



WELCOME

TO THE WEST

West Wimmera Shire Council

AGENDA

COUNCIL MEETING

Wednesday 20 September 2023
2:00 pm

Council Chambers
Kaniva Council Office
25 Baker Street, Kaniva Victoria
3419

PUBLIC ACCESS

Open to the public and Live streaming from
Council's website:

www.westwimmera.vic.gov.au





Councillors and Shire Map



MAYOR
Cr. Tim Meyer



**DEPUTY
MAYOR**
**Cr. Jodie
Pretlove**



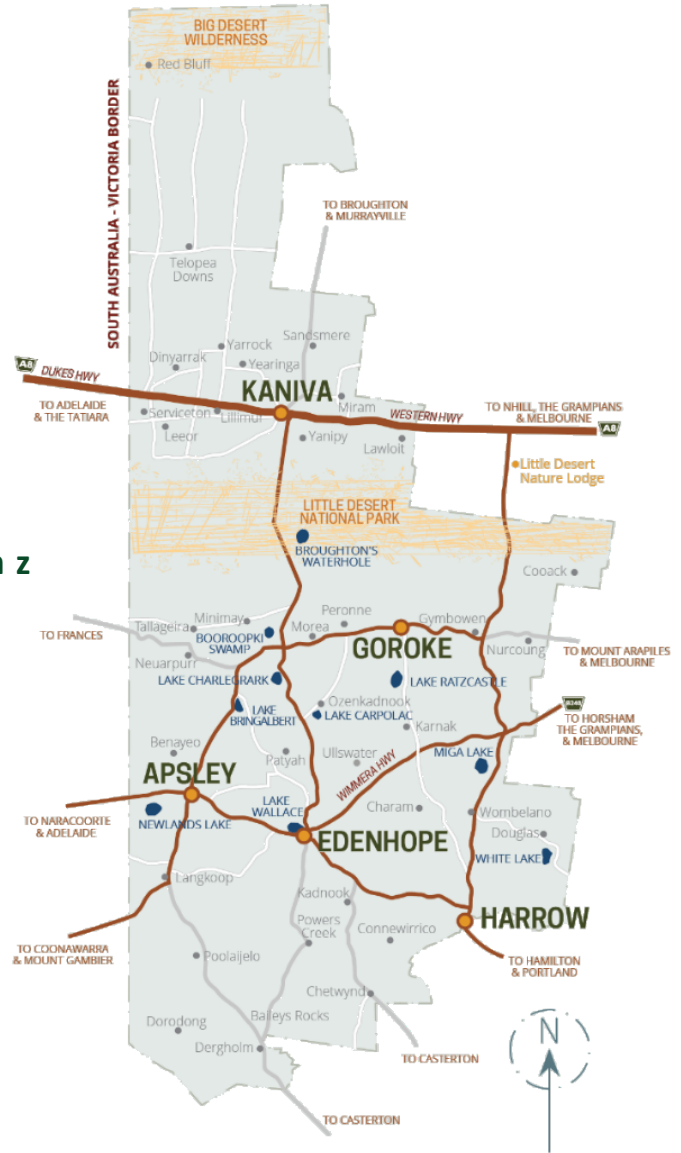
**Cr. Trevor
Domaschenz**



**Cr. Tom
Houlihan**



**Cr. Bruce
Meyer OAM**





COUNCIL VISION

Our West Wimmera community is healthy, thriving, diverse, harmonious, prosperous, and self-sustaining, with regional and global connectivity.

OUR VALUES

INNOVATIVE – We will proactively respond to change, are optimistic about our future and pursue continuous improvement in everything that we do.

ACCOUNTABLE – We will be responsible, take ownership of our actions and are committed to good governance, excellence, transparency, achievement of goals and advocating for our community

UNITED – We will do everything within our ability to encourage and form trusting relationships, to work together as one team to achieve our goals and advocate for ‘One West Wimmera’.

COLLABORATIVE – We will actively and openly consult with you and work constructively with community organisations, agencies, the business community and other levels of government to our community’s benefit.

OUR GOALS





Purpose of Council meetings

- (1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.
- (2) Council is committed to transparency in decision making and, in accordance with the Local Government Act 2020, Council and Delegated Committee meetings are open to the public and the community are able to attend.
- (3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:
 - (a) there are clear reasons for particular matters to remain confidential; or
 - (b) a meeting is required to be closed for security reasons; or
 - (c) it is necessary to enable the meeting to proceed in an ordinary manner.
- (4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:
 - (a) the meeting may be adjourned; or
 - (b) a recording of the proceedings may be available on the Council website

The West Wimmera Shire Council Governance Rules set out the meeting procedure rules for this Council Meeting.

Members of the public are reminded that they are required to remain silent during this meeting, except during Section 5 Questions from the Gallery.

This Council meeting will be recorded for live streaming.

Councillors pledge

As Councillors of West Wimmera Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.



REQUIRED TO ATTEND:

Councillors:

Tim Meyer, Mayor
Jodie Pretlove, Deputy Mayor
Trevor Domaschenz
Tom Houlihan
Bruce Meyer OAM

Executive Leadership Team:

David Bezuidenhout - Chief Executive Officer (CEO)
James Bentley - Director Corporate & Community Services (DCCS)
Ram Upadhyaya - Director Infrastructure Development & Works (DIDW)



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1 Welcome

2 Acknowledgement of Country

The West Wimmera Shire Council acknowledges the traditional custodians of the land on which we meet, and pays respect to their elders, past, present and emerging.

3 Opening Prayer

Almighty God, we humbly ask your blessing upon this Council. Guide and prosper our decisions to the advancement of Your Glory and the true welfare of the people of West Wimmera Shire. Amen.

4 Apologies, Leave of Absences, Declaration of Conflict of Interest

4.1 Apologies

4.2 Leave of Absence

4.3 Declaration of Conflict of Interest

All Councilors have a personal responsibility to ensure they are aware of the provisions mandated in the Local Government Act 2020 with regard to Conflict of Interest disclosures.



5 Questions from the Gallery

5.1 Written Questions on Notice

Governance Rules – Division 8 Section 53:

53.4 Questions submitted to Council can be submitted as follows:

53.4.1 In writing, stating the name and address of the person submitting the question and generally be in a form approved or permitted by Council; and

53.4.2 Placed in the receptacle designated for the purpose at the place of the meeting at least two hours prior to the Council meeting, or be lodged electronically at the prescribed email address at least two hours prior to the Council meeting.

53.5 No person may submit more than two questions at any one meeting.

The Question on Notice template is available from the Edenhope and Kaniva Council Offices, and from Council's website.

Written Questions on Notice submitted to Council no later than the deadline of 5:00pm on the Monday in the previous week to the relevant Council Meeting, will be included in the agenda.

Written Questions submitted subsequent to that deadline can be lodged electronically to KaddieCother@westwimmera.vic.gov.au, no later than two hours prior to the Council Meeting.

No questions on notice were received for inclusion in the agenda.



5.2 Verbal Questions without Notice

RECOMMENDATION:

That Council suspend Standing Orders for the purpose of receiving questions without notice from the members of the Gallery.

Time permitting, this section of the Agenda allows members of gallery to ask verbal questions of Councillors, following the removal of standing orders and when prompted by the Mayor (Governance Rules Division 8 S53.4.3)

Members of the Gallery providing verbal questions without notice at a Council Meeting must state their name, to be recorded in the minutes (Governance Rules Division 8 S53.4.4)

No person may submit more than two questions at any one meeting (Governance Rules Division 8 S53.5)

RECOMMENDATION:

That Council resume Standing Orders.



6 Delegates Reports

Delegate Reports are for providing feedback on formal council business and are for information only

6.1 Councillor Tim Meyer (Mayor)

Date	Event
24/08/2023	Digital Summit
25/08/2023	Western Highway Action Committee Meeting
04/09/2023	Discussion with Year 11 & 12 Students
05/09/2023	Strategic Leadership Meeting
05/09/2023	Meeting with Jactina Ermacora
06/09/2023	Councillor Forum
18/09/2023	Quarterly Meeting with Dr Anne Webster MP
19/09/2023	Audit & Risk Committee Meeting
20/09/2023	Citizenship Ceremony
20/09/2023	Pre-Council Meeting
20/09/2023	Council Meeting

6.2 Councillor Jodie Pretlove (Deputy Mayor)

Date	Event
05/09/2023	Strategic Leadership Meeting
06/09/2023	Councillor Forum
19/09/2023	Audit & Risk Committee Meeting
20/09/2023	Citizenship Ceremony
20/09/2023	Pre-Council Meeting
20/09/2023	Council Meeting

6.3 Councillor Trevor Domaschenz

Cr Trevor Domaschenz was on leave of absence from 17th July 2023 to 19th October 2023



6.4 Councillor Tom Houlihan

Date	Event
06/09/2023	Councillor Forum
20/09/2023	Citizenship Ceremony
20/09/2023	Pre-Council Meeting
20/09/2023	Council Meeting

6.5 Councillor Bruce Meyer OAM

Date	Event
06/09/2023	Councillor Forum
20/09/2023	Citizenship Ceremony
20/09/2023	Pre-Council Meeting
20/09/2023	Council Meeting

7 Condolences

Nil



8 Confirmation of Previous Minutes

8.1 Council Meeting held on Wednesday, 16th August 2023

RECOMMENDATION:

That the Minutes of the Council Meeting held on Wednesday, 16th August 2023 be taken as an accurate record and confirmed.

Attachments

Nil

9 Business Arising From Previous Minutes

10 Notices of Motion

There were no Notices of Motion submitted for the agenda.

11 Councillor Forum Record

11.1 Councillor Forum Record Wednesday, 6th September 2023

RECOMMENDATION:

That the Record for the Councillor Forum Record Wednesday, 6th September 2023 be received and noted.

12 Deputations and Petitions

There were no Petitions or Deputations submitted for the agenda.

13 Chief Executive Officer



No Reports



14 Corporate and Community Services

14.1 Community Support Grant Guidelines

Directorate: Corporate and Community Services

Report Author: Community Development and Tourism Project Officer

Report Purpose: For Decision

Introduction

The Community Support Grant guidelines will ensure that all community-based organisation applications for financial support will be assessed and administered by a well-defined, equitable and transparent process, whilst regarding and monitoring appropriate risk management and legislative compliance.

Declaration of Interest

No officer declared an interest under the Local Government Act 2020 (LGA 2020) in the preparation of this report.

Background

West Wimmera Shire Council (Council) acknowledges and recognises the significant contribution that 'not for profit' community organisations make to the communities of West Wimmera.

Council is therefore committed to working in partnership with our community-based organisations to provide support for their provision of community support and services. These provisions of support and services include, but are not limited to, promoting the interests of the community and administering non council owned facilities that continue to provide service to the community.

Annually, Council ensures there is budget provision for applications from community-based organisations financial applications, however, this budget is limited, and each application must be reviewed against eligibility criteria.

Following review of Council's Grant Policy and supported by the commitment to be equitable, accountable and transparent in all decision-making processes, Council identified that all annual allocations to community-based organisations must be assessed and administered under a consolidated guideline.

The Community Support Grant Guideline incorporates the three streams of financial assistance not defined under any other Council grant guidelines. These three streams include:

- A) Community Support Contribution



- B) Public and Products Liability Insurance Contribution and
- C) Building and Contents Insurance Contributions.

Risk Management Implications

Risk identified:

There are no obvious risks for Council to mitigate or eliminate in regard to the proposal considered for funding support in this report.

Legislative Implications

The report complies with the requirements of the:
Local Government Act 2020

Environmental Implications

Not applicable

Financial and Budgetary Implications

The financial risk rating has been assessed as: Low

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy/s:

Council Grants Policy

Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 1 – Liveable & Healthy Community

- 1.1 Create a healthy, active, and vibrant community.
- 1.2 Support a safe and inclusive community.
- 1.3 Provide well planned and sustainable community infrastructure.
- 1.4 Deliver quality services that support community life.
- 1.5 Support and encourage our events, cultural and arts communities.
- 1.7 Improve the liveability of the shire to assist in growing our population into the future.

Goal 2 – Diverse and Prosperous Economy

- 2.2 Promote the Shire as a great place to visit, live and invest.
- 2.4 Create vibrant and attractive town centres.

Goal 4 – Good Governance



- 4.1 Ensure long term financial sustainability.
- 4.4 Develop a high performing accountable organisation.

Goal 5 – Our Commitment Values

Accountability - We will be responsible, take ownership of our actions and are committed to good governance, excellence, transparency and advocating for our community.

Collaboration - We will actively and openly consult with you and work constructively with community organisations, agencies, the business community and other levels of government to our community's benefit.

Communication Implications

No Communication Implications

Gender Equality

No Gender Impact Assessment is required

Conclusion

The Community Support Grant Guideline defines how Council determines annual allocations to community-based organisations. The guidelines will ensure the best possible outcome is achieved for Council and all community groups through a fair, non-discriminatory process.

