April 2022. The S14 Instrument has been updated to reflect staffing changes and there are no legislated changes required to this instrument at this time.

Instrument of Delegation by CEO for Bushfire Reconstruction (S16)

This provides for the CEO to delegate their powers as a responsible authority under the *Planning and Environment Act 1987* in relation to bushfire reconstruction applications in light of Amendment VC179.

The Instrument has been updated to reflect staffing changes. There are no legislated changes required to this instrument at this time.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

Amendments to the delegated powers, duties, and functions in the revised Instrument of Delegation to Members of Council Staff are administrative in nature and will not result in any significant changes to current practices.

It is noted that the instruments provide that a power, duty, or function may only be exercised in accordance with adopted policies of Council.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

Reviewing Council's delegations ensures Council continues to comply with its obligations under various Acts and Regulations and enables the business of Council to be carried out efficiently.

If the Council did not delegate duties, powers, and functions to members of Council staff and enable the CEO to do the same, Council would not be able to manage the volume of work and decisions that are effectively carried out by officers every day.

Appropriate conferring of powers to positions within Council also enables decisions that are made on a day-to-day basis to be compliant and reduce the opportunity to be challenged from an authorising environment perspective.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The revised Instruments of Delegation have been prepared based on current advice provided by Council's solicitor Maddocks.

Consultation has occurred with Managers, Coordinators, and relevant staff during the preparation of the revised Instruments of Delegation to ensure that appropriate staff delegates have been nominated.

Appropriate communications with the Leadership Group will occur to ensure all staff are made aware of the changes to the Instruments if adopted by Council.

S5 Instrument of Delegation to Chief Executive Officer

Hepburn Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

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

AND declares that

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

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

)
) Mr Bradley Thomas

.....
Witness

Date:

Signed by the Mayor in the presence of:

)
) Mayor Timothy Drylie

.....
Witness

Date:

SCHEDULE

The power to

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

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

Conditions and Limitations

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

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1 awarding a contract or making an expenditure exceeding the value of \$300,000, excluding GST, with approved budget;
 - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3 electing a Mayor or Deputy Mayor
 - 1.4 granting a reasonable request for leave under s35 of the Act;
 - 1.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.6 approving or amending to the Council Plan;
 - 1.7 adopting or amending of any policy that Council is required to adopt under the Act;
 - 1.8 adopting or amending of the Governance Rules
 - 1.9 appointing the chair or the members to a delegated committee;
 - 1.10 making, amending or revoking a local law;
 - 1.11 approving the budget or revised budget;
 - 1.12 approving the borrowing of money;
 - 1.13 subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 4.1 policy; or
 - 4.2 strategy
adopted by Council
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

S6 Instrument of Delegation – Members of Staff

Hepburn Shire Council

Instrument of Delegation

to

Members of Council Staff

July 2022

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:

Not Delegated	means not delegated below Chief Executive Officer
CEO	means Chief Executive Officer (Including Interim or Acting)
DOAS	means Director Organisational Services
DCAD	means Director Community and Development
DIAD	means Director Infrastructure and Delivery
All D	means All Directors
All M	means All Managers
All S	means All Supervisors with reports
All	means All Staff
ACC	means Accountant
AMS	means Asset Management Specialist
ASBS	means Assistant Building Surveyor
BAS	means Building Administrator Support
BCSA	means Building and Community Safety Administration
BUI	means Building Inspector
CCC	means Coordinator Community Care
CCE	means Coordinator Customer Experience
CCP	means Coordinator Community Partnerships
CED	means Coordinator Economic Development
CENG	means Coordinator Engineering
CEYHC	means Coordinator Early Years and Healthy Communities
CF	means Coordinator Facilities

CFS	means Coordinator Financial Services
CGE	means Coordinator Governance
CHCS	means Coordinator Health and Community Safety
CIMO	means Senior Information Management Officer
CO	means Communications Officer
CSAP	means Coordinator Statutory Planning
CSR	means Coordinator Strategic Planning
CPAC	means Coordinator People and Culture
CPOS	means Coordinator Parks and Open Space
CSAR	means Coordinator Sport and Active Recreation
CSDE	means Civil and Survey Design Engineer
CSO	means Customer Service Officer
CSTL	means Customer Service Team Leader
CSY	means Community Safety Officer
CW	means Coordinator Waste
CWK	means Coordinator Works
DSEO	means Development Services Enforcement Officer
EHO	means Environment Health Officer
EHTO	means Environment Health Technical Officer
EMMO	means Emergency Management Officer
EMOF	means Emergency Management Officer - Fire
ENGO	means Engineering Officer
GAD	means Governance Advisor
GPDO	means Grants and Projects Development Officer
HO	means Heritage Officer
IFO	means Information Officers
MBS	means Municipal Building Surveyor
MCL	means Manager Community Life
MCP	means Manager Culture and Performance

MEDR	means Manager Economic Development and Recreation
MEEM	means Manager Emergency Management
MEMO	means Municipal Emergency Management Officer
MFPO	means Municipal Fire Prevention Officer
MFS	means Manager Financial Services
MGR	means Manager Governance and Risk
MICT	means Manager ICT
MOPS	means Manager Operations
MPS	means Manager Projects
MRM	means Municipal Recovery Manager
MSR	means Manager Storm Recovery
MSTRP	means Manager Strategic Planning
MSPB	means Manager Strategic Planning and Building
MTL	means Maintenance Team Leaders
MWFC	means Manager Waste, Facilities and Community Safety
PAO	means Planning Administration Officer
PRS	means Procurement Specialist
PSP	means Principal Strategic Planner
RO	means Revenue Officer
SAP	means Statutory Planner
SARDO	means Sport and Active Recreation Development Officer
SARO	means Sport and Active Recreation Officer
SRO	means Senior Rates Officer
SRP	means Strategic Planner
SSF	means Safety Systems Facilitator
SUO	means Subdivision Officer
TLCC	means Team Leader Community Care

3. declares that:

- 3.1 this Instrument of Delegation is authorised by **"a resolution" or "resolutions"** of Council passed on **<date>** 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; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Signed by:

.....
Mayor Tim Drylie

.....
Chief Executive Officer Bradley Thomas

SCHEDULE

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CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	All D	
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	All D	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	All D	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	Not applicable	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions	Not applicable	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	All D	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	All D	
s 15(4)	Duty to keep records of delegations	All D, MGR	
s 17(1)	Power to employ any persons necessary	Not delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(3)	Power to determine the terms and conditions of employment or engagement	All D, MCP	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	All D, MGR	
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 applicable	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	Not applicable	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	Not applicable	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 applicable	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	Not applicable	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not applicable	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 <i>Financial Management Act 1994</i>	Not applicable	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 applicable	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 applicable	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 applicable	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 applicable	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not applicable	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Not applicable	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 applicable	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 applicable	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Not applicable	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not applicable	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 applicable	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 applicable	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 applicable	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	All D, MGR	
s 20(1)	Duty to set aside areas for the interment of human remains	All D	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	All D	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	All D	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Not delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	All D, MGR	
ds 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not applicable	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	All D, MGR	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	All D, MGR	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	All D, MGR	
s 60(2)	Power to charge fees for providing information	All D, MGR	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	All D	
s 64B(d)	Power to permit interments at a reopened cemetery	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Fs 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	All D	
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	All D	
s 70(2)	Duty to make plans of existing place of interment available to the public	All D	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	All D	
s 71(2)	Power to dispose of any memorial or other structure removed	All D	
s 72(2)	Duty to comply with request received under s 72	All D	
s 73(1)	Power to grant a right of interment	All D, MGR	
s 73(2)	Power to impose conditions on the right of interment	All D, MGR	
s 74(3)	Duty to offer a perpetual right of interment	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	All D, MGR	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	All D	
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 delegated	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	All D, MGR	
s 80(2)	Function of recording transfer of right of interment	All D, MGR	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	All D, MGR	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	All D, MGR	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	All D, MGR	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	All D, MGR	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	All D, MGR	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	All D, MGR	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	All D, MGR	
s 84I(6)(a)	Power to remove any memorial on the place of interment	All D, MGR	
s 84I(6)(b)	Power to grant right of interment under s 73	All D, MGR	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	All D, MGR	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	All D, MGR	Does not apply where right of interment relates to remains of a deceased veteran.