Adoption of the Community Support Grant guidelines is required to enable the assessment of three (3) community financial support applications for this current financial year.

OFFICER RECOMMENDATION:

That Council adopts the draft Community Support Grant Guidelines

Attachments

1. Community Support Grant DRAFT Guideline 20230503 1 JH edits 06092023 [14.1.1 - 7 pages]



Community Support Grant Guideline WEST WIMMERA SHIRE COUNCIL

COUNCIL GUIDELINE	
DRAFT	Guideline No:
COMMUNITY SUPPORT GRANT GUIDELINES	Adopted by Council: xx/xx/2023
	Next review date: xx/xx/2027
Senior Manager:	Director Corporate and Community Services
Responsible Officer:	Manager Community Development and Tourism
Functional Area:	Corporate and Community Services
Purpose	<p>West Wimmera Shire Council is committed to working in partnership with the community to encourage, develop and support community-based organisations and the wide range of quality recreational, cultural, social and business group initiatives they undertake, to form a positive contribution to the West Wimmera Shire and strengthen the development of a supported, cohesive community.</p> <p>Each financial year, Council provides financial assistance to community-based organisations to support the provision of programs and services which benefit the West Wimmera Shire community and are in accordance with Council's plans and strategies.</p>
Guideline Objectives	<p>The West Wimmera Shire Council is fully committed to the principals of:</p> <ul style="list-style-type: none"> • Equitable, Ethical and Fair treatment of all involved. • Probity, accountability, and transparency in all operations. <p>This Guideline aims to:</p> <ul style="list-style-type: none"> • Define how Council determines annual allocations to progress associations and similar not for profit organisations. • Demonstrate accountability and responsibility to ratepayers. • Ensure that all processes are monitored and recorded.



Community Support Grant Guideline WEST WIMMERA SHIRE COUNCIL

	<ul style="list-style-type: none"> Ensure that the best possible outcome is achieved for Council and all community groups through fair, non-discriminatory processes regarding appropriate risk management and legislative compliance.
Scope	This guideline applies to all persons authorised, through appropriate delegations, to determine and distribute annual allocations to progress associations or similar not for profit organisations.
Definition	<p>Community Support Grants</p> <p>The following streams are available under this grant:</p> <p>A) Community Support Contribution recipients</p> <ul style="list-style-type: none"> Council approved, not for profit incorporated organisations that promote the interests of the community. <p>B) Public and Products Liability Insurance Contribution recipients</p> <ul style="list-style-type: none"> Not for Profit Committees that administer non council owned facilities that provide a service to the community. Council will consider applications for Public and Products Liability. <p>C) Building and Contents Insurance Contribution recipients</p> <ul style="list-style-type: none"> Not for Profit Committees that administer non council owned facilities that provide a service to the community. Council will consider Building and Contents Insurance.
Guideline Statement	<p>In recognition of the important contribution that “Not for Profit” community organisations make to the infrastructure and fabric of the townships of West Wimmera Shire, Council will consider an annual financial contribution to assist the identified organisations to continue to support Council in its strategic goal to have supported cohesive communities. (Community Support Contribution).</p> <p>This grant allows for Committees of Management or hall committees to apply for an annual contribution towards the cost of their facilities insurances (Public and Products Liability and Contents and Building Contribution).</p> <p>Council will consider a financial contribution to eligible organisations, upon application. If approved by Council eligible associations are encouraged to apply on an annual basis if assistance is required.</p> <p>To be considered for the annual allocation, eligible associations must apply for Community Support Contribution, Public and Products Liability and Community Insurance Contribution via the WWSC (West Wimmera Shire Council) Smarty Grants Portal. Applications open annually on the first Monday in March and close the last Friday in March.</p>



Community Support Grant Guideline WEST WIMMERA SHIRE COUNCIL

	<p>All applications received will be submitted to Council at its May meeting for consideration.</p> <p>Granting of the contribution is at the discretion of Council in accordance with the program and eligibility criteria</p> <p>Council will provide the grant funds to approved applicants no later than 30 September of each year.</p> <p>Additional to this funding organisations may apply for other Community Grants as per the applicable guidelines.</p> <p>Council may consider written applications from approved Community Support Contribution groups (or similar not for profit organisations) experiencing hardship, for funding in addition to the approved annual allocations. Submissions must be received by 31 December of each year for consideration at the February Council meeting.</p>
Advertising and Marketing Support	<p>Council may provide advertising/marketing support, to promote the use of Community Managed Halls within the Shire.</p>
Acquittal of funds	<p>An obligation of this funding is an acquittal of public funds, demonstrating that the funding was used for the purpose for which it was provided and in accordance with your Funding Agreement:</p> <ul style="list-style-type: none"> • If you do not satisfactorily acquit your grant, you will not be eligible to apply for further West Wimmera Shire Grants funding and the applicant must return any funds not spent on the project to West Wimmera Shire Council. • We will notify you once we have received and accepted your Acquittal Report. You will then have completed all the obligations under the Funding Agreement. <p>NOTE: Groups that receive funding above the fixed insurance grant an annual financial acquittal (to be completed by a registered financial auditor) is required showing clearly how all funds have been expended within that financial year. Funds not expended within the annual timeframe of the agreement are to be returned to the West Wimmera Shire Council unless a written extension is obtained from Council.</p> <p>NOTE: For those groups receiving only a contribution towards their insurance please provide a copy of your current insurance. No further acquittal of funds is required.</p>
Assessment Criteria	<p>Applications will be assessed according to the following criteria:</p> <ul style="list-style-type: none"> • The request effectively meets identified local need and meets the objectives of the Community Support Grants program. • The request has clear and achievable objectives and outcomes.



Community Support Grant Guideline WEST WIMMERA SHIRE COUNCIL

	<ul style="list-style-type: none"> • The request has been accurately costed. • The application meets all application guidelines and includes all information required for consideration. • The applicant has the capacity to implement and report on the grant. • Does not contravene the West Wimmera Shire Council Grants Policy.
<p>Application Process, Guidelines and Considerations</p>	<p>A) <u>Community Support Contribution</u></p> <p>Applicants may contact the Community Development team to discuss their application prior to applying.</p> <p>The following questions will be the required information fields (*) in your smarty grant application:</p> <ul style="list-style-type: none"> ❖ Why the contribution is required for this particular financial year. ❖ How does the community benefit from planned activities. ❖ Detailed budget for the upcoming financial year demonstrating the need for the annual contribution (attachment). ❖ Copy of the organisation’s latest financial statements/bank statements of all operating accounts (attachment). ❖ Last year’s acquittal statement (attachment). ❖ Does the organisation have Public and Products Liability Insurance. ❖ List of all committee members <p>Submit grant application online via https://westwimmera.smartygrants.com.au/ Council officers are available to assist.</p> <p>Applicant is notified when the application is received by Council.</p> <p>Applicants may not receive the full amount requested.</p> <p>Council reserves the right to provide contributions without application in the case of recovery operations during or after a catastrophic emergency event.</p>
<p>Application Process, Guidelines and Considerations</p>	<p>B) <u>Public and Products Liability Insurance Contribution</u></p> <p>Applicants may contact the Community Development team to discuss their application prior to applying.</p> <p>Council will pay a maximum of \$800 per year contribution towards Public Liability Insurance based on the answers to the application.</p> <p>Questions that will be asked during your application (*) include the following:</p>



Community Support Grant Guideline WEST WIMMERA SHIRE COUNCIL

	<ul style="list-style-type: none"> ❖ Reason for grant application ❖ Benefit to the community of the facility ❖ Provide evidence of insurance paid. ❖ Statistics including. <ul style="list-style-type: none"> ▪ Schedule of events held over the past 12 months including attendance numbers ▪ Number of committee meetings per annum ▪ List of all committee members <p>If your committee intends to insure the buildings on crown land, contact council first to confirm that they have not already done so¹.</p> <p>Submit grant application online via https://westwimmera.smartygrants.com.au/ Council officers are available to assist.</p> <p>Applicant is notified when the application is received by Council.</p>
<p>Application Process, Guidelines and Considerations</p>	<p>C) <u>Building and Contents Insurance Contribution recipients</u></p> <p>Applicants may contact the Community Development team to discuss their application prior to applying.</p> <p>Applicants may apply for assistance for Building and Contents insurance to a maximum of 35% of the total cost.</p> <p>Questions that will be asked during your application (*) include the following:</p> <ul style="list-style-type: none"> ❖ Reason for grant application ❖ Benefit to the community of the facility ❖ Provide evidence of insurance paid. ❖ Statistics including. <ul style="list-style-type: none"> ▪ Schedule of events held over the past 12 months including attendance numbers ▪ Number of committee meetings per annum ▪ List of all committee member <ul style="list-style-type: none"> ❖ Community profile of use ❖ Provide evidence of insurance paid.

¹ 2021 Committee of Management Guidelines - DEECA



Community Support Grant Guideline WEST WIMMERA SHIRE COUNCIL

	<ul style="list-style-type: none"> ❖ Replacement value of Building ❖ Replacement value of Contents ❖ Attach a copy of their latest financial statement. ❖ Condition of building <ul style="list-style-type: none"> ▪ Does the building contain asbestos? ❖ Would you expect the building to be replaced if damaged beyond reasonable repair? If so, does your current insurance costs cover this? ❖ Financial ability to meet any shortfalls to replace the building if damaged. ❖ Business/Strategic plan (If applicable) <p>While Councils have no obligation to do so, some councils elect to insure buildings on reserves managed by local elected committees.</p> <p>If your committee intends to insure the buildings on crown land, contact council first to confirm that they have not already done so².</p> <p>Submit grant application online via https://westwimmera.smartygrants.com.au/ Council officers are available to assist.</p> <p>Applicant is notified when the application is received by Council.</p>
<p>Assessment</p>	<p>All applications are assessed against the program criteria and eligibility:</p> <ul style="list-style-type: none"> • Applications are reviewed by a cross-departmental panel of three council officers to ensure they meet the funding criteria. • Any Conflicts of Interest will be managed according to the Local Government Act 2020 and Council's Conflict of Interest procedures. • To ensure an accountable and transparent assessment process anyone with a conflict of interest will not participate in any discussions or decision relating to the specific application. • A community development officer provides administrative and record-keeping support in the assessment process - they are not a member of the assessment panel. <p>Applicants will be notified in writing within two (2) weeks of a Council meeting if their application has been successful.</p>

² 2021 Committee of Management Guidelines - DEECA



Community Support Grant Guideline WEST WIMMERA SHIRE COUNCIL

Complaints	Complaints about this guideline can be made in writing to the Director Corporate and Community Services. Complaints will be managed in accordance with Council's Complaints Policy.		
Review	This guideline will be reviewed every four years or as deemed necessary in consideration of any changes to budget reviews, legislation and relevant standards, codes, and guidelines.		
Guideline Adopted:			
Guideline Reviewed:			
Guideline Reviewed:			



14.2 S6 Instrument of Delegations

Directorate: Corporate and Community Services

Report Author: Governance Manager

Report Purpose: For Decision

Introduction

The purpose of this report is to recommend that Council approve a new S6 Instrument of Delegation from the Council to various positions in the organisation.

The LGA 2020 provides that a council and its Chief Executive Officer (CEO) may, by *Instrument of Delegation*, delegate to a member of staff, any power, duty or function of the Council other than some powers (such as adoption of the budget), that are reserved for Council decision.

The delegations are made to the position rather than to the staff member occupying the position.

Declaration of Interest

No officer declared an interest under the Local Government Act 2020 (LGA 2020) in the preparation of this report.

Background

Delegations are essential to enable Council staff to carry out operational duties particularly in areas which involve enforcement, such as town planning, local laws, environmental health, animal management and parking control. The current delegation from Council to various positions in the organisation was approved on 20 July 2022.

The proposed delegation (Refer Attachment 1) is based on a document prepared by Council's solicitors and is similar to that used by many Victorian municipalities. Council's solicitors provide a twice-yearly update service.

The delegations referred to must be approved by Council as distinct from some others which can be delegated by the CEO.

The proposed delegations have been discussed with relevant staff.



Risk Management Implications

Risk identified:

Regulatory risk

Delegations are essential to enable the daily operations of the Council to be carried out. Not having up to date delegations can involve risks, for example:

- a. powers, duties and functions being exercised without the necessary legal power, thereby bringing into question the validity of permits etc;
- b. compromise Council's insurance coverage;
- c. exposure by:
 - i. a government agency such as Local Government Victoria, the Ombudsman, the Local Government Inspectorate or the Victorian Auditor General;
 - ii. a "whistleblower";
 - iii. the media; or
 - iv. an aggrieved member of the community.

Legislative Implications

The report complies with the requirements of the:
Local Government Act 2020

Council needs to ensure its delegations are current at all times.

Under section 11(8) of the LGA 2020, the Register of Delegations is a public document.

While there is no statutory requirement for the Register to be on the Council website, it now is, in the interests of good governance and transparency.



Environmental Implications

Not applicable

Financial and Budgetary Implications

Not applicable

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy/s:

Not applicable

Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 4 – Good Governance

4.4 Develop a high performing accountable organisation.

Communication Implications

No Communication Implications

Gender Equality

No Gender Impact Assessment is required

Conclusion

Council needs to ensure its delegations are current at all times. The proposed update of the delegations from Council is essential.

OFFICER RECOMMENDATION:

That Council approve the proposed S6 Instrument of Delegation (Attachment 1).

- 2. That Council's Register of Delegations be updated on the Council website.**



Attachments

1. S 6 Instrument of Delegations September 2023 [**14.2.1** - 169 pages]

RELIANSYS® DELEGATIONS - EXPORT FROM LIBRARY

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

Note - Exported provisions are sorted by Delegation Source and Section.

11 SEPTEMBER 2023

Delegation Sources

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

Positions

Abbreviation	Position	Name
CEO	Chief Executive Officer	David Bezuidenhout
CFO	Chief Financial Officer	Abbas Mehr
DCCS	Director Corporate and Community Services	James Bentley
DIDW	Director Infrastructure Development and Works	Ram Upadhyaya
EHO	Environmental Health Officer	Nicole Wearne
EHT	Environmental Health Technician	Kiara Silvester
F&RC	Finance & Rating Coordinator	Leanne Lucas
GM	Governance Manager	Katie Frost
LLO	Local Laws Officer	Joshua McCabe

Abbreviation	Position	Name
MIE	Manager Infrastructure and Engineering	John Griffiths
MPE	Manager Planning and Environment	Nicole Wearne
NA	Not Applicable	
ND	Not Delegated	
OM	Operations Manager	Daryl Sinclair
PMOI&AM	PMO Innovation and Assets Manager	James Magee
RO	Rates Officer	Trudy Holland
SPO	Senior Planning Officer	Edwin Irvine

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238822	A*	Cemeteries and Crematoria Act 2003	s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DCCS, CFO, GM	Where Council is a Class B cemetery trust
238823	A*	Cemeteries and Crematoria Act 2003	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	DCCS, CFO, GM	Where Council is a Class B cemetery trust
238824	A*	Cemeteries and Crematoria Act 2003	s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	DCCS, CFO, GM	Where Council is a Class B cemetery trust
238825	A*	Cemeteries and Crematoria Act 2003	s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	ND	Where Council is a Class A cemetery trust
238826	A*	Cemeteries and Crematoria Act 2003	s 12A(2)	Duty to have regard to matters set out in paragraphs (a) -	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				(e) in exercising its functions		
238827	A*	Cemeteries and Crematoria Act 2003	s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	DCCS, CFO, GM	
238828	A*	Cemeteries and Crematoria Act 2003	s 14	Power to manage multiple public cemeteries as if they are one cemetery.	DCCS, CFO, GM	
238830	A*	Cemeteries and Crematoria Act 2003	s 15(4)	Duty to keep records of delegations	DCCS, CFO, GM	
238831	A*	Cemeteries and Crematoria Act 2003	s 17(1)	Power to employ any persons necessary	DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238832	A*	Cemeteries and Crematoria Act 2003	s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DCCS, CFO, GM	
238833	A*	Cemeteries and Crematoria Act 2003	s 17(3)	Power to determine the terms and conditions of employment or engagement	DCCS	Subject to any guidelines or directions of the Secretary
238834	A*	Cemeteries and Crematoria Act 2003	s 18(3)	Duty to comply with a direction from the Secretary	DCCS, CFO, GM	
238835	A*	Cemeteries and Crematoria Act 2003	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	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238836	A*	Cemeteries and Crematoria Act 2003	s 18C	Power to determine the membership of the governance committee	ND	Where Council is a Class A cemetery trust
238837	A*	Cemeteries and Crematoria Act 2003	s 18D	Power to determine procedure of governance committee	ND	Where Council is a Class A cemetery trust
238838	A*	Cemeteries and Crematoria Act 2003	s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	ND	Where Council is a Class A cemetery trust
238839	A*	Cemeteries and Crematoria Act 2003	s 18D(1)(b)	Power to appoint any additional community advisory committees	ND	Where Council is a Class A cemetery trust
238840	A*	Cemeteries and Crematoria Act 2003	s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a)	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				within 12 months of becoming a Class A cemetery trust.		
238841	A*	Cemeteries and Crematoria Act 2003	s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	ND	Where Council is a Class A cemetery trust
238842	A*	Cemeteries and Crematoria Act 2003	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	ND	Where Council is a Class A cemetery trust
238843	A*	Cemeteries and Crematoria Act 2003	s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238844	A*	Cemeteries and Crematoria Act 2003	s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	ND	Where Council is a Class A cemetery trust
238845	A*	Cemeteries and Crematoria Act 2003	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))	ND	Where Council is a Class A cemetery trust
238846	A*	Cemeteries and Crematoria Act 2003	s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	ND	Where Council is a Class A cemetery trust
238847	A*	Cemeteries and Crematoria Act 2003	s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238848	A*	Cemeteries and Crematoria Act 2003	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	ND	Where Council is a Class A cemetery trust
238849	A*	Cemeteries and Crematoria Act 2003	s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	ND	Where Council is a Class A cemetery trust
238850	A*	Cemeteries and Crematoria Act 2003	s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238851	A*	Cemeteries and Crematoria Act 2003	s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	ND	Where Council is a Class A cemetery trust
238852	A*	Cemeteries and Crematoria Act 2003	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	ND	Where Council is a Class A cemetery trust
238853	A*	Cemeteries and Crematoria Act 2003	s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	ND	Where Council is a Class A cemetery trust
238854	A*	Cemeteries and Crematoria Act 2003	s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238855	A*	Cemeteries and Crematoria Act 2003	s 19	Power to carry out or permit the carrying out of works	DCCS, CFO, GM	
238856	A*	Cemeteries and Crematoria Act 2003	s 20(1)	Duty to set aside areas for the interment of human remains	ND	
238857	A*	Cemeteries and Crematoria Act 2003	s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	ND	
238858	A*	Cemeteries and Crematoria Act 2003	s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	ND	
238859	A*	Cemeteries and Crematoria Act 2003	s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238860	A*	Cemeteries and Crematoria Act 2003	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	ND	Subject to the approval of the Minister
238861	A*	Cemeteries and Crematoria Act 2003	s 37	Power to grant leases over land in a public cemetery in accordance with s 37	ND	Subject to the Minister approving the purpose
238862	A*	Cemeteries and Crematoria Act 2003	s 40	Duty to notify Secretary of fees and charges fixed under s 39	DCCS, CFO, GM	
238863	A*	Cemeteries and Crematoria Act 2003	s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	ND	Provided the street was constructed pursuant to the Local Government Act 1989

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
652444	A*	Cemeteries and Crematoria Act 2003	s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	DCCS, CFO, GM	
238864	A*	Cemeteries and Crematoria Act 2003	s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DCCS, CFO, GM	Report must contain the particulars listed in s 57(2)
238865	A*	Cemeteries and Crematoria Act 2003	s 59	Duty to keep records for each public cemetery	DCCS, CFO, GM	
238866	A*	Cemeteries and Crematoria Act 2003	s 60(1)	Duty to make information in records available to the public for historical or research purposes	DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238867	A*	Cemeteries and Crematoria Act 2003	s 60(2)	Power to charge fees for providing information	DCCS, CFO, GM	
238868	A*	Cemeteries and Crematoria Act 2003	s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DCCS, CFO, GM	
238869	A*	Cemeteries and Crematoria Act 2003	s 64B(d)	Power to permit interments at a reopened cemetery	DCCS	
238870	A*	Cemeteries and Crematoria Act 2003	s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DCCS	The application must include the requirements listed in s 66(2)(a)-(d)
238871	A*	Cemeteries and Crematoria Act 2003	s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238872	A*	Cemeteries and Crematoria Act 2003	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	DCCS, CFO, GM	
238873	A*	Cemeteries and Crematoria Act 2003	s 70(2)	Duty to make plans of existing place of interment available to the public	DCCS, CFO, GM	
238874	A*	Cemeteries and Crematoria Act 2003	s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DCCS, CFO, GM	
238875	A*	Cemeteries and Crematoria Act 2003	s 71(2)	Power to dispose of any memorial or other structure removed	ND	
238876	A*	Cemeteries and Crematoria Act 2003	s 72(2)	Duty to comply with request received under s 72	ND, DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238877	A*	Cemeteries and Crematoria Act 2003	s 73(1)	Power to grant a right of interment	ND, DCCS, CFO, GM	
238878	A*	Cemeteries and Crematoria Act 2003	s 73(2)	Power to impose conditions on the right of interment	ND, DCCS, CFO, GM	
594724	A*	Cemeteries and Crematoria Act 2003	s 74(3)	Duty to offer a perpetual right of interment	ND, DCCS, CFO, GM	
238879	A*	Cemeteries and Crematoria Act 2003	s 75	Power to grant the rights of interment set out in s 75(a) and (b)	ND, DCCS, CFO, GM	
238880	A*	Cemeteries and Crematoria Act 2003	s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	ND, DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238881	A*	Cemeteries and Crematoria Act 2003	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	ND, DCCS, CFO, GM	
238882	A*	Cemeteries and Crematoria Act 2003	s 80(1)	Function of receiving notification and payment of transfer of right of interment	ND, DCCS, CFO, GM	
238883	A*	Cemeteries and Crematoria Act 2003	s 80(2)	Function of recording transfer of right of interment	ND, DCCS, CFO, GM	
238884	A*	Cemeteries and Crematoria Act 2003	s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	ND, DCCS, CFO, GM	
238885	A*	Cemeteries and Crematoria Act 2003	s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	ND, DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238886	A*	Cemeteries and Crematoria Act 2003	s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	ND, DCCS, CFO, GM	
238887	A*	Cemeteries and Crematoria Act 2003	s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	ND, DCCS, CFO, GM	
594725	A*	Cemeteries and Crematoria Act 2003	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)	ND, DCCS, CFO, GM	
594726	A*	Cemeteries and Crematoria Act 2003	s 84H(4)	Power to exercise the rights of a holder of a right of interment	ND, DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
628605	A*	Cemeteries and Crematoria Act 2003	s 84I(4)	Power to exercise the rights of a holder of a right of interment	ND, DCCS, CFO, GM	
594727	A*	Cemeteries and Crematoria Act 2003	s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	ND, DCCS, CFO, GM	
594728	A*	Cemeteries and Crematoria Act 2003	s 84I(6)(a)	Power to remove any memorial on the place of interment	ND, DCCS, CFO, GM	
594729	A*	Cemeteries and Crematoria Act 2003	s 84I(6)(b)	Power to grant right of interment under s 73	ND, DCCS, CFO, GM	
238888	A*	Cemeteries and Crematoria Act 2003	s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	ND, DCCS, CFO, GM	The notice must be in writing and contain the requirements listed in s 85(2)
239404	A*	Cemeteries and Crematoria Act 2003	s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	ND, DCCS, CFO, GM	Does not apply where right of interment relates to remains of a deceased veteran.