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 delegated	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not delegated	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Not delegated	
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 delegated	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not delegated	
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	Not delegated	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86(5)	Duty to provide notification before taking action under s 86(4)	All D	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	All D	
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	All D	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	All D	
s 91(1)	Power to cancel a right of interment in accordance with s 91	All D	
s 91(3)	Duty to publish notice of intention to cancel right of interment	All D	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	All D	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	All D, MGR	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	All D	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	All D	
s 100(1)	Power to require a person to remove memorials or places of interment	All D, MGR	
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)	All D	
s 100(3)	Power to recover costs of taking action under s 100(2)	All D	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	All D	
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	Not delegated	
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	
s 103(1)	Power to require a person to remove a building for ceremonies	Not delegated	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	All D	
s 103(3)	Power to recover costs of taking action under s 103(2)	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	All D, MGR	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	All D, MGR	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	All D, MGR	
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	All D, MGR	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	All D, MGR	
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	All D, MGR	
s 108	Power to recover costs and expenses	All D, MGR	
s 109(1)(a)	Power to open, examine and repair a place of interment	All D, MGR	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	All D, MGR	Where the holder of right of interment or responsible person cannot be found

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	All D, MGR	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	All D, MGR	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	All D, MGR	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	All D, MGR	
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	All D, MGR	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	All D, MGR	
s 112	Power to sell and supply memorials	Not delegated	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	All D, MGR	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	All D, MGR	
s 119	Power to set terms and conditions for interment authorisations	All D, MGR	
s 131	Function of receiving an application for cremation authorisation	Not applicable	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not applicable	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	All D, MGR	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not delegated	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 delegated	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	All D, MGR	
s 151	Function of receiving applications to inter or cremate body parts	All D, MGR	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	All D, MGR	
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 delegated	
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 applicable	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	Not applicable	Where Council is a Class A cemetery trust Subject to cl 8

DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	DCAD, MSTRP, MSPB, MWFC, CHCS, CEO, DOAS	Council may delegate this power to a Council authorised officer

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEO, DIAD, MWFC, CHCS, EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEO, DIAD, MWFC, CHCS, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO, DIAD, MWFC, CHCS, EHO	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	CEO, DIAD, MWFC, CHCS, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	CEO, DIAD, MWFC, CHCS, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEO, DIAD, MWFC, CHCS, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	CEO, DIAD, MWFC, CHCS, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEO, DIAD, MWFC, CHCS, EHO, EHTO	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	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	CEO, DIAD, MWFC, CHCS, EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, DIAD, MWFC, CHCS, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO, DIAD, MWFC, CHCS, EHO, EHTO	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	CEO, DIAD, MWFC, CHCS, EHO, EHTO	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	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	Power to register or renew the registration of a food premises	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEO, DIAD, MWFC, CHCS, EHO, EHTO	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	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEO, DIAD, MWFC, CHCS, EHO, EHTO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 38G	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 39A	Power to register or renew the registration of a food premises despite minor defects	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEO, DIAD, MWFC, CHCS, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEO, DIAD, MWFC, CHCS, EHO	
s 40F	Power to cancel registration of food premises	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, or renewing registration of a component of a food business	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	CEO, DIAD, MWFC, CHCS, EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO, DIAD, MWFC, CHCS, EHO	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, DCAD, MSTRP, MSPB	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO¹	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8A(5)	Function of receiving notice of the Minister's decision	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP	
s 12B(1)	Duty to review planning scheme	CEO, DCAD, MSTRP, MSPB, SRP, PSP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DCAD, MSTRP, MSPB. SRP, PSP	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CEO, DCAD, MSTRP, MSPB. SRP, PSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, P, SRP, PSP, SAP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, P, SRP, PSP, SAP, PAO	
s 17(2)	Duty of giving copy s 173 agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, P, SRP, PSP, SAP, PAO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, P, SRP, PSP, SAP, PAO	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, P, SRP, PSP, SAP, PAO	Until the proposed amendment is approved or lapsed

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CEO, DCAD, MSTRP, MSPB, SRP, PSP, CSAP, CSRP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CEO, DCAD, MSTRP, MSPB, SRP, PSP, CSAP, CSRP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP,	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP, PAO	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 26(2)	Duty to keep report of panel available for inspection in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP, PAO	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	CEO, DCAD, MSTRP, MSPB, SRP, PSP	
s 28(1)	Duty to notify the Minister if abandoning an amendment	CEO, DCAD, MSTRP, MSPB, SRP, PSP	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 30(4)(a)	Duty to say if amendment has lapsed	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP,	
s 30(4)(b)	Duty to provide information in writing upon request	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 32(2)	Duty to give more notice if required	CEO, DCAD, MSTRP, MSPB, CSAP, CSR SRP, PSP,	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, DCAD, MSTRP, MSPB, CSAP, CSR SRP, PSP,	
s 36(2)	Duty to give notice of approval of amendment	CEO, DCAD, MSTRP, MSPB, CSAP, CSR SRP, PSP,	
s 38(5)	Duty to give notice of revocation of an amendment	CEO, DCAD, MSTRP, MSPB, CSAP, CSR SRP, PSP,	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, DCAD, MSTRP, MSPB, CSAP, CSR SRP, PSP,	
s 40(1)	Function of lodging copy of approved amendment	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 42(2)	Duty to make copy of planning scheme available in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
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 delegated	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	Not delegated	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	Not delegated	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	Not delegated	Where Council is a responsible public entity

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Not delegated	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Not delegated	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	Not delegated	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Not delegated	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Not delegated	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Not delegated	
s 46GP	Function of receiving a notice under s 46GO	Not delegated	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	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Not delegated	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Not delegated	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	Not delegated	
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	Not delegated	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Not delegated	
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	Not delegated	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	Not delegated	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	Not delegated	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Not delegated	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)	Not delegated	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)	Not delegated	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	Not delegated	
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	Not delegated	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Not delegated	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	Not delegated	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	Not delegated	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not delegated	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Not delegated	Where Council is the collecting agency under an 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	Not delegated	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	Not delegated	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)	Not delegated	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	Not delegated	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Not delegated	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	Not delegated	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	Not delegated	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZA(1)	Duty to keep proper and separate accounts and records	Not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not delegated	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)	Not delegated	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	Not delegated	<p>If the VPA is the collecting agency under an approved infrastructure contributions plan</p> <p>Where Council is a development agency under an approved infrastructure contributions plan</p>
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)	Not delegated	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)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Not delegated	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	Not delegated	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	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Not delegated	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	Not delegated	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)	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(3)	Function of receiving proceeds of sale	Not delegated	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	Not delegated	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)	Not delegated	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	Not delegated	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	Not delegated	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	Not delegated	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, DCAD, DOAS, MFS, MSTRP, MSPB	
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	CEO, DCAD, DOAS, MFS, MSTRP, MSPB	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, P, SRP, PSP, SAP	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, All D, MFS, MSTRP, MSPB	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)	CEO, All D, MFS, MSTRP, MSPB	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CEO, DCAD, MSTRP, MSPB	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, All D, MFS, MSTRP, MSPB	With the consent of, and in the manner approved by, the Minister

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46QC	Power to recover any amount of levy payable under Part 3B	CEO, All D, MSTRP, MSPB	
s 46QD	Duty to prepare report and give a report to the Minister	CEO	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Not delegated	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	CEO, All D, MSTRP, MSPB	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	CEO, All D, MSTRP, MSPB	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CEO, All D, MSTRP, MSPB	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SUO, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 49(2)	Duty to make register available for inspection in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SUO, PAO	
s 50(4)	Duty to amend application	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 50(5)	Power to refuse to amend application	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 50(6)	Duty to make note of amendment to application in register	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SUO, PAO	
s 50A(1)	Power to make amendment to application	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(4)	Duty to note amendment to application in register	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 51	Duty to make copy of application available for inspection in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SUO,	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 52(3)	Power to give any further notice of an application where appropriate	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CEO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1)	Power to require the applicant to provide more information	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 54(1B)	Duty to specify the lapse date for an application	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 57(5)	Duty to make a copy of all objections in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 57A(5)	Power to refuse to amend application	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 57A(6)	Duty to note amendments to application in register	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57B(1)	Duty to determine whether and to whom notice should be given	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 57C(1)	Duty to give copy of amended application to referral authority	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 58	Duty to consider every application for a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 58A	Power to request advice from the Planning Application Committee	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 60	Duty to consider certain matters	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60(1A)	Duty to consider certain matters	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> or a conservation management plan under the <i>Flora and Fauna Guarantee Act</i></p> <p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 62(2)	Power to include other conditions	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO	
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	CEO	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
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)	CEO, DCAD, MSTRP, MSPB	
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)	CEO, DCAD, MSTRP, MSPB	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 69(1A)	Function of receiving application for extension of time to complete development	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(2)	Power to extend time	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 70	Duty to make copy permit available in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SUO, PAO	
s 71(1)	Power to correct certain mistakes	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP	
s 71(2)	Duty to note corrections in register	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 73	Power to decide to grant amendment subject to conditions	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP	<p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 74	Duty to issue amended permit to applicant if no objectors	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	<p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, PAO	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SUO, PAO	
s 83	Function of being respondent to an appeal	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SUO	
s 83B	Duty to give or publish notice of application for review	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, DCAD, MSTRP, MSPB	
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	CEO, DCAD, MSTRP, MSPB	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SUO, PAO	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, DCAD, MSTRP, MSPB,	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SUO, PAO	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, DSEO	
s 91(2)	Duty to comply with the directions of VCAT	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, DSEO	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, DSEO	
s 93(2)	Duty to give notice of VCAT order to stop development	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, DSEO	
s 95(3)	Function of referring certain applications to the Minister	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, DSEO	
s 95(4)	Duty to comply with an order or direction	CEO, DCAD, MSTRP, MSPB	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SRP, PSP	
s 96F	Duty to consider the panel's report under s 96E	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SRP, PSP	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SRP, PSP	
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SRP, PSP	
s 96J	Duty to issue permit as directed by the Minister	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SAP, SRP, PSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SRP, PSP	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SRP, PSP, SUO	
s 97C	Power to request Minister to decide the application	CEO, DCAD, MSTRP, MSPB	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SRP, PSP, SAP, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP, PAO	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO, DCAD, MSTRP, MSPB	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, DCAD, MSTRP, MSPB	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 97Q(4)	Duty to comply with directions of VCAT	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CEO, DCAD, MSTRP, MSPB	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CEO, DCAD, MSTRP, MSPB	
s 101	Function of receiving claim for expenses in conjunction with claim	CEO, DCAD, MSTRP, MSPB	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, DCAD, MSTRP, MSPB	
s 107(1)	Function of receiving claim for compensation	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, SRP, PSP, SAP, SUO	
s 107(3)	Power to agree to extend time for making claim	CEO, DCAD, MSTRP, MSPB	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CEO, DCAD, MSTRP, MSPB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, DSEO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, DSEO SAP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, DSEO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, DCAD, MSTRP, MSPB	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DCAD, MSTRP, MSPB	Except Crown Land
s 129	Function of recovering penalties	CEO, DCAD, MSTRP, MSPB	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, DSEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, DSEO, SAP	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSR, DSEO	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CEO, DCAD, MSTRP, MSPB	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DCAD, MSTRP, MSPB, CSAP, CSR, SAP	
s 171(2)(g)	Power to grant and reserve easements	CEO, DCAD, MSTRP, MSPB, MOPS, CSAP, CSR	
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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	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 plan, before the time that the land is required to be provided under s 46GV(4)	Not delegated	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	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 <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	Where Council is the relevant responsible authority
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DCAD, MSTRP, MSPB, CSAP, CSR	Where Council is the relevant responsible authority
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	Where Council is the relevant responsible authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178A(5)	Power to propose to amend or end an agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178C(4)	Function of determining how to give notice under s 178C(2)	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	If no objections are made under s 178D Must consider matters in s 178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	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)	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 179(2)	Duty to make a copy of each agreement in accordance with public availability requirements	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 182	Power to enforce an agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
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	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
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	CEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184G(2)	Duty to comply with a direction of the Tribunal	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	
s 198(1)	Function to receive application for planning certificate	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 199(1)	Duty to give planning certificate to applicant	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, PAO	
s 201(1)	Function of receiving application for declaration of underlying zoning	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP, SAP	
s 201(3)	Duty to make declaration	CEO, DCAD, MSTRP, MSPB, CSAP, CSRP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
	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	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
-	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CEO, DCAD, MSTRP, MSPB, CSAP, CSR	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, DIAD, MWFC, CHCS, EHO	
s 522(1)	Power to give a compliance notice to a person	CEO, DIAD, MWFC CHCS, EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, DIAD, MWFC	
s 525(4)	Duty to issue identity card to authorised officers	DIAD, MWFC	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DIAD, MWFC, CHCS, EHO	
s 526A(3)	Function of receiving report of inspection	DIAD, MWFC, CHCS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	DIAD, MWFC, CHCS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO, All D, MGR, MOPS	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	CEO, All D,	
s 11(9)(b)	Duty to advise Registrar	CEO, All D, MOPS	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO, All D, MOPS	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO, All D, MOPS	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, All D, MOPS	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, All D, MOPS	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	CEO, All D, MOPS	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	CEO, All D, MOPS	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	CEO, All D, MOPS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	CEO, All D, MOPS	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	CEO, All D, MOPS	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	CEO, All D	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, All D	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, All D	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, All D	
s 15(2)	Duty to include details of arrangement in public roads register	CEO, DIAD, MOPS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 16(7)	Power to enter into an arrangement under s 15	CEO, All D	
s 16(8)	Duty to enter details of determination in public roads register	CEO, DIAD, MOPS	
s 17(2)	Duty to register public road in public roads register	CEO, DIAD, MOPS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DIAD, MOPS	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	CEO, DIAD, MOPS	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	CEO, DCAD, MOPS	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	CEO, DIAD, MOPS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DIAD	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CEO, DIAD, MOPS, CENG, AMS	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	CEO, DIAD, MOPS, CENG, AMS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(4)	Duty to specify details of discontinuance in public roads register	CEO, DIAD, MOPS, CENG, AMS	
s 19(5)	Duty to ensure public roads register is available for public inspection	CEO, DIAD, MOPS, CENG, AMS	
s 21	Function of replying to request for information or advice	CEO, DIAD, MOPS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, DIAD, MOPS	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CEO, All D, MOPS	
s 22(5)	Duty to give effect to a direction under s 22	CEO, All D, MOPS	
s 40(1)	Duty to inspect, maintain and repair a public road.	CEO, All D, MOPS	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CEO, All D, MOPS	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CEO, All D, MOPS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 42(1)	Power to declare a public road as a controlled access road	CEO, All D, MOPS	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, All D	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	CEO, All D, MOPS	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	CEO, All D	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)	CEO, All D, MOPS	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CEO, All D, MOPS	
s 49	Power to develop and publish a road management plan	CEO, All D, MOPS	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, All D, MOPS	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, All D, MOPS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, All D, MOPS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO	
s 54(6)	Power to amend road management plan	CEO, All D, MOPS	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, All D, MOPS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, All D, MOPS	
s 63(1)	Power to consent to conduct of works on road	CEO, All D, MOPS	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	CEO, All D, MOPS	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CEO, All D	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CEO, All D	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	CEO, DIAD, MOPS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 67(3)	Power to request information	CEO, DIAD, MOPS, CHCS	Where Council is the coordinating road authority
s 68(2)	Power to request information	CEO, DIAD, MOPS, CHCS	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO, All D	
s 72	Duty to issue an identity card to each authorised officer	CEO, All D	
s 85	Function of receiving report from authorised officer	CEO, DIAD, CHCS, MOPS	
s 86	Duty to keep register re s 85 matters	CEO, DIAD, CHCS, MOPS	
s 87(1)	Function of receiving complaints	CEO, DIAD, MOPS, CHCS	
s 87(2)	Duty to investigate complaint and provide report	CEO, DIAD, MOPS, CHCS	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO, DIAD, MOPS, CHCS	
s 112(2)	Power to recover damages in court	CEO, DIAD, MOPS, CHCS	
s 116	Power to cause or carry out inspection	CEO, DIAD, MOPS, CHCS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, DIAD, MOPS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	CEO, DIAD, MOPS	
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)	CEO, DIAD, MOPS	
s 121(1)	Power to enter into an agreement in respect of works	CEO, DIAD, MOPS	
s 122(1)	Power to charge and recover fees	CEO DIAD, MOPS	
s 123(1)	Power to charge for any service	CEO DIAD, MOPS	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO All D	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, All D	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, All D	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DIAD, MOPS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 5	Duty to publish notice of declaration	CEO, All D	
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	CEO, DIAD, MOPS, CWK, CENG	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	CEO, DIAD, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 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	CEO, DIAD, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CEO, DIAD, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CEO, DIAD, MOPS, CWK, CENG	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	CEO, DIAD, MOPS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CEO, DIAD, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CEO, DIAD, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CEO, DIAD, MOPS	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)	CEO, DIAD, MOPS, CWK, CENG	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, DIAD, MOPS	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)	CEO, DIAD, MOPS	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CEO, DIAD, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CEO, DIAD, MOPS, CWK, CENG	Where Council is the coordinating road authority, responsible authority or infrastructure manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 16(5)	Power to consent to proposed works	CEO, DIAD, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CEO, DIAD, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CEO, DIAD, MOPS, CKW, CENG	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	CEO, DIAD, MOPS, CKW, CENG	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	CEO, DIAD, MOPS,	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CEO, DIAD, MOPS,	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	CEO, All D	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	CEO, DIAD, MOPS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl 2	Power to cause street lights to be installed on roads	CEO, DIAD, MOPS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CEO, DIAD, MOPS, CENG	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	CEO, DIAD, MOPS, CENG	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	CEO, DIAD, MOPS, CENG	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	CEO, All D, MGR	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	CEO, DIAD, MOPS	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	CEO, All D, MGR	
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 applicable	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not applicable	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not applicable	
r 30(2)	Power to release cremated human remains to certain persons	Not applicable	Subject to any order of a court