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239405	A*	Cemeteries and Crematoria Act 2003	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.	ND	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
238889	A*	Cemeteries and Crematoria Act 2003	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	ND	
239395	A*	Cemeteries and Crematoria Act 2003	s 86(2)	Power to leave interred cremated human remains undisturbed or convert	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				the right of interment to a perpetual right of interment		
239396	A*	Cemeteries and Crematoria Act 2003	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	ND	
239397	A*	Cemeteries and Crematoria Act 2003	s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	ND	
239398	A*	Cemeteries and Crematoria Act 2003	s.86(4)	Power to take action under s.86(4) relating to removing and re-interring cremated human remains	ND	
239399	A*	Cemeteries and Crematoria Act 2003	s.86(5)	Duty to provide notification before taking action under s.86(4)	ND	
239400	A*	Cemeteries and Crematoria Act 2003	s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238890	A*	Cemeteries and Crematoria Act 2003	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	ND	
238891	A*	Cemeteries and Crematoria Act 2003	s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DCCS, CFO, GM	
238892	A*	Cemeteries and Crematoria Act 2003	s 91(1)	Power to cancel a right of interment in accordance with s 91	DCCS, CFO, GM	
238893	A*	Cemeteries and Crematoria Act 2003	s 91(3)	Duty to publish notice of intention to cancel right of interment	DCCS, CFO, GM	
238894	A*	Cemeteries and Crematoria Act 2003	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	DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238895	A*	Cemeteries and Crematoria Act 2003	s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DCCS, CFO, GM	
238896	A*	Cemeteries and Crematoria Act 2003	s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DCCS, CFO, GM	
238897	A*	Cemeteries and Crematoria Act 2003	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	DCCS, CFO, GM	
238898	A*	Cemeteries and Crematoria Act 2003	s 100(1)	Power to require a person to remove memorials or places of interment	DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238899	A*	Cemeteries and Crematoria Act 2003	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)	ND	
238900	A*	Cemeteries and Crematoria Act 2003	s 100(3)	Power to recover costs of taking action under s 100(2)	ND	
238901	A*	Cemeteries and Crematoria Act 2003	s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DCCS, CFO, GM	
238902	A*	Cemeteries and Crematoria Act 2003	s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238903	A*	Cemeteries and Crematoria Act 2003	s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	ND	
238904	A*	Cemeteries and Crematoria Act 2003	s 103(1)	Power to require a person to remove a building for ceremonies	ND	
238905	A*	Cemeteries and Crematoria Act 2003	s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	ND	
238906	A*	Cemeteries and Crematoria Act 2003	s 103(3)	Power to recover costs of taking action under s 103(2)	DCCS, CFO, GM	
238907	A*	Cemeteries and Crematoria Act 2003	s 106(1)	Power to require the holder of the right of interment of the requirement to make	DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				the memorial or place of interment safe and proper or carry out specified repairs		
238908	A*	Cemeteries and Crematoria Act 2003	s 106(2)	Power to require the holder of the right of interment to provide for an examination	DCCS	
238909	A*	Cemeteries and Crematoria Act 2003	s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DCCS	
238910	A*	Cemeteries and Crematoria Act 2003	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	DCCS	
238911	A*	Cemeteries and Crematoria Act 2003	s 107(1)	Power to require person responsible to make the building for ceremonies safe	DCCS	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				and proper or carry out specified repairs		
238912	A*	Cemeteries and Crematoria Act 2003	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	DCCS	
238913	A*	Cemeteries and Crematoria Act 2003	s 108	Power to recover costs and expenses	DCCS	
238914	A*	Cemeteries and Crematoria Act 2003	s 109(1)(a)	Power to open, examine and repair a place of interment	DCCS	Where the holder of right of interment or responsible person cannot be found

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238915	A*	Cemeteries and Crematoria Act 2003	s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCCS	Where the holder of right of interment or responsible person cannot be found
238916	A*	Cemeteries and Crematoria Act 2003	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	DCCS	Where the holder of right of interment or responsible person cannot be found
238917	A*	Cemeteries and Crematoria Act 2003	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	DCCS	
594730	A*	Cemeteries and Crematoria Act 2003	s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent	DCCS	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				inquiries and with the consent of the Secretary		
238918	A*	Cemeteries and Crematoria Act 2003	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	DCCS	
239401	A*	Cemeteries and Crematoria Act 2003	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	ND	
238919	A*	Cemeteries and Crematoria Act 2003	s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DCCS	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238920	A*	Cemeteries and Crematoria Act 2003	s 112	Power to sell and supply memorials	DCCS	
238921	A*	Cemeteries and Crematoria Act 2003	s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DCCS, CFO, GM	
238922	A*	Cemeteries and Crematoria Act 2003	s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DCCS	
238923	A*	Cemeteries and Crematoria Act 2003	s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DCCS	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238924	A*	Cemeteries and Crematoria Act 2003	s 119	Power to set terms and conditions for interment authorisations	DCCS	
238925	A*	Cemeteries and Crematoria Act 2003	s 131	Function of receiving an application for cremation authorisation	NA	
238926	A*	Cemeteries and Crematoria Act 2003	s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	NA	Subject to s 133(2)
238927	A*	Cemeteries and Crematoria Act 2003	s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238928	A*	Cemeteries and Crematoria Act 2003	s 146	Power to dispose of bodily remains by a method other than interment or cremation	DCCS	Subject to the approval of the Secretary
238929	A*	Cemeteries and Crematoria Act 2003	s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCCS	
238930	A*	Cemeteries and Crematoria Act 2003	s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DCCS, CFO, GM	
238931	A*	Cemeteries and Crematoria Act 2003	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	DCCS, CFO, GM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238932	A*	Cemeteries and Crematoria Act 2003	s 151	Function of receiving applications to inter or cremate body parts	DCCS, CFO, GM	
238933	A*	Cemeteries and Crematoria Act 2003	s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DCCS, CFO, GM	
238934	A*	Cemeteries and Crematoria Act 2003	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	DCCS, CFO, GM	
238935	A*	Cemeteries and Crematoria Act 2003	sch 1 cl 8(8)	Power to regulate own proceedings	DCCS, CFO, GM	Subject to cl 8
238936	A*	Cemeteries and Crematoria Act 2003	sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone,	ND	Where Council is a Class A cemetery trust

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				closed-circuit television or any other means of communication		
238937	A*	Cemeteries and Crematoria Act 2003	sch 1A cl 8(8)	Power to regulate own proceedings	ND	Where Council is a Class A cemetery trust Subject to cl 8
238938	A*	Domestic Animals Act 1994	s 41A(1)	Power to declare a dog to be a menacing dog	MPE, LLO	Council may delegate this power to a Council authorised officer
238944	A*	Food Act 1984	s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, MPE, EHT	If s 19(1) applies
238945	A*	Food Act 1984	s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO, MPE, EHT	If s 19(1) applies

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239464	A*	Food Act 1984	s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	EHO, MPE, EHT	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
238946	A*	Food Act 1984	s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHO, MPE, EHT	If s 19(1) applies
238947	A*	Food Act 1984	s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, MPE, EHT	If s 19(1) applies

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238948	A*	Food Act 1984	s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO, MPE, EHT	If s 19(1) applies
238949	A*	Food Act 1984	s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, MPE, EHT	Where Council is the registration authority
238950	A*	Food Act 1984	s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO, MPE, EHT	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
238951	A*	Food Act 1984	s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				revocation, if satisfied that that order has been complied with		
238952	A*	Food Act 1984	s 19CB(4)(b)	Power to request copy of records	EHO, MPE, EHT	Where Council is the registration authority
238953	A*	Food Act 1984	s 19E(1)(d)	Power to request a copy of the food safety program	EHO, MPE, EHT	Where Council is the registration authority
594731	A*	Food Act 1984	s 19EA(3)	Function of receiving copy of revised food safety program	EHO, MPE, EHT	Where Council is the registration authority
238954	A*	Food Act 1984	s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
594732	A*	Food Act 1984	s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	EHO, MPE, EHT	Where Council is the registration authority
594733	A*	Food Act 1984	s 19IA(2)	Duty to give written notice to the proprietor of the premises	EHO, MPE, EHT	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
238955	A*	Food Act 1984	s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	NA	Where Council is the registration authority
594734	A*	Food Act 1984	s 19N(2)	Function of receiving notice from the auditor	EHO, MPE, EHT	Where Council is the registration authority
238956	A*	Food Act 1984	s 19NA(1)	Power to request food safety audit reports	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238957	A*	Food Act 1984	s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	NA	
238958	A*	Food Act 1984	s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHO, MPE, EHT	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
238959	A*	Food Act 1984	s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, MPE, EHT	Where Council is the registration authority
238960	A*	Food Act 1984	s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238961	A*	Food Act 1984	s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	EHO, MPE, EHT	Where Council is the registration authority
238962	A*	Food Act 1984		Power to register or renew the registration of a food premises	EHO, MPE, EHT	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))
483111	A*	Food Act 1984	s 36A	Power to accept an application for registration or notification using online portal	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
483112	A*	Food Act 1984	s 36B	Duty to pay the charge for use of online portal	EHO, MPE, EHT	Where Council is the registration authority
238963	A*	Food Act 1984	s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO, MPE, EHT	Where Council is the registration authority
238964	A*	Food Act 1984	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)	EHO, MPE, EHT	Where Council is the registration authority
238965	A*	Food Act 1984	s 38A(4)	Power to request a copy of a completed food safety program template	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238966	A*	Food Act 1984	s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO, MPE, EHT	Where Council is the registration authority
238967	A*	Food Act 1984	s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, MPE, EHT	Where Council is the registration authority
238968	A*	Food Act 1984	s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, MPE, EHT	Where Council is the registration authority
238969	A*	Food Act 1984	s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238970	A*	Food Act 1984	s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, MPE, EHT	Where Council is the registration authority
238971	A*	Food Act 1984	s 38D(3)	Power to request copies of any audit reports	EHO, MPE, EHT	Where Council is the registration authority
238972	A*	Food Act 1984	s 38E(2)	Power to register the food premises on a conditional basis	EHO, MPE, EHT	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
238973	A*	Food Act 1984	s 38E(4)	Duty to register the food premises when conditions are satisfied	EHO, MPE, EHT	Where Council is the registration authority
238974	A*	Food Act 1984	s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
483113	A*	Food Act 1984	s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	EHO, MPE, EHT	Where Council is the registration authority
594735	A*	Food Act 1984	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	EHO, MPE, EHT	Where Council is the registration authority
483114	A*	Food Act 1984	s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	EHO, MPE, EHT	Where Council is the registration authority
594736	A*	Food Act 1984	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	EHO, MPE, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238975	A*	Food Act 1984	s 39A	Power to register, or renew the registration of a food premises despite minor defects	EHO, MPE, EHT	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
594737	A*	Food Act 1984	s 39A (6)	Duty to comply with a direction of the Secretary	EHO, MPE, EHT	
594738	A*	Food Act 1984	s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	EHO, MPE, EHT	Where Council is the registration authority
238976	A*	Food Act 1984	s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	EHO, MPE, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238977	A*	Food Act 1984	s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, MPE, EHT	Where Council is the registration authority
238978	A*	Food Act 1984	s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, MPE, EHT	Where Council is the registration authority
594739	A*	Food Act 1984	s 40E	Duty to comply with direction of the Secretary	EHO, MPE, EHT	
483115	A*	Food Act 1984	s 40F	Power to cancel registration of food premises	EHO, MPE, EHT	Where Council is the registration authority
594740	A*	Food Act 1984	s 43	Duty to maintain records of registration	EHO, MPE, EHT	Where Council is the registration authority
238979	A*	Food Act 1984	s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				been met prior to registering or renewing registration of a component of a food business		
238980	A*	Food Act 1984	s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO, MPE, EHT	Where Council is the registration authority
594741	A*	Food Act 1984	s 45AC	Power to bring proceedings	EHO, MPE, EHT	
238981	A*	Food Act 1984	s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	EHO, MPE, EHT	Where Council is the registration authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238982	A*	Heritage Act 2017	s 116	Power to sub-delegate Executive Director's functions, duties or powers	DIDW	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
261547	A*	Local Government Act 1989	s 185L(4)	Power to declare and levy a cladding rectification charge	ND	
238983	A*	Planning and Environment Act 1987	s 4B	Power to prepare an amendment to the Victorian Planning Provisions	MPE, SPO	If authorised by the Minister
238984	A*	Planning and Environment Act 1987	s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238985	A*	Planning and Environment Act 1987	s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	MPE, SPO	
238986	A*	Planning and Environment Act 1987	s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	MPE, SPO	
238987	A*	Planning and Environment Act 1987	s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DIDW, MPE	
238988	A*	Planning and Environment Act 1987	s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DIDW, MPE	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238989	A*	Planning and Environment Act 1987	s 8A(5)	Function of receiving notice of the Minister's decision	MPE, SPO	
238990	A*	Planning and Environment Act 1987	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	DIDW, MPE	
238991	A*	Planning and Environment Act 1987	s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	ND	The power remains with the Council
238992	A*	Planning and Environment Act 1987	s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238994	A*	Planning and Environment Act 1987	s 12B(1)	Duty to review planning scheme	DIDW, MPE, SPO	
238995	A*	Planning and Environment Act 1987	s 12B(2)	Duty to review planning scheme at direction of Minister	DIDW, MPE, SPO	
238996	A*	Planning and Environment Act 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DIDW, MPE, SPO	
238997	A*	Planning and Environment Act 1987	s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DIDW, MPE, SPO	
238998	A*	Planning and Environment Act 1987	s 17(1)	Duty of giving copy amendment to the planning scheme	MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
238999	A*	Planning and Environment Act 1987	s 17(2)	Duty of giving copy s 173 agreement	MPE, SPO	
239000	A*	Planning and Environment Act 1987	s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	MPE, SPO	
239001	A*	Planning and Environment Act 1987	s 18	Duty to make amendment etc. available in accordance with public availability requirements	MPE, SPO	Until the proposed amendment is approved or lapsed
239002	A*	Planning and Environment Act 1987	s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239003	A*	Planning and Environment Act 1987	s 19	Function of receiving notice of preparation of an amendment to a planning scheme	MPE, SPO	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.
239004	A*	Planning and Environment Act 1987	s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DIDW, MPE, SPO	Where Council is a planning authority
239005	A*	Planning and Environment Act 1987	s 21(2)	Duty to make submissions available in accordance with public availability requirements	MPE, SPO	Until the end of 2 months after the amendment comes into operation or lapses
239006	A*	Planning and Environment Act 1987	s 21A(4)	Duty to publish notice	MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239007	A*	Planning and Environment Act 1987	s 22(1)	Duty to consider all submissions received before the date specified in the notice	MPE, SPO	Except submissions which request a change to the items in s 22(5)(a) and (b)
628606	A*	Planning and Environment Act 1987	s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	MPE, SPO	
239008	A*	Planning and Environment Act 1987	s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DIDW, MPE	
239009	A*	Planning and Environment Act 1987	s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DIDW, MPE, SPO	
239010	A*	Planning and Environment Act 1987	s 24	Function to represent Council and present a submission at a panel hearing	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				(including a hearing referred to in s 96D)		
239011	A*	Planning and Environment Act 1987	s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	MPE, SPO	
239012	A*	Planning and Environment Act 1987	s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	MPE, SPO	During the inspection period
239013	A*	Planning and Environment Act 1987	s 27(2)	Power to apply for exemption if panel's report not received	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239014	A*	Planning and Environment Act 1987	s 28(1)	Duty to notify the Minister if abandoning an amendment	DIDW, MPE, SPO	Note: the power to make a decision to abandon an amendment cannot be delegated
546450	A*	Planning and Environment Act 1987	s 28(2)	Duty to publish notice of the decision on Internet site	MPE, SPO	
546451	A*	Planning and Environment Act 1987	s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	MPE, SPO	
239015	A*	Planning and Environment Act 1987	s 30(4)(a)	Duty to say if amendment has lapsed	MPE, SPO	
239016	A*	Planning and Environment Act 1987	s 30(4)(b)	Duty to provide information in writing upon request	MPE, SPO	
239017	A*	Planning and Environment Act 1987	s 32(2)	Duty to give more notice if required	MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239018	A*	Planning and Environment Act 1987	s 33(1)	Duty to give more notice of changes to an amendment	MPE, SPO	
239019	A*	Planning and Environment Act 1987	s 36(2)	Duty to give notice of approval of amendment	MPE, SPO	
239020	A*	Planning and Environment Act 1987	s 38(5)	Duty to give notice of revocation of an amendment	MPE, SPO	
239021	A*	Planning and Environment Act 1987	s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DIDW, MPE, SPO	
239022	A*	Planning and Environment Act 1987	s 40(1)	Function of lodging copy of approved amendment	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239023	A*	Planning and Environment Act 1987	s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DIDW, MPE, SPO	
546452	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	
239024	A*	Planning and Environment Act 1987	s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DIDW, MPE, SPO	
239465	A*	Planning and Environment Act 1987	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	ND	Where Council is a responsible public entity and is a planning authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				is expressed to be binding on the responsible public entity		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
239468	A*	Planning and Environment Act 1987	s 46AW	Function of being consulted by the Minister	DIDW, MPE, SPO	Where Council is a responsible public entity
239469	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is a responsible public entity
239406	A*	Planning and Environment Act 1987	s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of	DIDW, MPE, SPO	Where Council is a responsible public entity

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Planning Policy for the declared area that is expressed to be binding on the responsible public entity		
239407	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is a responsible public entity
239408	A*	Planning and Environment Act 1987	s 46G1(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	DIDW, MPE, SPO	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
239470	A*	Planning and Environment Act 1987	s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239471	A*	Planning and Environment Act 1987	s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DIDW, MPE, SPO	
239472	A*	Planning and Environment Act 1987	s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DIDW, MPE, SPO	
239473	A*	Planning and Environment Act 1987	s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DIDW, MPE, SPO	
239474	A*	Planning and Environment Act 1987	s 46GP	Function of receiving a notice under s 46GO	DIDW, MPE, SPO	Where Council is the collecting agency
239475	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	
239476	A*	Planning and Environment Act 1987	s 46GR(1)	Duty to consider every submission that is made by the closing date for	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				submissions included in the notice under s 46GO		
239477	A*	Planning and Environment Act 1987	s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DIDW, MPE, SPO	
239478	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	
239479	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239480	A*	Planning and Environment Act 1987	s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DIDW, MPE, SPO	
239481	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	
239482	A*	Planning and Environment Act 1987	s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DIDW, MPE, SPO	
239483	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239484	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the collecting agency
239485	A*	Planning and Environment Act 1987	s 46GV(3)(b)	Power to enter into an agreement with the applicant	DIDW, MPE, SPO	Where Council is the collecting agency
239486	A*	Planning and Environment Act 1987	s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DIDW, MPE, SPO	Where Council is the development agency
239487	A*	Planning and Environment Act 1987	s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DIDW, MPE, SPO	Where Council is the collecting agency
239488	A*	Planning and Environment Act 1987	s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				the permit applied for by the applicant to develop the land in the ICP plan area		
239489	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the collecting agency
239409	A*	Planning and Environment Act 1987	s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DIDW, MPE, SPO	Where Council is the collecting agency
239490	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the collecting agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239491	A*	Planning and Environment Act 1987	s 46GY(1)	Duty to keep proper and separate accounts and records	DIDW, MPE, SPO	Where Council is the collecting agency
239492	A*	Planning and Environment Act 1987	s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	DIDW, MPE, SPO	Where Council is the collecting agency
239493	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
239494	A*	Planning and Environment Act 1987	s 46GZ(2)(a)	Function of receiving the monetary component	DIDW, MPE, SPO	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239410	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	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
239495	A*	Planning and Environment Act 1987	s 46GZ(2)(b)	Function of receiving the monetary component	DIDW, MPE, SPO	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239496	A*	Planning and Environment Act 1987	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)	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan
239411	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	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
239497	A*	Planning and Environment Act 1987	s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DIDW, MPE, SPO	Where Council is the development agency specified in the approved infrastructure contributions plan

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
						This provision does not apply where Council is also the collecting agency
239498	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan
239412	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
						This duty does not apply where Council is also the development agency
239499	A*	Planning and Environment Act 1987	s 46GZ(9)	Function of receiving the fee simple in the land	DIDW, MPE, SPO	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
239500	A*	Planning and Environment Act 1987	s 46GZA(1)	Duty to keep proper and separate accounts and records	DIDW, MPE, SPO	Where Council is the development agency under an approved infrastructure contributions plan
239413	A*	Planning and Environment Act 1987	s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	DIDW, MPE, SPO	Where Council is a development agency under an approved infrastructure contributions plan

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239501	A*	Planning and Environment Act 1987	s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DIDW, MPE, SPO	Where Council is a development agency under an approved infrastructure contributions plan
239414	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
239502	A*	Planning and Environment Act 1987	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)	DIDW, MPE, SPO	Where Council is the development agency under an approved infrastructure contributions plan
239503	A*	Planning and Environment Act 1987	s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239415	A*	Planning and Environment Act 1987	s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan
239416	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
239504	A*	Planning and Environment Act 1987	s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239505	A*	Planning and Environment Act 1987	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)	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan
239506	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the development agency under an approved infrastructure contributions plan
239507	A*	Planning and Environment Act 1987	s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	DIDW, MPE, SPO	Where Council is the development agency under an approved infrastructure contributions plan
239508	A*	Planning and Environment Act 1987	s 46GZF(3)	Function of receiving proceeds of sale	DIDW, MPE, SPO	Where Council is the collection agency under an approved infrastructure contributions plan

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
						This provision does not apply where Council is also the development agency
239509	A*	Planning and Environment Act 1987	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)	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan
239510	A*	Planning and Environment Act 1987	s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan
239511	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	Where Council is the collecting agency under an approved infrastructure contributions plan

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239417	A*	Planning and Environment Act 1987	s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	DIDW, MPE, SPO	Where Council is a collecting agency or development agency
239512	A*	Planning and Environment Act 1987	s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DIDW, MPE, SPO	Where Council is a collecting agency or development agency
239513	A*	Planning and Environment Act 1987	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)	DIDW, MPE, SPO	
239025	A*	Planning and Environment Act 1987	s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239026	A*	Planning and Environment Act 1987	s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DIDW, MPE, SPO	
239027	A*	Planning and Environment Act 1987	s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DIDW, MPE, SPO	
239028	A*	Planning and Environment Act 1987	s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	DIDW, MPE, SPO	
239029	A*	Planning and Environment Act 1987	s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239030	A*	Planning and Environment Act 1987	s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DIDW, MPE, SPO	
239031	A*	Planning and Environment Act 1987	s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DIDW, MPE, SPO	
239032	A*	Planning and Environment Act 1987	s 46Q(1)	Duty to keep proper accounts of levies paid	DIDW, MPE, SPO	
239033	A*	Planning and Environment Act 1987	s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239034	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	
239035	A*	Planning and Environment Act 1987	s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DIDW, MPE, SPO	Only applies when levy is paid to Council as a 'development agency'
239036	A*	Planning and Environment Act 1987	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)	DIDW, MPE, SPO	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

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239037	A*	Planning and Environment Act 1987	s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DIDW, MPE, SPO	Must be done in accordance with Part 3
239038	A*	Planning and Environment Act 1987	s46Q(4)(e)	Duty to expend that amount on other works etc.	DIDW, MPE, SPO	With the consent of, and in the manner approved by, the Minister
239039	A*	Planning and Environment Act 1987	s 46QC	Power to recover any amount of levy payable under Part 3B	DIDW, MPE, SPO	
239418	A*	Planning and Environment Act 1987	s 46QD	Duty to prepare report and give a report to the Minister	DIDW, MPE, SPO	Where Council is a collecting agency or development agency
239040	A*	Planning and Environment Act 1987	s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				documents lodged with it available in accordance with the public availability requirements, during the inspection period		
628607	A*	Planning and Environment Act 1987	s 46V(4)	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 s 197B of the Act and on payment of the prescribe fee, after the inspection period	DIDW, MPE, SPO	
628608	A*	Planning and Environment Act 1987	s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	DIDW, MPE, SPO	
628609	A*	Planning and Environment Act 1987	s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				accordance with the public available requirements		
239041	A*	Planning and Environment Act 1987	s 46Y	Duty to carry out works in conformity with the approved strategy plan	DIDW, MPE, SPO	
239042	A*	Planning and Environment Act 1987	s 47	Power to decide that an application for a planning permit does not comply with that Act	DIDW, MPE, SPO	
239043	A*	Planning and Environment Act 1987	s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DIDW, MPE, SPO	
239044	A*	Planning and Environment Act 1987	s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239045	A*	Planning and Environment Act 1987	s 50(4)	Duty to amend application	DIDW, MPE, SPO	
239046	A*	Planning and Environment Act 1987	s 50(5)	Power to refuse to amend application	DIDW, MPE, SPO	
239518	A*	Planning and Environment Act 1987	s 50(6)	Duty to make note of amendment to application in register	DIDW, MPE, SPO	
239047	A*	Planning and Environment Act 1987	s 50A(1)	Power to make amendment to application	DIDW, MPE, SPO	
239048	A*	Planning and Environment Act 1987	s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DIDW, MPE, SPO	
239049	A*	Planning and Environment Act 1987	s 50A(4)	Duty to note amendment to application in register	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239050	A*	Planning and Environment Act 1987	s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	DIDW, MPE, SPO	
239051	A*	Planning and Environment Act 1987	s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DIDW, MPE, SPO	
239052	A*	Planning and Environment Act 1987	s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	DIDW, MPE, SPO	
239053	A*	Planning and Environment Act 1987	s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239054	A*	Planning and Environment Act 1987	s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DIDW, MPE, SPO	
239055	A*	Planning and Environment Act 1987	s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DIDW, MPE, SPO	
239056	A*	Planning and Environment Act 1987	s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239057	A*	Planning and Environment Act 1987	s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DIDW, MPE, SPO	
239058	A*	Planning and Environment Act 1987	s 52(3)	Power to give any further notice of an application where appropriate	DIDW, MPE, SPO	
239059	A*	Planning and Environment Act 1987	s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DIDW, MPE, SPO	
239060	A*	Planning and Environment Act 1987	s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DIDW, MPE, SPO	
239061	A*	Planning and Environment Act 1987	s 54(1)	Power to require the applicant to provide more information	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239062	A*	Planning and Environment Act 1987	s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DIDW, MPE, SPO	
239063	A*	Planning and Environment Act 1987	s 54(1B)	Duty to specify the lapse date for an application	DIDW, MPE, SPO	
239064	A*	Planning and Environment Act 1987	s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DIDW, MPE, SPO	
239065	A*	Planning and Environment Act 1987	s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	DIDW, MPE, SPO	
239066	A*	Planning and Environment Act 1987	s 55(1)	Duty to give copy application, together with the prescribed information, to every	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				referral authority specified in the planning scheme		
239067	A*	Planning and Environment Act 1987	s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DIDW, MPE, SPO	
239068	A*	Planning and Environment Act 1987	s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DIDW, MPE, SPO	
239069	A*	Planning and Environment Act 1987	s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239070	A*	Planning and Environment Act 1987	s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DIDW, MPE, SPO	
239071	A*	Planning and Environment Act 1987	s 57A(5)	Power to refuse to amend application	DIDW, MPE, SPO	
239072	A*	Planning and Environment Act 1987	s 57A(6)	Duty to note amendments to application in register	DIDW, MPE, SPO	
239073	A*	Planning and Environment Act 1987	s 57B(1)	Duty to determine whether and to whom notice should be given	DIDW, MPE, SPO	
239074	A*	Planning and Environment Act 1987	s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239075	A*	Planning and Environment Act 1987	s 57C(1)	Duty to give copy of amended application to referral authority	DIDW, MPE, SPO	
239076	A*	Planning and Environment Act 1987	s 58	Duty to consider every application for a permit	DIDW, MPE, SPO	
239077	A*	Planning and Environment Act 1987	s 58A	Power to request advice from the Planning Application Committee	DIDW, MPE, SPO	
239078	A*	Planning and Environment Act 1987	s 60	Duty to consider certain matters	DIDW, MPE, SPO	
239079	A*	Planning and Environment Act 1987	s 60(1A)	Duty to consider certain matters	DIDW, MPE, SPO	
239419	A*	Planning and Environment Act 1987	s 60(1B)	Duty to consider number of objectors in considering whether use or	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				development may have significant social effect		
239080	A*	Planning and Environment Act 1987	s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DIDW, MPE, SPO	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
239081	A*	Planning and Environment Act 1987	s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DIDW, MPE, SPO	
273409	A*	Planning and Environment Act 1987	s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239082	A*	Planning and Environment Act 1987	s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	ND	
239083	A*	Planning and Environment Act 1987	s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DIDW, MPE, SPO	
239084	A*	Planning and Environment Act 1987	s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DIDW, MPE, SPO	
239085	A*	Planning and Environment Act 1987	s 62(1)	Duty to include certain conditions in deciding to grant a permit	DIDW, MPE, SPO	
239086	A*	Planning and Environment Act 1987	s 62(2)	Power to include other conditions	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239087	A*	Planning and Environment Act 1987	s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DIDW, MPE, SPO	
239088	A*	Planning and Environment Act 1987	s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	NA	
239089	A*	Planning and Environment Act 1987	s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DIDW, MPE, SPO	
239090	A*	Planning and Environment Act 1987	s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239091	A*	Planning and Environment Act 1987	s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DIDW, MPE, SPO	
239092	A*	Planning and Environment Act 1987	s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DIDW, MPE, SPO	
239093	A*	Planning and Environment Act 1987	s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DIDW, MPE, SPO	
239094	A*	Planning and Environment Act 1987	s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DIDW, MPE, SPO	This provision applies also to a decision to grant an amendment to a permit - see s 75