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not applicable	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not applicable	
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 applicable	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not applicable	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not applicable	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Not applicable	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not applicable	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	Not applicable	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	CEO All D, MGR	
r 40	Power to approve a person to play sport within a public cemetery	CEO, All D	
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not applicable	
r 42(1)	Power to approve hunting within a public cemetery	CEO, All D	
r 43	power to approve camping within a public cemetery	CEO, All D	
r 45(1)	Power to approve the removal of plants within a public cemetery	CEO, DIAD, MOPS, CPOS	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CEO, All D	
r 47(3)	Power to approve the use of fire in a public cemetery	CEO, All D	
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	CEO, All D	
Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	CEO All D, MGR	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	CEO, All D, MGR,	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	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 7(1)	power to give directions regarding the dressing of places of interment and memorials	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	CEO, All D, MGR,	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	CEO, All D, MGR,	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	CEO, All D, MGR,	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	CEO, All D, MGR	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, All D, MGR	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, All D, MGR	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CEO, All D, MGR	See note above regarding model rules

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CEO DCAD, MSTRP, MSPB, CSAP, CSRP	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
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 s 54 of the Act	CEO DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SUO	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	CEO DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SUO, PAO	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CEO DCAD, MSTRP, MSPB, CSAP, CSRP, SAP, SUO, PAO	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CEO DCAD, MSTRP, MSPB, CSAP, CSRP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	Not delegated	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Not delegated	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	CEO DCAD, MSTRP, MSPB, CSAP, CSR	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	CEO, DIAD, MWFC, CHCS, EHO	
r 10	Function of receiving application for registration	CEO, DIAD, MWFC, CHCS, EHO	
r 11	Function of receiving application for renewal of registration	CEO, DIAD, MWFC, CHCS, EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, DIAD, MWFC, CHCS, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DIAD, MWFC, CHCS, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, DIAD, MWFC, CHCS, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DIAD, MWFC, CHCS, EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO DIAD, MWFC, CHCS, EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 12(4) & (5)	Duty to issue certificate of registration	CEO, DIAD, MWFC, CHCS, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	CEO, DIAD, MWFC, CHCS, EHO	
r 14(3)	Power to determine where notice of transfer is displayed	CEO, DIAD, MWFC, CHCS, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	CEO, DIAD, MWFC, CHCS, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	CEO, DIAD, MWFC, CHCS, EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	CEO, DIAD, MWFC, CHCS, EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEO, DIAD, MWFC, CHCS, EHO	
r 17	Duty to keep register of caravan parks	CEO, DIAD, MWFC, CHCS, EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 18(4)	Power to determine where the emergency contact person's details are displayed	CEO, DIAD, MWFC, CHCS, EHO	
r 18(6)	Power to determine where certain information is displayed	CEO, DIAD, MWFC, CHCS, EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEO, DIAD, MWFC, CHCS, EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	CEO, DIAD, MWFC, CHCS, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEO, DIAD, MWFC, CHCS, EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEO, DIAD, MWFC, CHCS, EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	CEO, DIAD, MWFC, CHCS, EHO	
r 26	Duty to have regard to any report of the relevant fire authority	CEO, DIAD, MWFC, CHCS, EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEO, DIAD, MWFC, CHCS, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, DIAD, MWFC, CHCS, EHO	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, DIAD, MWFC, CHCS, EHO	
r 41(4)	Function of receiving installation certificate	CEO, DIAD, MWFC, CHCS, EHO	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEO, DIAD, MWFC, CHCS, EHO	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	CEO, DIAD, MWFC, CHCS, EHO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	CEO, DIAD, MOPS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CEO, DIAD, MOPS	
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)	CEO, DIAD, MOPS	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CEO, DIAD, MOPS	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, DIAD, MOPS	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	CEO, DIAD, MOPS	
r 16(3)	Power to issue permit	CEO, DIAD, MOPS, CENG, ENGO	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CEO, DIAD, MOPS, CENG, ENGO	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DIAD, MOPS, CHCS	Where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CEO, DIAD	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CEO, DIAD, MOPS, CWK, CHCS, CSY. CENG, ENGO	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))	CEO, DIAD, MWFC, CHCS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CEO, DIAD, MWFC, CHCS	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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	CEO, All D	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	CEO, All D	Where Council is the coordinating road authority

13.3 INSTRUMENTS OF APPOINTMENT TO AUTHORISED OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Go to 01:49:05 in the meeting recording to view this item.

DIRECTOR ORGANISATIONAL SERVICES

In providing this advice to Council as the Governance Advisor, I Danielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. Instrument of appointment and authorisation under the Planning and Environment Act 1987 [**13.3.1** - 1 page]

EXECUTIVE SUMMARY

The appointment of authorised officers enables appropriate staff within the organisation to administer and enforce various Acts, Regulations or Council local laws in accordance with the powers granted to them under legislation or a local law.

Instruments of Appointment and Authorisation are prepared based on advice from the Maddocks Authorisations and Delegations Service, which Council subscribes to.

Whilst the appointment and authorisation of authorised officers under other relevant legislation is executed by the Chief Executive Officer under delegation, Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution.

Maddocks recommends that Council execute the appointment and authorisation of authorised officer under the *Planning and Environment Act 1987* because this Act place limitations on what powers can be sub-delegated, so by delegating direct from Council, the risk of decisions being challenged on the basis that the delegation was not appropriate is mitigated.

OFFICER'S RECOMMENDATION

That Council, in the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, resolves that:

- a. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.*
- b. The instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.*

MOTION

That Council, in the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, resolves that:

- a. *The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.*
- b. *The instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.*

Moved: Cr Don Henderson

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

Instruments of Appointment and Authorisation empower relevant staff to exercise the powers granted to authorised officers by legislation or a local law.

The Instruments of Appointment and Authorisation prepared for Council's consideration are based on advice from the Maddocks Authorisations and Delegations Service.

Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution and that Instruments of Appointment and Authorisation be refreshed on a regular basis.

The instruments have been prepared by the Governance Team after consultation with the internal departments of Council and have been recently updated to ensure new employees have been added to the S11a Instrument of Appointment.

The Instruments of Appointment to Authorised Officers that do not relate to the *Planning and Environment Act 1987* will be executed by the Chief Executive Officer as per legislation.

KEY ISSUES

Planning and Environment Act 1987

There are no legislative changes to the authorisation under the *Planning and Environment Act 1987*. The instrument has been updated in line with staff appointments.

Powers are delegated to individuals, not positions.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

There are no risk implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council subscribes to the Maddocks Authorisations and Delegations Service, and relevant advice has been considered in the preparation of this report.

This Instrument of Appointment and Authorisation has been prepared following feedback from Development and Community Services Department. There are no other community or stakeholder engagement implications or requirements associated with this report.

For transparency purposes, Council is required to prepare a register of Instruments of Appointment to Authorised Officers and Delegations on Council's website.

S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Hepburn Shire Council

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987* only)**

In this Instrument 'officer' means –

**Natalie Walker – Director Community and Development
Rick Traficante – Manager Statutory Planning and Building
Wallie Cron – Coordinator Statutory Planning
Chris Hu – Statutory Planner
Lipi Patel – Statutory Planner
Bronwyn Southee – Manager Strategic Planning
Damien Kennedy – Acting Manager Strategic Planning
Caroline Reisacher – Strategic Planner
Alicia Cooper-Wallis - Administration Support Statutory Planning
Jack Morales – Administration Support Strategic Planning**

By this instrument of appointment and authorisation Hepburn Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Hepburn Shire Council on <date>

This Instrument is made by the Chief Executive Officer of Hepburn Shire Council in the exercise of his authority to act on Council's behalf, which includes the authority conferred by resolution of Council made on <date>

**Bradley Thomas
Chief Executive Officer
Hepburn Shire Council**

Date:

13.4 RECORDS OF COUNCILLOR ATTENDANCE

Go to 01:50:23 in the meeting recording to view this item.