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239095	A*	Planning and Environment Act 1987	s 64(3)	Duty not to issue a permit until after the specified period	DIDW, MPE, SPO	This provision applies also to a decision to grant an amendment to a permit - see s 75
239096	A*	Planning and Environment Act 1987	s 64(5)	Duty to give each objector a copy of an exempt decision	DIDW, MPE, SPO	This provision applies also to a decision to grant an amendment to a permit - see s 75
239097	A*	Planning and Environment Act 1987	s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DIDW, MPE, SPO	This provision applies also to a decision to grant an amendment to a permit - see s 75A
239098	A*	Planning and Environment Act 1987	s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239099	A*	Planning and Environment Act 1987	s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DIDW, MPE, SPO	
239100	A*	Planning and Environment Act 1987	s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DIDW, MPE, SPO	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
239101	A*	Planning and Environment Act 1987	s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DIDW, MPE, SPO	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
239102	A*	Planning and Environment Act 1987	s 66(6)	Duty to give a recommending referral authority a copy of any permit which	DIDW, MPE, SPO	If the recommending referral authority did not object to the grant of the permit or the recommending

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Council decides to grant and a copy of any notice given under s 64 or 65		referral authority did not recommend a condition be included on the permit
239103	A*	Planning and Environment Act 1987	s 69(1)	Function of receiving application for extension of time of permit	DIDW, MPE, SPO	
239104	A*	Planning and Environment Act 1987	s 69(1A)	Function of receiving application for extension of time to complete development	DIDW, MPE, SPO	
239105	A*	Planning and Environment Act 1987	s 69(2)	Power to extend time	DIDW, MPE, SPO	
239106	A*	Planning and Environment Act 1987	s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239107	A*	Planning and Environment Act 1987	s 71(1)	Power to correct certain mistakes	DIDW, MPE, SPO	
239108	A*	Planning and Environment Act 1987	s 71(2)	Duty to note corrections in register	DIDW, MPE, SPO	
239109	A*	Planning and Environment Act 1987	s 73	Power to decide to grant amendment subject to conditions	DIDW, MPE, SPO	
239110	A*	Planning and Environment Act 1987	s 74	Duty to issue amended permit to applicant if no objectors	DIDW, MPE, SPO	
239111	A*	Planning and Environment Act 1987	s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239112	A*	Planning and Environment Act 1987	s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DIDW, MPE, SPO	
239113	A*	Planning and Environment Act 1987	s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DIDW, MPE, SPO	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
239114	A*	Planning and Environment Act 1987	s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DIDW, MPE, SPO	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
239115	A*	Planning and Environment Act 1987	s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a	DIDW, MPE, SPO	If the recommending referral authority did not object to the amendment of the permit or the

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				copy of any notice given under s 64 or 76		recommending referral authority did not recommend a condition be included on the amended permit
239116	A*	Planning and Environment Act 1987	s 76D	Duty to comply with direction of Minister to issue amended permit	DIDW, MPE, SPO	
239117	A*	Planning and Environment Act 1987	s 83	Function of being respondent to an appeal	DIDW, MPE, SPO	
239118	A*	Planning and Environment Act 1987	s 83B	Duty to give or publish notice of application for review	DIDW, MPE, SPO	
239119	A*	Planning and Environment Act 1987	s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239120	A*	Planning and Environment Act 1987	s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DIDW, MPE, SPO	
239121	A*	Planning and Environment Act 1987	s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DIDW, MPE, SPO	
239122	A*	Planning and Environment Act 1987	s 84(6)	Duty to issue permit on receipt of advice within 3 business days	DIDW, MPE, SPO	
239514	A*	Planning and Environment Act 1987	s 84AB	Power to agree to confining a review by the Tribunal	DIDW, MPE, SPO	
239123	A*	Planning and Environment Act 1987	s 86	Duty to issue a permit at order of Tribunal within 3 business days	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239124	A*	Planning and Environment Act 1987	s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DIDW, MPE, SPO	
239125	A*	Planning and Environment Act 1987	s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DIDW, MPE, SPO	
239126	A*	Planning and Environment Act 1987	s 91(2)	Duty to comply with the directions of VCAT	DIDW, MPE, SPO	
239127	A*	Planning and Environment Act 1987	s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DIDW, MPE, SPO	
239128	A*	Planning and Environment Act 1987	s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239129	A*	Planning and Environment Act 1987	s 93(2)	Duty to give notice of VCAT order to stop development	DIDW, MPE, SPO	
239130	A*	Planning and Environment Act 1987	s 95(3)	Function of referring certain applications to the Minister	DIDW, MPE, SPO	
239131	A*	Planning and Environment Act 1987	s 95(4)	Duty to comply with an order or direction	DIDW, MPE, SPO	
239132	A*	Planning and Environment Act 1987	s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DIDW, MPE, SPO	
239133	A*	Planning and Environment Act 1987	s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239134	A*	Planning and Environment Act 1987	s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DIDW, MPE, SPO	
239135	A*	Planning and Environment Act 1987	s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DIDW, MPE, SPO	
239136	A*	Planning and Environment Act 1987	s 96F	Duty to consider the panel's report under s 96E	DIDW, MPE, SPO	
239137	A*	Planning and Environment Act 1987	s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239138	A*	Planning and Environment Act 1987	s 96H(3)	Power to give notice in compliance with Minister's direction	DIDW, MPE, SPO	
239139	A*	Planning and Environment Act 1987	s 96J	Duty to issue permit as directed by the Minister	DIDW, MPE, SPO	
239140	A*	Planning and Environment Act 1987	s 96K	Duty to comply with direction of the Minister to give notice of refusal	DIDW, MPE, SPO	
239391	A*	Planning and Environment Act 1987	s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	DIDW, MPE, SPO	
239141	A*	Planning and Environment Act 1987	s 97C	Power to request Minister to decide the application	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239142	A*	Planning and Environment Act 1987	s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DIDW, MPE, SPO	
239143	A*	Planning and Environment Act 1987	s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DIDW, MPE, SPO	
239144	A*	Planning and Environment Act 1987	s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	DIDW, MPE, SPO	
239145	A*	Planning and Environment Act 1987	s 97L	Duty to include Ministerial decisions in a register kept under s 49	DIDW, MPE, SPO	
239146	A*	Planning and Environment Act 1987	s 97MH	Duty to provide information or assistance to the Planning Application Committee	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239147	A*	Planning and Environment Act 1987	s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DIDW, MPE, SPO	
239148	A*	Planning and Environment Act 1987	s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DIDW, MPE, SPO	
239149	A*	Planning and Environment Act 1987	s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DIDW, MPE, SPO	
239150	A*	Planning and Environment Act 1987	s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DIDW, MPE, SPO	
239151	A*	Planning and Environment Act 1987	s 97Q(4)	Duty to comply with directions of VCAT	DIDW, MPE, SPO	
239152	A*	Planning and Environment Act 1987	s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239153	A*	Planning and Environment Act 1987	s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DIDW, MPE, SPO	
239154	A*	Planning and Environment Act 1987	s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DIDW, MPE, SPO	
239155	A*	Planning and Environment Act 1987	s 101	Function of receiving claim for expenses in conjunction with claim	DIDW, MPE, SPO	
239156	A*	Planning and Environment Act 1987	s 103	Power to reject a claim for compensation in certain circumstances	DIDW, MPE	
239157	A*	Planning and Environment Act 1987	s.107(1)	Function of receiving claim for compensation	DIDW, MPE	
239158	A*	Planning and Environment Act 1987	s 107(3)	Power to agree to extend time for making claim	DIDW, MPE	
594742	A*	Planning and Environment Act 1987	s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	ND	The power remains with the Council.

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239159	A*	Planning and Environment Act 1987	s 114(1)	Power to apply to the VCAT for an enforcement order	MPE, SPO	
239160	A*	Planning and Environment Act 1987	s 117(1)(a)	Function of making a submission to the VCAT where objections are received	MPE, SPO	
239161	A*	Planning and Environment Act 1987	s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	MPE, SPO	
239162	A*	Planning and Environment Act 1987	s 123(1)	Power to carry out work required by enforcement order and recover costs	MPE, SPO	
239163	A*	Planning and Environment Act 1987	s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DIDW	Except Crown Land
239164	A*	Planning and Environment Act 1987	s 129	Function of recovering penalties	DIDW, MPE, SPO	
239165	A*	Planning and Environment Act 1987	s 130(5)	Power to allow person served with an infringement notice further time	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239166	A*	Planning and Environment Act 1987	s 149A(1)	Power to refer a matter to the VCAT for determination	DIDW, MPE, SPO	
239167	A*	Planning and Environment Act 1987	s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DIDW, MPE, SPO	
239168	A*	Planning and Environment Act 1987	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)	DIDW, MPE, SPO	Where Council is the relevant planning authority
239169	A*	Planning and Environment Act 1987	s 171(2)(f)	Power to carry out studies and commission reports	DIDW, MPE, SPO	
239519	A*	Planning and Environment Act 1987	s 171(2)(g)	Power to grant and reserve easements	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239515	A*	Planning and Environment Act 1987	s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	NA	Where Council is a development agency specified in an approved infrastructure contributions plan
239516	A*	Planning and Environment Act 1987	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)	NA	Where Council is a collecting agency specified in an approved infrastructure contributions plan
239517	A*	Planning and Environment Act 1987	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)	NA	Where Council is the development agency specified in an approved infrastructure contributions plan
239170	A*	Planning and Environment Act 1987	s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, DIDW	
239466	A*	Planning and Environment Act 1987	s 173(1A)	Power to enter into an agreement with an owner of land for the development or	CEO	Where Council is the relevant responsible authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				provision of land in relation to affordable housing		
239171	A*	Planning and Environment Act 1987		Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DIDW, MPE, SPO	In consultation with DIDW
239172	A*	Planning and Environment Act 1987		Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DIDW, MPE, SPO	In consultation with DIDW
239173	A*	Planning and Environment Act 1987	s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				covenant in the agreement or otherwise in accordance with Division 2 of Part 9		
239174	A*	Planning and Environment Act 1987	s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DIDW, MPE, SPO	
239175	A*	Planning and Environment Act 1987	s 178A(1)	Function of receiving application to amend or end an agreement	DIDW, MPE, SPO	
239176	A*	Planning and Environment Act 1987	s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DIDW, MPE, SPO	
239177	A*	Planning and Environment Act 1987	s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239178	A*	Planning and Environment Act 1987	s 178A(5)	Power to propose to amend or end an agreement	DIDW, MPE, SPO	
239179	A*	Planning and Environment Act 1987	s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DIDW, MPE, SPO	
239180	A*	Planning and Environment Act 1987	s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DIDW, MPE, SPO	
239181	A*	Planning and Environment Act 1987	s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239182	A*	Planning and Environment Act 1987	s 178C(4)	Function of determining how to give notice under s 178C(2)	DIDW, MPE, SPO	
239183	A*	Planning and Environment Act 1987	s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DIDW, MPE, SPO	
239184	A*	Planning and Environment Act 1987	s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DIDW, MPE, SPO	If no objections are made under s 178D Must consider matters in s 178B
239185	A*	Planning and Environment Act 1987	s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DIDW, MPE, SPO	If no objections are made under s 178D Must consider matters in s 178B