DIRECTOR ORGANISATIONAL SERVICES

In providing this advice to Council as the Governance Advisor, I Danielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. Attachment - Records of Attendance - 20 June 2022 - 6 September 2022
[13.4.1 - 42 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive and note Records of Councillor Attendance.

OFFICER'S RECOMMENDATION

That Council receives and notes the Records of Councillor Attendance as detailed in the report.

MOTION

That Council receives and notes the Records of Councillor Attendance as detailed in the report.

Moved: Cr Jen Bray

Seconded: Cr Juliet Simpson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

BACKGROUND

Council's Governance Rules, chapter 6 section 102.1, require that:

If there is a meeting of Councillors that:

1. *is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;*
2. *is attended by at least one member of Council staff; and*
3. *is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting*

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- a. tabled at the next convenient Council meeting; and*
- b. recorded in the minutes of that Council meeting.*

To full-fill this requirement and promote transparency, records of councillor attendance are kept where the above definition is met and brought to Council for noting, as attached.

KEY ISSUES

The following records of Councillor attendance are reported:

Date	Committee Name	Location
20 June 2022	Mineral Springs Reserve Advisory Committee Meeting	Daylesford Town Hall
21 June 2022	Councillor Briefing	Council Chamber
28 June 2022	Pre-Council Meeting Briefing	Council Chamber
4 July 2022	Mineral Springs Reserve Advisory Committee Meeting	Council Chamber
5 July 2022	Councillor Briefing	Council Chamber
12 July 2022	Councillor Briefing	Council Chamber
19 July 2022	Pre-Council Meeting Briefing	Council Chamber
26 July 2022	Councillor Briefing	Council Chamber
2 August 2022	Councillor Briefing	Council Chamber
3 August 2022	Gender Equity Advisory Committee Meeting	Hybrid Meeting
9 August 2022	Councillor Briefing	Council Chamber
16 August 2022	Pre-Council Meeting Briefing	Council Chamber
23 August 2022	Councillor Briefing	Council Chamber
6 September 2022	Councillor Briefing	Council Chamber

POLICY AND STATUTORY IMPLICATIONS

The report full fills Council's requirements under the Governance Rules.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

The inclusion of the attached records of Councillor attendance in the Council Agenda and their availability to the public will increase awareness of the activities of Council and promote community involvement in decision making at Council level.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

If records of Councillor attendance are not included in the Public Agenda at a Council Meeting, Council would be in breach of its Governance Rules as adopted on the 16 August 2022.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Using Council's adopted Community Engagement Framework, International Public Participation Consultation, this report presents information via the Council Agenda.

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Mineral Springs Reserves Advisory Committee	DATE	Monday, June 20, 2022
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Other: The Daylesford Town Hall	TIME	
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Jen Bray <input type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input type="checkbox"/> Director Organisational Services – Andrew Burgess <input type="checkbox"/> Director Community and Development – Leigh McCallum Others (Position Title and Name): Paulette Pleasance – EA to Director Infrastructure and Delivery Sean Ludeke – Coordinator Parks and Open Space		

MATTERS CONSIDERED

Agenda attached – CM Reference: Doc/22/33125

NOTES:

RECORD COMPLETED BY

- CEO – Bradley Thomas
- Director Infrastructure and Delivery – Bruce Lucas
- Director Organisational Services – Andrew Burgess
- Director Community and Development – Leigh McCallum

Other:

Paulette Pleasance



Signed:

MINERAL SPRINGS RESERVE ADVISORY COMMITTEE

Monday 20 June – Daylesford Town Hall – 1.00pm – 3.00pm

Attendees: Cr Juliet Simpson, Bruce Lucas, Bill Guest, Lisa Rodier, Nathan Lundmark, Brenden Loton, Sean Ludeke, Paulette Pleasance,

Guest: Kathy Fulton – Manager Financial Services, Madeleine Ellis (Community Member)

No	Time	Agenda Item	Presenter
1	1.00pm	<p>Welcome and Apologies</p> <p>ACKNOWLEDGEMENT OF TRADITIONAL OWNERS</p> <p>Hepburn Shire Council acknowledges the Dja Dja Wurrung as the Traditional Owners of the lands and waters on which we live and work. On these lands, Djaara have performed age -old ceremonies of celebration, initiation and renewal. We recognise their resilience through dispossession, and it is a testament to their continuing culture and tradition, which is strong and thriving.</p> <p>We also acknowledge the neighbouring Traditional Owners, the Wurundjeri to our Southeast and the Wadawurrung to our South West and pay our respect to all Aboriginal peoples, their culture, and lore. We acknowledge their living culture and the unique role they play in the life of this region.</p>	Cr Juliet Simpson
2	1.05pm	Discussion re Commercial Quantities of Mineral Water from Pumps	Madeleine Ellis
3	1.30pm	Adoption of Minutes –11 April 2022	Cr Juliet Simpson
4	1.35pm	Reserve Fund Discussion	Kathy Fulton
5	2.00pm	<p>Project Update</p> <ul style="list-style-type: none"> Jubilee Lake Signage 	Sean Ludeke

▶ AGENDA

		<ul style="list-style-type: none"> • Weed Control 	
6	2.20pm	Budget Bids 2022/2023 <ul style="list-style-type: none"> • Central Springs Reserve Masterplan 	Cr Simpson
7	2.30pm	Updates <ul style="list-style-type: none"> • Update on Caretakers Cottage • Borealis Update 	Bruce/Paulette
8	2.45pm	General Business	All
		Meeting Close	
Attachments Sent with Agenda <ul style="list-style-type: none"> • Minutes 11 April 2022 • Action Register – June 2022 • Mineral Springs Reserves Project Tracking Spreadsheet 			
Next meeting – Monday 8 August 2022 – Council Chambers			

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, June 21, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 1pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Organisational Services – Andrew Burgess <input checked="" type="checkbox"/> Director Community and Development – Leigh McCallum Others (Position Title and Name): Administration Support Strategic Planning – Jack Morales Stakeholder Engagement Specialist, AusNet – Tanya Waterson AusNet Consultant – Lou Ellis AusNet Consultant – Tara Horsnell Senior Planning Consultant – Pauline Maltzis Coordinator Engineering – Tim Powell Acting Manager Planning and Building – Alison Blackett Heritage Consultant – Mandy Jean Strategic Planner – Caroline Reisacher Strategic Advisor – Damien Kennedy SGS Economics and Planning Consultant – David Laiden Coordinator Community Partnerships – Rosalie Hastwell Inclusion Officer – Brett Dunlop Manager Community Life – Fran Fogarty		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/35759

OR

List matters considered:

As per agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Lesley Hewitt	Item 1.3	11:34am	12:29pm
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

RECORD OF COUNCILLOR ATTENDANCE

Choose an item.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

NOTES:

Apologies: Tim Drylie and Bradley Thomas

RECORD COMPLETED BY

- Director Organisational Services – Andrew Burgess
- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Development – Leigh McCallum
- CEO – Bradley Thomas

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Discussion	Ausnet Briefing on WVTP	Stakeholder Engagement Specialist	4
1.2	11:00am	Briefing Only	PA3335 - 153 Charlies Road Elevated Plains - VCAT Appeal	Senior Planning Consultant	5
1.3	11:30am	Briefing Only	PA 3333 - 70 Camp Street Daylesford - development and land use	Senior Planning Consultant	8
1.4	12:00pm	Presentation	Hepburn Land Capacity and Demand Assessment Presentation	Patrick Fensham SGS Economics and Planning	57
1.5	12:45pm	Report	Additional Members of the LGBTIQ+ Advisory Committee	Coordinator Community Partnerships	71
2	1:00pm		Close of Meeting		72

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, June 28, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	2:30pm – 4:30pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Organisational Services – Andrew Burgess <input checked="" type="checkbox"/> Director Community and Development – Leigh McCallum Others (Position Title and Name): Senior Planning Consultant – Pauline Maltzis Manager Economic Development and Recreation – Kendall Sinclair Sustainability Officer – Manny Pasqualini Manager Community Life – Fran Fogarty Coordinator Community Partnerships – Rosalie Hastwell Coordinator Early Years and Healthy Communities – Kate Procter Engineering Development Officer – Ashley Goad Manager Operations – Tristan May Project Manager – Alison Breach Heritage Advisor – Mandy Jean Manager Governance & Risk – Rebecca Smith		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/37551

OR

List matters considered:

As per Council Meeting agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Lesley Hewitt	Confidential item – VCAT Matter	4:12pm	4:28pm