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239186	A*	Planning and Environment Act 1987	s 178E(2)(c)	Power to refuse to amend or end the agreement	DIDW, MPE, SPO	If no objections are made under s 178D Must consider matters in s 178B
239187	A*	Planning and Environment Act 1987	s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DIDW, MPE, SPO	After considering objections, submissions and matters in s 178B
239188	A*	Planning and Environment Act 1987	s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DIDW, MPE, SPO	After considering objections, submissions and matters in s 178B
239189	A*	Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DIDW, MPE, SPO	After considering objections, submissions and matters in s.178B

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239190	A*	Planning and Environment Act 1987	s 178E(3)(d)	Power to refuse to amend or end the agreement	DIDW, MPE, SPO	After considering objections, submissions and matters in s 178B
239191	A*	Planning and Environment Act 1987	s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DIDW, MPE, SPO	
239192	A*	Planning and Environment Act 1987	s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DIDW, MPE, SPO	
239193	A*	Planning and Environment Act 1987	s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239194	A*	Planning and Environment Act 1987	s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DIDW, MPE, SPO	
239195	A*	Planning and Environment Act 1987	s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DIDW, MPE, SPO	
239196	A*	Planning and Environment Act 1987	s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DIDW, MPE, SPO	
239197	A*	Planning and Environment Act 1987	s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	DIDW, MPE, SPO	
239198	A*	Planning and Environment Act 1987	s 181	Duty to apply to the Registrar of Titles to record the agreement	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239199	A*	Planning and Environment Act 1987	s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DIDW, MPE, SPO	
239200	A*	Planning and Environment Act 1987	s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DIDW, MPE, SPO	
239201	A*	Planning and Environment Act 1987	s 182	Power to enforce an agreement	DIDW, MPE, SPO	
239202	A*	Planning and Environment Act 1987	s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DIDW, MPE, SPO	
239203	A*	Planning and Environment Act 1987	s 184F(1)	Power to decide to amend or end an agreement at any time after an	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				application for review of the failure of Council to make a decision		
239204	A*	Planning and Environment Act 1987	s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DIDW, MPE, SPO	
239205	A*	Planning and Environment Act 1987	s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DIDW, MPE, SPO	
239206	A*	Planning and Environment Act 1987	s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239207	A*	Planning and Environment Act 1987	s 184G(2)	Duty to comply with a direction of the Tribunal	DIDW, MPE, SPO	
239208	A*	Planning and Environment Act 1987	s 184G(3)	Duty to give notice as directed by the Tribunal	DIDW, MPE, SPO	
628610	A*	Planning and Environment Act 1987	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	DIDW, MPE, SPO	
239209	A*	Planning and Environment Act 1987	s 198(1)	Function to receive application for planning certificate	NA	Planning certificates are issued by DELWP
239210	A*	Planning and Environment Act 1987	s 199(1)	Duty to give planning certificate to applicant	NA	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239211	A*	Planning and Environment Act 1987	s 201(1)	Function of receiving application for declaration of underlying zoning	DIDW, MPE, SPO	
239212	A*	Planning and Environment Act 1987	s 201(3)	Duty to make declaration	DIDW, MPE, SPO	
239213	A*	Planning and Environment Act 1987		Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DIDW, MPE, SPO	
239214	A*	Planning and Environment Act 1987		Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DIDW, MPE, SPO	
239215	A*	Planning and Environment Act 1987		Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				planning scheme or condition in a permit		
239216	A*	Planning and Environment Act 1987		Power to give written authorisation in accordance with a provision of a planning scheme	DIDW, MPE, SPO	
239217	A*	Planning and Environment Act 1987	s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	ND	
239218	A*	Planning and Environment Act 1987	s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	ND	
239244	A*	Residential Tenancies Act 1997	s 518F	Power to issue notice to caravan park regarding emergency management plan	DIDW, EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				if determined that the plan does not comply with the requirements		
239245	A*	Residential Tenancies Act 1997	s 522(1)	Power to give a compliance notice to a person	EHO, MPE, EHT	
239246	A*	Residential Tenancies Act 1997	s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
239247	A*	Residential Tenancies Act 1997	s 525(4)	Duty to issue identity card to authorised officers	CEO	
239248	A*	Residential Tenancies Act 1997	s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239249	A*	Residential Tenancies Act 1997	s 526A(3)	Function of receiving report of inspection	EHO, EHT	
239250	A*	Residential Tenancies Act 1997	s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	
239251	A*	Road Management Act 2004	s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DIDW, MIE, PMOI&AM	Obtain consent in circumstances specified in s 11(2) Note – subject to: <ul style="list-style-type: none"> • obtaining consents (including Ministerial consent) in the circumstances specified in section 11(2); and • a previous Council resolution.
239252	A*	Road Management Act 2004	s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	RO, F&RC	Subject to:

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
						<ul style="list-style-type: none"> • a Council resolution to name or change the name of a road; and • compliance with the Geographic Place Names Act 1998.
239253	A*	Road Management Act 2004	s 11(9)(b)	Duty to advise Registrar	RO, F&RC	Note – "Registrar" refers to the Registrar of Titles.
239254	A*	Road Management Act 2004	s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DIDW, MIE, PMOI&AM	Subject to s 11(10A)
239255	A*	Road Management Act 2004	s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIDW, MIE, PMOI&AM	Where Council is the coordinating road authority Where Council is the coordinating road authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239256	A*	Road Management Act 2004	s 12(2)	Power to discontinue road or part of a road	ND	Where Council is the coordinating road authority
239257	A*	Road Management Act 2004	s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	DIDW, MIE, PMOI&AM	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
239258	A*	Road Management Act 2004	s 12(5)	Duty to consider written submissions received within 28 days of notice	DIDW, MIE, PMOI&AM	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
239259	A*	Road Management Act 2004	s 12(6)	Function of hearing a person in support of their written submission	DIDW, MIE, PMOI&AM	Function of coordinating road authority where it is the discontinuing body

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
						Unless s 12(11) applies
239260	A*	Road Management Act 2004	s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DIDW, MIE, PMOI&AM	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
239261	A*	Road Management Act 2004	s 12(10)	Duty to notify of decision made	DIDW, MIE, PMOI&AM	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
239262	A*	Road Management Act 2004	s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	DIDW, MIE, PMOI&AM	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239263	A*	Road Management Act 2004	s 14(4)	Function of receiving notice from the Head, Transport for Victoria	DIDW, MIE, PMOI&AM	
239264	A*	Road Management Act 2004	s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, DIDW	
239265	A*	Road Management Act 2004	s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DIDW, MIE	
239266	A*	Road Management Act 2004	s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIDW, MIE	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239267	A*	Road Management Act 2004	s 15(2)	Duty to include details of arrangement in public roads register	MIE, PMOI&AM	
239268	A*	Road Management Act 2004	s 16(7)	Power to enter into an arrangement under s 15	DIDW, MIE, PMOI&AM	
239269	A*	Road Management Act 2004	s 16(8)	Duty to enter details of determination in public roads register	MIE, PMOI&AM	
239270	A*	Road Management Act 2004	s 17(2)	Duty to register public road in public roads register	MIE, PMOI&AM	Where Council is the coordinating road authority
239271	A*	Road Management Act 2004	s 17(3)	Power to decide that a road is reasonably required for general public use	DIDW, MIE, PMOI&AM	Where Council is the coordinating road authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239272	A*	Road Management Act 2004	s 17(3)	Duty to register a road reasonably required for general public use in public roads register	MIE, PMOI&AM	Where Council is the coordinating road authority
239273	A*	Road Management Act 2004	s 17(4)	Power to decide that a road is no longer reasonably required for general public use	ND	Where Council is the coordinating road authority
239274	A*	Road Management Act 2004	s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	MIE, PMOI&AM	Where Council is the coordinating road authority
239275	A*	Road Management Act 2004	s 18(1)	Power to designate ancillary area	DIDW, MIE, PMOI&AM	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239276	A*	Road Management Act 2004	s 18(3)	Duty to record designation in public roads register	MIE, PMOI&AM	Where Council is the coordinating road authority
239277	A*	Road Management Act 2004	s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	MIE, PMOI&AM	
239278	A*	Road Management Act 2004	s 19(4)	Duty to specify details of discontinuance in public roads register	MIE, PMOI&AM	
239279	A*	Road Management Act 2004	s 19(5)	Duty to ensure public roads register is available for public inspection	MIE, PMOI&AM	
239280	A*	Road Management Act 2004	s 21	Function of replying to request for information or advice	DIDW, MIE, PMOI&AM	Obtain consent in circumstances specified in s 11(2)

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239281	A*	Road Management Act 2004	s 22(2)	Function of commenting on proposed direction	DIDW, OM, MIE, PMOI&AM	
239282	A*	Road Management Act 2004	s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DIDW, MIE	
239283	A*	Road Management Act 2004	s 22(5)	Duty to give effect to a direction under s 22	DIDW, MIE	
239284	A*	Road Management Act 2004	s 40(1)	Duty to inspect, maintain and repair a public road.	OM, MIE, PMOI&AM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239285	A*	Road Management Act 2004	s 40(5)	Power to inspect, maintain and repair a road which is not a public road	OM, MIE, PMOI&AM	
239286	A*	Road Management Act 2004	s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	OM, MIE, PMOI&AM	
239287	A*	Road Management Act 2004	s 42(1)	Power to declare a public road as a controlled access road	DIDW, MIE, PMOI&AM	Power of coordinating road authority and sch 2 also applies
239288	A*	Road Management Act 2004	s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DIDW, MIE, PMOI&AM	Power of coordinating road authority and sch 2 also applies

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239289	A*	Road Management Act 2004	s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority If road is a municipal road or part thereof
239290	A*	Road Management Act 2004	s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DIDW, MIE, PMOI&AM	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
239291	A*	Road Management Act 2004	s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	MIE, PMOI&AM	Where Council is the responsible road authority, infrastructure manager or works manager