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

Director Organisational Services – Andrew Burgess

☐ RECORD OF COUNCILLOR ATTENDANCE

- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Development – Leigh McCallum
- CEO – Bradley Thomas

Other:

Manager Governance & Risk – Rebecca Smith

Signed:



▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Reserve Fund Discussion with Mineral Springs Reserve Advisory Committee	DATE	Monday, July 04, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: The Daylesford Town Hall	TIME	
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Jen Bray <input type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input type="checkbox"/> Director Organisational Services – Andrew Burgess <input type="checkbox"/> Director Community and Development – Leigh McCallum Others (Position Title and Name): Paulette Pleasance – EA to Director Infrastructure and Delivery Sean Ludeke – Coordinator Parks and Open Space		

MATTERS CONSIDERED

Agenda attached – CM Reference:

NOTES:

RECORD COMPLETED BY

- CEO – Bradley Thomas
- Director Infrastructure and Delivery – Bruce Lucas
- Director Organisational Services – Andrew Burgess
- Director Community and Development – Leigh McCallum

Other:

Paulette Pleasance



Signed:

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, July 05, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	9am – 4:45pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Organisational Services – Andrew Burgess <input checked="" type="checkbox"/> Director Community and Development – Leigh McCallum Others (Position Title and Name): Manager Governance and Risk - Rebecca Smith Acting Coordinator Governance - Dannielle Kraak Acting Manager Statutory Planning & Building – Alison Blacket Coordinator Statutory Planning – Wallie Cron Property Officer – Karen Menne Manager Waste, Facilities and Community Safety – Simon Mennie Statutory Planner – Lipi Patel Senior Planning Consultant – Pauline Maltzis Acting Manager, Strategic Planning – Damien Kennedy Strategic Planner – Caroline Reisacher		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/39366

OR

List matters considered:

As per agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

☐ RECORD OF COUNCILLOR ATTENDANCE

<Record late arrivals or early departures>

RECORD COMPLETED BY

- Director Organisational Services – Andrew Burgess
- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Development – Leigh McCallum
- CEO – Bradley Thomas

Other:

Acting Coordinator Governance - Dannielle Kraak

Signed:



No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Report	Review of Hepburn Shire Council's Governance Rules	Manager Governance and Risk Acting Coordinator Governance Governance Administration Officer	4
	10:30am		Break		
1.2	10:45am	Briefing Only	Councillor Call In Policy and process for planning applications	Acting Manager Planning and Building Director Community & Development	124
1.3	11:30am	Presentation	Dja Dja Wurrung presenting about Wombat State Forest	Chief Executive Officer - Djaara Executive Team Manager - Djaara	133
	12:30pm		Lunch		
1.4	1:00pm	Report	Biodiversity Grants Program 2022	Biodiversity Officer	134
1.5	1:30pm	Report	Community Consultation - Proposed Sale of The Rex - (Placeholder)	Property Officer Manager Waste, Facilities and Community Safety	139

	2:30pm	Break			
1.6	2:45pm	Report	PA 1249.01 - Amendment: Amended Dwelling design and building envelope. Original Permit: Use and development for the construction of a dwelling – 106 Torpy’s Lane, Glenlyon.	Senior Planning Consultant	140
1.7	3:15pm	Discussion Presentation	Changes to Planning Scheme Amendment C80 Planning Scheme Review	Acting Manager Planning and Building	212
1.8	4:15pm	Discussion	Councillor, Executive and External Committees Updates	Chief Executive Officer	269
2	4:45pm	Close of Meeting			272

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, July 12, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:30am to 12pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Organisational Services – Andrew Burgess <input checked="" type="checkbox"/> Director Community and Development – Leigh McCallum Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Acting Coordinator Governance and Risk – Danielle Kraak Acting Director Community and Development – Julie Reid Acting Manager Planning and Building – Alison Blacket Planning Consultant – Pauline Maltzis		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/40997

OR

List matters considered:

As per agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Lesley Hewitt	Item 1.2	11:09am	N/A as item 1.2 was the last item of the report
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

Meeting delayed from 10:15 to 10:30am.

Crs Simpson, Hewitt, and Halliday attended virtually.

▶ RECORD OF COUNCILLOR ATTENDANCE

Cr Henderson left meeting at 11:16am and re-entered at 11:28am

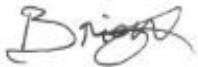
RECORD COMPLETED BY

- Director Organisational Services – Andrew Burgess
- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Development – Leigh McCallum
- CEO – Bradley Thomas

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Report	31 Houston Street (formerly 70 Camp Street) Daylesford - VCAT	Senior Planning Consultant	3
1.2	11:00am	Presentation	Bus Tour of Facilities - West	Director Organisational Services	47
2	5:00pm		Close of Meeting		48

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, July 19, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	2:30pm – 4:30pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Organisational Services – Andrew Burgess <input checked="" type="checkbox"/> Acting Director Community and Development – Julie Reid Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Senior Planning Consultant – Pauline Maltzis Acting Manager Planning and Building – Alison Blackett Biodiversity Officer – Brian Bainbridge Manager Waste Facilities and Community Safety – Simon Mennie Property Officer – Karen Menne Engagement Specialist – Michelle Whyte		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/42641

As per agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Lesley Hewitt	10.1 PA 3333 – 31 Houston Street Daylesford (formerly 70 Camp Street)	2:38pm	2:44pm
Mr Bradley Thomas, and all Officers except Mr Andrew Burgess.	13.2. Appointment of an Independent Member to the CEO Employment and Remuneration Committee	2:58pm	3:06pm

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY:

Manager Governance and Risk – Rebecca Smith

Signed:

RECORD OF COUNCILLOR ATTENDANCE

A small, square image containing a handwritten signature in black ink. The signature is stylized and appears to be the initials 'RLL'.

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, July 26, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 4pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Organisational Services – Irene McCreevy <input checked="" type="checkbox"/> Interim Director Community and Development – Julie Reid Others (Position Title and Name): Manager Culture and Performance – Irene McCreevy Administration Support Strategic Planning – Jack Morales Stakeholder Engagement Specialist – Tanya Waterson Planning and Environment Manager – Tara Horsnell Coordinator Statutory Planning – Wallie Cron Acting Manager Strategic Planning – Damien Kennedy Acting Manager Planning & Building – Alison Blacket Acting Executive Director, Renewable Energy Zones, VicGrid – Ben Ferguson Manager, Stakeholder Engagement and Policy, VicGrid – Alex Wilson Principal Policy Officer, VicGrid – Catherine Gip VicGrid Consultant – Tim Bate Interim CEO, VicGrid – Alistair Barker Stakeholder Engagement Specialist – Louisa McPhee AEMO Acting Group Manager – Nicola Falcon AEMO Engagement Specialist – Colin Holms AEMO Project Director – Sarah Walsh		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/44141

OR

List matters considered:

As per agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

▶ RECORD OF COUNCILLOR ATTENDANCE

Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

Cr Henderson joined the meeting at 10:37am

Cr Hewitt joined meeting at 11:12am

Unsure of VicGrid Consultant Tim Bate's exact title as he was not introduced

Meeting ran over time by 30mins – ended at 4pm instead of 3:30pm

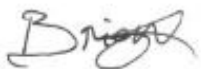
RECORD COMPLETED BY

- Director Organisational Services – Andrew Burgess
- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Development – Leigh McCallum
- CEO – Bradley Thomas

Other:

Brigitte Longmore – Governance Administration Officer

Signed:



No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Discussion	Ausnet Briefing on WVTP	Stakeholder engagement specialist Ausnet	4
1.2	11:00am	Briefing Only	PLN22/0016 Two lot subdivision of land	Coordinator Statutory Planning	5
1.3	11:30am	Briefing Only	PA 3539 Two lot subdivision of land	Coordinator Statutory Planning	105
1.4	12:00pm	Briefing Only	PA 3359 Use and development of land for three additional dwellings, alterations, and additions to an existing dwelling and four lot subdivision of land.	Coordinator Statutory Planning	205
	1:00pm		Lunch		
1.5	1:30pm	Presentation	VicGrid Presentation	Acting Executive Director, Renewable Energy Zones	364

1.6	2:30pm	Discussion	VNIWest Presentation by AEMO	Technical Director - Engagement, Communication and Communities, Victoria	366
	3:30pm	Break			
1.7	3:45pm	Briefing Only	PA 3536 Two lot subdivision of land	Coordinator Statutory Planning	367
1.8	4:15pm	Briefing Only	PA 3535 Two lot subdivision of land	Coordinator Statutory Planning	469
2	4:45pm	Close of Meeting			571

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, August 02, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	9am – 3pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Organisational Services – Irene McCreevy <input checked="" type="checkbox"/> Interim Director Community and Development – Julie Reid Others (Position Title and Name): Acting Manager Strategic Planning – Damien Kennedy Strategic Planner - Caroline Reisacher RMCG Consultants Associate – Shelley McGuinness Manager Financial Services – Kathy Fulton Manager Governance and Risk – Rebecca Smith Executive Team Manager, Djaara – Jim Brooks Sustainability Officer – Manny Pasqualini Manager Waste, Facilities and Community Safety – Simon Mennie Property Officer – Karen Menne Early Years and Healthy Communities Coordinator – Kate Procter Manager Community Life – Fran Fogarty Acting Manager Planning and Building – Alison Blacket Senior Planning Consultant – Pauline Maltzis Grants and Corporate Reporting Officer – Kelly Lewis Acting Director Organisational Services – Irene McCreevy		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/45682

OR

List matters considered:

As per agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
	Click or tap here to enter text.	Click or tap here to enter text.	
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

RECORD OF COUNCILLOR ATTENDANCE

Choose an item.

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NOTES:

Cr Tim Drylie leave of absence until 7 August 2022

Cr Tessa Halliday joined the meeting at 9:05am

Cr Don Henderson attended at 9:05am

Cr Jen Bray attended at 9:10am

Cr Hewitt left the room for Item 1.2 (10:17-10:40am) though she did not have a conflict of interest

RECORD COMPLETED BY

- Acting Director Organisational Services – Irene Mcreevy
- Director Infrastructure and Delivery – Bruce Lucas
- Interim Director Community and Development – Julie Reid
- CEO – Bradley Thomas

Other:

Acting Coordinator Governance and Risk – Dannielle Kraak

Signed:



No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Report	Settlement Strategy - Rural Activity Zone Assessment	Associate, RMCG	5
1.2	9:30am	Report	Treasury Management Policy	Manager Financial Services	7
1.3	10:00am	Report	Recommendations from the Audit and Risk Committee meeting held on 27 June 2022	Manager Governance and Risk	29
	10:30am		Break		
1.4	10:45am	Presentation	Dja Dja Wurrung presenting about Wombat State Forest	Chief Executive Officer - Djaara Executive Team Manager - Djaara	69
1.5	11:45am	Report	Hepburn Wind MOU Update	Sustainability Officer Manager Waste, Facilities and Community Safety	70
1.6	12:00pm	Report Discussion	Electric Vehicle Charging Station Licence Agreement for use on Council sites	Sustainability Officer Property Officer Manager Waste, Facilities & Community Safety	81
	12:30pm		Lunch		

1.7	1:00pm	Presentation	Positive Ageing Strategy	Positive Ageing Officer Early Years and Healthy Communities Coordinator Manager Community Life	109
1.8	1:30pm	Report	PA 1249.01 - Amendment to PA 1249 - Amended dwelling design and building envelope 106 Torpy's Lane, Glenlyon.	Senior Planning Consultant	149
1.9	2:00pm	Report	Annual Plan 2021/2022 - Quarter 4 update April-June 2022	Acting Director Organisational Services Grants and Projects Officer	227
1.10	2:30pm	Discussion	Councillor "Burning Issues" Discussion, Executive Issues Update and External Committees Update	Chief Executive Officer	236
2	3:00		Close of Meeting		237

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Gender Equity Advisory Committee (GEAC) Meeting	DATE	Wednesday, August 03, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Other: Teams	TIME	10am to 12:00pm
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Jen Bray <input type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood <input type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Kate Procter – Coordinator Early Years and Healthy Communities Eddie Wyman – Positive Ageing Officer George Martin – Health and Wellbeing Officer Jonathon Van Der Ploeg – Youth Development Officer		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/49616

OR

List matters considered:

Click or tap here to enter text.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

- CEO – Bradley Thomas
- Director Infrastructure and Development Services – Bruce Lucas

☐ RECORD OF COUNCILLOR ATTENDANCE

- Director Community and Corporate Services – Andrew Burgess
- Director Community and Development – Natalie Walker

Other:

Kate Procter – Coordinator Early Years and Healthy Communities

Signed: Kate Procter

Gender Equity Advisory Committee

Wednesday, 3 August 2022

MS Teams

Attendees Cr. Lesley Hewitt | Kate Procter | Eddie Wyman | George Martin | Lindy Churches | Lynda Poke | Maia Irell | Mika Padiaditis | Sue Dyson | Devon Taylor

Apologies

AGENDA

Item	Owner	Time
1. Welcome & Acknowledgement of Country	Chair	10:00
2. Apologies & Housekeeping	Chair	
3. Actions from previous meeting	Chair	
Further information sent to members including:		
1. Confirmation of quorum includes chair		
2. Chair to contact non-attending members		
3. EOI for vacant positions		
4. Schedule 2022 meetings		
5. Send Early and Middle Years Plan to committee		
6. Early and Middle Years Action Plan to be circulated		
7. Sale of the Rex survey link to be forwarded		
8. Request of more information on the staff survey		
9. Send GIA template to committee		
10. More time on the agenda for each topic and documentation to be sent prior to the meeting		
4. Positive Ageing Strategy	Eddie Wyman	10:15

▶ MEETING AGENDA

5.	Youth Strategy	Jonathon van der Ploeg	10:45
6.	Arising issues from members	Chair	
7.	Close of Meeting	Chair	11:30

ACTION ITEMS

	Owner	Description	Due Date
1.			
2.			
3.			
4.			
5.			

Next Meeting:

- 10am, Wednesday 14/9/22

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, August 09, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 3:00pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Organisational Services – Irene McCreevy <input checked="" type="checkbox"/> Interim Director Community and Development – Julie Reid Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Communication Officer – Maria Abate Communication Officer – Lisa Shiner Acting Coordinator Governance – Dannielle Kraak Governance Administration Officer – Brigitte Longmore Manager Financial Services – Kathy Fulton Acting Manager Planning and Building – Alison Blacket Statutory Planner – Nicola McGowan		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/47317

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Tim Drylie	1.6 – PA 3219 - 47 Albert Street Creswick	1:00pm	1:23pm


NOTES:

Cr Henderson arrived 11:10am due to a conflicting meeting.

Cr Hood was a apology.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed: 

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Presentation	JWS Research - Presentation on Community Satisfaction Survey	JWS	5
1.2	11:00am	Report	Review of Hepburn Shire Council's Governance Rules	Manager Governance and Risk Acting Coordinator Governance Governance Administration Officer	118
	12:30pm		Lunch		
1.3	1:00pm	Report	Appointment of Members to the Reconciliation Advisory Committee	Reconciliation Officer Coordinator Community Partnerships Manager Community Life	215
1.4	1:30pm	Report	Quarterly Corporate Reporting 2021/2022 - Q4 (April to June)	Acting Director Organisational Services Grants and Projects Officer	231
1.5	2:00pm	Presentation	Valuation Presentation	Manager Financial Services Director - VRC Property	314

1.6	3:00pm	Briefing Only	Referral to VCAT for PA 3219 - 47 Albert Street Creswick	Planning Consultant	315
2	3:30pm	Close of Meeting			335

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, August 16, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	2:30pm – 4:30pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Organisational Services – Irene McCreevy <input checked="" type="checkbox"/> Interim Director Community and Development – Julie Reid Others (Position Title and Name): Manager Governance & Risk – Rebecca Smith Acting Manager Planning and Development – Alison Blacket Coordinator Statutory Planning – Wallie Cron Senior Planning Consultant – Pauline Maltzis Manager Facilities, Waste and Community Safety – Simon Mennie Sustainable Hepburn Project Manager – Maree Grenfell Sustainability Officer – Manny Pasqualini Manager Community Life – Fran Fogarty Positive Ageing Officer – Eddie Wyman Reconciliation Officer – Annette Millar Manager Major Projects – Ben Grounds		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/49746

CONFLICT OF INTEREST DISCLOSURES


Declared by	Item being considered	Time left meeting	Time Returned
Cr Tim Drylie	PA 3219 - 47 Albert Street Creswick	4:28pm	4:45pm

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

Manager Governance & Risk – Rebecca Smith

Signed: 

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Planning Briefing	DATE	Tuesday, August 23, 2022
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 3pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Organisational Services – Irene McCreevy <input checked="" type="checkbox"/> Interim Director Community and Development – Julie Reid Others (Position Title and Name): Governance Administration Officer – Brigitte Longmore Acting Manager, Strategic Planning – Damien Kennedy Administration Support Strategic Planning – Jack Morales Stakeholder Engagement Specialist, AusNet WRLP – Tanya Waterson Construction Lead, AusNet WRLP – Jamie Ganly Planning and Environment Manager, AusNet WRLP – Tara Horsnell Coordinator Customer Experience – Adam Perrett Founder and Principal, Atkin Collective – Gaynor Atkin Strategic Planner – Caroline Reisacher Coordinator Statutory Planning – Wallie Cron Acting Manager Planning and Building – Alison Blacket Special Counsel, Russell Kennedy Lawyers – Matthew Beazley		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/51441

OR

List matters considered:

As per agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
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Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

▶ RECORD OF COUNCILLOR ATTENDANCE

NOTES: Cr Jen Bray entered meeting in-person at 10:22am

Cr Hewitt left the meeting at 2:46pm as was running overtime and she had a prior engagement at that time

RECORD COMPLETED BY

- Director Organisational Services – Andrew Burgess
- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Development – Leigh McCallum
- CEO – Bradley Thomas

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	External Presentation	Ausnet Briefing on WVTP	Planning & Environment Manager, AusNet WRLP	4
1.2	11:00am	Discussion Presentation	Customer Service Strategy	Atkin Collective Manager Culture and Performance Coordinator Customer Experience	6
1.3	11:30am	Report Discussion	Hepburn Settlement Strategy Land Capacity and Demand Assessment (LCDA) and Rural Activity Zone Assessment Report	Acting Strategic Planning Manager	8
1.4	12:30pm	Discussion	Project update on the Restructure Overlay for Drummond and Sailors Falls	Acting Strategic Planning Manager	138
	1:00pm		Lunch		

1.5	1:30pm	Briefing Only	PA 3417 – Use and development of land for group accommodation, associated works including; demolition of an existing building, alteration of access to a road in a Road Zone, Category 1, reduction of car parking, and removal of vegetation – 40 Vincent	Coordinator Statutory Planning	160
2	2:00pm	Close of Meeting			247

2. Close of Meeting

RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, September 06, 2022
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	9am – 2pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Organisational Services – Andrew Burgess <input checked="" type="checkbox"/> Director Community and Development – Natalie Walker Others (Position Title and Name): Acting Coordinator Community Partnerships – Kelly Bevan Manager Community Life – Fran Fogarty Engagement Specialist – Michelle Whyte Coordinator Health and Community Safety – Lisa Sparkes Manager Waste, Facilities and Community Safety – Simon Mennie Inclusion Officer – Brett Dunlop Manager Statutory Planning and Building - Rick Traficante Acting Manager Planning and Building – Alison Blacket Statutory Planner - Julie Lancashire Hygge Property Developments - Adam Davidson Hygge Property Developments - Joseph Van Dyke Hygge Property Developments - Jason Webster Niche Planning Studio - Matthew Buckmaster		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/22/54646

OR

List matters considered:

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CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

RECORD OF COUNCILLOR ATTENDANCE

Choose an item.

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NOTES:

Cr Henderson arrived at 9:03am

Cr Hewitt arrived at 9:05am

Councillor Bray arrived at 9:09am

RECORD COMPLETED BY

- Director Organisational Services – Andrew Burgess
- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Development – Natalie Walker
- CEO – Bradley Thomas

Other:

Acting Coordinator Governance – Dannielle Kraak

Signed:



No	Time	Type	Agenda Item	Presenter	Page No
1.0	9:00am	Briefing Only	Round One Community Grants 2022/2023	Acting Coordinator Community Partnerships Manager Community Life	5
1.1	9:30am	Report	Community Engagement Continuous Improvement	Engagement Specialist	12
	10:30am		Break		
1.2	10:45am	Briefing Only	Adoption of Domestic Animal Management Plan (DAMP)	Manager Waste, Facilities and Community Safety Coordinator Community Safety	24
1.3	11:30am	Briefing Only	Big Rainbow Update	Manager Community Life Inclusion Officer	85
	12:00pm		Lunch		
1.4	12:30pm	Briefing Only	17 Smith Street, 29 Smith Street, 9 Raglan Street and Lot 2, 4719 Midland Highway, Daylesford	Acting Manager Planning and Building	88

1.5	2:00pm	Discussion	Councillor "Burning Issues" Discussion, Executive Issues Update and External Committees Update	Chief Executive Officer	138
2	2:30pm		Close of Meeting		139

14 CONFIDENTIAL ITEMS

14.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Go to 01:51:30 in the meeting recording to view this item.

Pursuant to section 66(1) of the *Local Government Act 2020* (the Act) Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.

The circumstances detailed in section 66(2) of the Act are:

- a) the meeting is to consider confidential information; or
- b) security reasons; or
- c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

RECOMMENDATION

That in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting to be closed to members of the public for the consideration of the following confidential items:

1. PA 1249.01 - Dwelling design and building envelope. Original Permit: Use and development for the construction of a dwelling – 106 Torpy’s Lane, Glenlyon

This agenda item is confidential information for the purposes of section 3(1) of the Local Government 2020:

- *Because it is (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;*
- *The ground applies because the agenda item is related to a current proceeding with the Victorian and Civil and Administrative Tribunal (VCAT) which requires confidentiality pursuant to the VCAT Act 1998.*

2. Jubilee Lake Reserve – Caretaker Agreement, Outside Camping Licence and Boat Hire Licence Renewals

This agenda item is confidential information for the purposes of section 3(1) of the Local Government 2020:

- *Because it is (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- *This applies because the agenda item concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Councils position in those negotiations.*

3. General Business

This agenda item is confidential information for the purposes of section 3(1) of the Local Government 2020:

- *Because it is f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*
- *This applies because the item for consideration is in relation to a Councillors application for leave.*

MOTION

That in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting to be closed to members of the public for the consideration of the following confidential items:

1. PA 1249.01 - Dwelling design and building envelope. Original Permit: Use and development for the construction of a dwelling – 106 Torpy’s Lane, Glenlyon

This agenda item is confidential information for the purposes of section 3(1) of the Local Government 2020:

- *Because it is (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;*
- *The ground applies because the agenda item is related to a current proceeding with the Victorian and Civil and Administrative Tribunal (VCAT) which requires confidentiality pursuant to the VCAT Act 1998.*

2. Jubilee Lake Reserve – Caretaker Agreement, Outside Camping Licence and Boat Hire Licence Renewals

This agenda item is confidential information for the purposes of section 3(1) of the Local Government 2020:

- *Because it is (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- *This applies because the agenda item concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Councils position in those negotiations.*

3. General Business

This agenda item is confidential information for the purposes of section 3(1) of the Local Government 2020:

- *Because it is f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*
- *This applies because the item for consideration is in relation to a Councillors application for leave.*

Moved: Cr Don Henderson

Seconded: Cr Lesley Hewitt

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

Meeting closed to the public at 7:24pm for the hearing of confidential items and did not reopen to the public.

The Confidential meeting opened at 7:24pm.

The Council determined to release information to the public on these items as detailed below:

1. PA 1249.01 - Dwelling design and building envelope. Original Permit: Use and development for the construction of a dwelling – 106 Torpy’s Lane, Glenlyon

Item to remain confidential pending the outcome of current proceedings with the Victorian and Civil and Administrative Tribunal (VCAT), which requires confidentiality pursuant to the VCAT Act 1998.

2. Jubilee Lake Reserve – Caretaker Agreement, Outside Camping Licence and Boat Hire Licence Renewals

MOTION

That Council:

- 1. Approve the renewal of the Caretaker Agreement, Boat Hire Licence and Outside Camping Licence for the period of three (3) years with an option of a further term to expire on 30 April 2028 in accordance with the attached draft Agreement documents;*
- 2. Authorises the Chief Executive Officer to execute the Agreements on behalf of Council;*
- 3. Authorises Council Officers to seek DELWP Approval for the Agreements in accordance with the Crown Land (Reserves) Act 1978; and*
- 4. Authorises Council Officers to manage the exercise of the extension option of each Agreement when it comes due and authorises the Chief Executive Officer to execute the Agreement Renewals.*

5. Pursuant to Section 125(2) of the Local Government Act 2020, resolves that this resolution will be made publicly available in the public minutes, while the report and attachments will remain confidential; and

6. That the Chief Executive Officer communicate the effect of this resolution to the extent necessary to give effect to it.

Moved: Cr Tessa Halliday

Seconded: Cr Lesley Hewitt

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

3. General Business

Cr Lesley Hewitt has been granted a leave of absence for the Ordinary Council Meeting scheduled for 18 October 2022.

15 CLOSE OF MEETING

The Meeting closed at 7:35pm.