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239292	A*	Road Management Act 2004	s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DIDW, OM, MIE, PMOI&AM	
239293	A*	Road Management Act 2004	s 49	Power to develop and publish a road management plan	DIDW, MIE, PMOI&AM	
239294	A*	Road Management Act 2004	s 51	Power to determine standards by incorporating the standards in a road management plan	DIDW, MIE, PMOI&AM	
239295	A*	Road Management Act 2004	s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	MIE, PMOI&AM	
239296	A*	Road Management Act 2004	s 54(2)	Duty to give notice of proposal to make a road management plan	DIDW, MIE, PMOI&AM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239297	A*	Road Management Act 2004	s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DIDW, OM, MIE, PMOI&AM	
239298	A*	Road Management Act 2004	s 54(6)	Power to amend road management plan	MIE, PMOI&AM	
239299	A*	Road Management Act 2004	s 54(7)	Duty to incorporate the amendments into the road management plan	MIE, PMOI&AM	
239300	A*	Road Management Act 2004	s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DIDW, OM, MIE, PMOI&AM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239301	A*	Road Management Act 2004	s 63(1)	Power to consent to conduct of works on road	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority
239302	A*	Road Management Act 2004	s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DIDW, OM, MIE, PMOI&AM	Where Council is the infrastructure manager
239303	A*	Road Management Act 2004	s 64(1)	Duty to comply with cl 13 of sch 7	DIDW, MIE, PMOI&AM	Where Council is the infrastructure manager or works manager
239304	A*	Road Management Act 2004	s 66(1)	Power to consent to structure etc	DIDW, MIE, PMOI&AM	Where Council is the coordinating road authority
239305	A*	Road Management Act 2004	s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	MIE, PMOI&AM	Where Council is the coordinating road authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239306	A*	Road Management Act 2004	s 67(3)	Power to request information	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority
239307	A*	Road Management Act 2004	s 68(2)	Power to request information	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority
239308	A*	Road Management Act 2004	s 71(3)	Power to appoint an authorised officer	CEO	
239309	A*	Road Management Act 2004	s 72	Duty to issue an identity card to each authorised officer	CEO	
239310	A*	Road Management Act 2004	s 85	Function of receiving report from authorised officer	DIDW, MIE	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239311	A*	Road Management Act 2004	s 86	Duty to keep register re s 85 matters	DIDW, MIE	
239312	A*	Road Management Act 2004	s 87(1)	Function of receiving complaints	DIDW, OM, MIE, PMOI&AM	
239313	A*	Road Management Act 2004	s 87(2)	Duty to investigate complaint and provide report	DIDW, MIE, PMOI&AM	
594743	A*	Road Management Act 2004	s 96	Power to authorise a person for the purpose of instituting legal proceedings	ND	
239314	A*	Road Management Act 2004	s 112(2)	Power to recover damages in court	DIDW	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239315	A*	Road Management Act 2004	s 116	Power to cause or carry out inspection	DIDW, MIE, PMOI&AM	
239316	A*	Road Management Act 2004	s 119(2)	Function of consulting with the Head, Transport for Victoria	DIDW, MIE	
239317	A*	Road Management Act 2004	s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DIDW, OM, MIE	
239318	A*	Road Management Act 2004	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)	DIDW, OM, MIE	
239319	A*	Road Management Act 2004	s 121(1)	Power to enter into an agreement in respect of works	DIDW	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239320	A*	Road Management Act 2004	s 122(1)	Power to charge and recover fees	DIDW, OM, MIE, PMOI&AM	
239321	A*	Road Management Act 2004	s 123(1)	Power to charge for any service	DIDW, OM, MIE, PMOI&AM	
239322	A*	Road Management Act 2004	sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DIDW, MIE, PMOI&AM	
239323	A*	Road Management Act 2004	sch 2 cl 3(1)	Duty to make policy about controlled access roads	DIDW	
239324	A*	Road Management Act 2004	sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DIDW	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239325	A*	Road Management Act 2004	sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DIDW, MIE	
239326	A*	Road Management Act 2004	sch 2 cl 5	Duty to publish notice of declaration	DIDW, MIE, PMOI&AM	
239327	A*	Road Management Act 2004	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	DIDW, OM, PMOI&AM	Where Council is the infrastructure manager or works manager
239328	A*	Road Management Act 2004	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	DIDW, OM, MIE, PMOI&AM	Where Council is the infrastructure manager or works manager

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				affected by any proposed installation of infrastructure or related works on a road or road reserve of any road		
239329	A*	Road Management Act 2004	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	DIDW, OM, MIE, PMOI&AM	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
239330	A*	Road Management Act 2004	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	DIDW, OM, MIE, PMOI&AM	Where Council is the infrastructure manager or works manager

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239331	A*	Road Management Act 2004	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	DIDW, OM, MIE, PMOI&AM	Where Council is the infrastructure manager or works manager
239332	A*	Road Management Act 2004	sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DIDW, MIE, PMOI&AM	Where Council is the coordinating road authority
239333	A*	Road Management Act 2004	sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority
239334	A*	Road Management Act 2004	sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	OM, MIE, PMOI&AM	Where Council is the coordinating road authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239335	A*	Road Management Act 2004	sch 7 cl 12(5)	Power to recover costs	DIDW, MIE	Where Council is the coordinating road authority
239336	A*	Road Management Act 2004	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)	DIDW, OM, MIE	Where Council is the works manager
239337	A*	Road Management Act 2004	sch 7 cl 13(2)	Power to vary notice period	DIDW, OM, MIE	Where Council is the coordinating road authority
239338	A*	Road Management Act 2004	sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DIDW, MIE	Where Council is the infrastructure manager
239339	A*	Road Management Act 2004	sch 7 cl 16(1)	Power to consent to proposed works	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239340	A*	Road Management Act 2004	sch 7 cl 16(4)	Duty to consult	DIDW, OM, MIE	Where Council is the coordinating road authority, responsible authority or infrastructure manager
239341	A*	Road Management Act 2004	sch 7 cl 16(5)	Power to consent to proposed works	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority
239342	A*	Road Management Act 2004	sch 7 cl 16(6)	Power to set reasonable conditions on consent	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority
239343	A*	Road Management Act 2004	sch 7 cl 16(8)	Power to include consents and conditions	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority
239344	A*	Road Management Act 2004	sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239345	A*	Road Management Act 2004	sch 7 cl18(1)	Power to enter into an agreement	CEO, DIDW, OM, MIE	Where Council is the coordinating road authority
239346	A*	Road Management Act 2004	sch7 cl 19(1)	Power to give notice requiring rectification of works	DIDW, OM, MIE	Where Council is the coordinating road authority
239347	A*	Road Management Act 2004	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	DIDW, OM, MIE	Where Council is the coordinating road authority
239348	A*	Road Management Act 2004	sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIDW, OM, MIE, PMOI&AM	Where Council is the coordinating road authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239349	A*	Road Management Act 2004	sch 7A cl 2	Power to cause street lights to be installed on roads	DIDW, MIE, PMOI&AM	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
239350	A*	Road Management Act 2004	sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIDW, MIE	Where Council is the responsible road authority
239351	A*	Road Management Act 2004	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	DIDW, OM, MIE	Where Council is the responsible road authority
239352	A*	Road Management Act 2004	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	DIDW, OM, MIE	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
						is relevant municipal council (re: operating costs)
239420	A*	Cemeteries and Crematoria Regulations 2015	r 24	Duty to ensure that cemetery complies with depth of burial requirements	DCCS, CFO, GM	
239421	A*	Cemeteries and Crematoria Regulations 2015	r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DCCS, CFO, GM	
239422	A*	Cemeteries and Crematoria Regulations 2015	r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	ND	
239457	A*	Cemeteries and Crematoria Regulations 2015	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	ND	
239423	A*	Cemeteries and Crematoria Regulations 2015	r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239424	A*	Cemeteries and Crematoria Regulations 2015	r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	ND	
239425	A*	Cemeteries and Crematoria Regulations 2015	r 30(2)	Power to release cremated human remains to certain persons	ND	Subject to any order of a court
239426	A*	Cemeteries and Crematoria Regulations 2015	r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	ND	
239427	A*	Cemeteries and Crematoria Regulations 2015	r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	ND	
239428	A*	Cemeteries and Crematoria Regulations 2015	r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239429	A*	Cemeteries and Crematoria Regulations 2015	r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	ND	
239430	A*	Cemeteries and Crematoria Regulations 2015	r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	ND	
239431	A*	Cemeteries and Crematoria Regulations 2015	r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	ND	
239432	A*	Cemeteries and Crematoria Regulations 2015	r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	ND	
239433	A*	Cemeteries and Crematoria Regulations 2015	r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239434	A*	Cemeteries and Crematoria Regulations 2015	r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	DCCS, CFO, GM	
239435	A*	Cemeteries and Crematoria Regulations 2015	r 40	Power to approve a person to play sport within a public cemetery	DCCS	
239436	A*	Cemeteries and Crematoria Regulations 2015	r 41(1)	Power to approve fishing and bathing within a public cemetery	DCCS	
239437	A*	Cemeteries and Crematoria Regulations 2015	r 42(1)	Power to approve hunting within a public cemetery	DCCS	
239438	A*	Cemeteries and Crematoria Regulations 2015	r 43	Power to approve camping within a public cemetery	DCCS	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239439	A*	Cemeteries and Crematoria Regulations 2015	r 45(1)	Power to approve the removal of plants within a public cemetery	DCCS, CFO, GM	
239440	A*	Cemeteries and Crematoria Regulations 2015	r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCCS	
239441	A*	Cemeteries and Crematoria Regulations 2015	r 47(3)	Power to approve the use of fire in a public cemetery	DCCS	
239442	A*	Cemeteries and Crematoria Regulations 2015	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	DCCS	
239443	A*	Cemeteries and Crematoria Regulations 2015		Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239444	A*	Cemeteries and Crematoria Regulations 2015	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	DCCS, CFO, GM	See note above regarding model rules
239445	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	DCCS, CFO, GM	See note above regarding model rules
239446	A*	Cemeteries and Crematoria Regulations 2015	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	DCCS, CFO, GM	See note above regarding model rules
239447	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	DCCS, CFO, GM	See note above regarding model rules
239448	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DCCS, CFO, GM	See note above regarding model rules

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239449	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 8	Power to approve certain mementos on a memorial	DCCS, CFO, GM	See note above regarding model rules
239450	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DCCS, CFO, GM	See note above regarding model rules
239451	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DCCS, CFO, GM	See note above regarding model rules
239452	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DCCS, CFO, GM	See note above regarding model rules
239453	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DCCS, CFO, GM	See note above regarding model rules

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239454	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 16(1)	Power to approve construction and building within a cemetery	ND	See note above regarding model rules
239455	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	ND	See note above regarding model rules
239456	A*	Cemeteries and Crematoria Regulations 2015	sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DCCS, CFO, GM	See note above regarding model rules
239353	A*	Planning and Environment Regulations 2015	r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DIDW, MPE, SPO	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.

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239354	A*	Planning and Environment Regulations 2015	r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	DIDW, MPE, SPO	
239402	A*	Planning and Environment Regulations 2015	r.25(a)	Duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	DIDW, MPE, SPO	Where Council is the responsible authority
239403	A*	Planning and Environment Regulations 2015	r.25(b)	Function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	DIDW, MPE, SPO	Where Council is not the responsible authority but the relevant land is within Council's municipal district
239355	A*	Planning and Environment Regulations 2015	r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment	DIDW, MPE, SPO	where Council is not the planning authority and the amendment affects

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				to a planning scheme and notice of a permit application		land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
239392	A*	Planning and Environment (Fees) Regulations 2016	r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DIDW, MPE, SPO	
239463	A*	Planning and Environment (Fees) Regulations 2016	r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DIDW, MPE, SPO	
239393	A*	Planning and Environment (Fees) Regulations 2016	r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	DIDW, MPE, SPO	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239356	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 7	Function of entering into a written agreement with a caravan park owner	EHO, EHT	
239357	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 10	Function of receiving application for registration	EHO, EHT	
393072	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 11	Function of receiving application for renewal of registration	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239358	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, EHT	
239394	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, EHT	
239359	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, EHT	
393073	A*	Residential Tenancies (Caravan Parks and Movable Dwellings	r 12(2)	Power to refuse to renew the registration if not satisfied that the	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Registration and Standards) Regulations 2020		caravan park complies with these regulations		
393074	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO, EHT	
239360	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(4) & (5)	Duty to issue certificate of registration	EHO, EHT	
239361	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 14(1)	Function of receiving notice of transfer of ownership	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239362	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 14(3)	Power to determine where notice of transfer is displayed	EHO, EHT	
239363	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 15(1)	Duty to transfer registration to new caravan park owner	EHO, EHT	
239364	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 15(2)	Duty to issue a certificate of transfer of registration	EHO, EHT	
239365	A*	Residential Tenancies (Caravan Parks and Movable Dwellings	r 16(1)	Power to determine the fee to accompany applications for registration	ND	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Registration and Standards) Regulations 2020		or applications for renewal of registration		
239366	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 17	Duty to keep register of caravan parks	EHO, EHT	
239367	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO, EHT	
239368	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 18(6)	Power to determine where certain information is displayed	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239369	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO, EHT	
239370	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 22(2)	Duty to consult with relevant emergency services agencies	EHO, EHT	
239371	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239372	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, EHT	
239373	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 25(3)	Duty to consult with relevant floodplain management authority	EHO, EHT	
239374	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 26	Duty to have regard to any report of the relevant fire authority	EHO, EHT	
239375	A*	Residential Tenancies (Caravan Parks and Movable Dwellings	r 28(c)	Power to approve system for the collection, removal and disposal of	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Registration and Standards) Regulations 2020		sewage and waste water from a movable dwelling		
239376	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, EHT	
239377	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, EHT	
239378	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and	r 41(4)	Function of receiving installation certificate	EHO, EHT	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Standards) Regulations 2020				
239379	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	EHO, EHT	
239380	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, EHT	
239381	A*	Road Management (General) Regulations 2016	r 8(1)	Duty to conduct reviews of road management plan	DIDW, MIE, PMOI&AM	

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
239382	A*	Road Management (General) Regulations 2016	r 9(2)	Duty to produce written report of review of road management plan and make report available	DIDW, MIE, PMOI&AM	
239460	A*	Road Management (General) Regulations 2016	r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DIDW, MIE, PMOI&AM	Where Council is the coordinating road authority
239383	A*	Road Management (General) Regulations 2016	r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DIDW, MIE, PMOI&AM	
239461	A*	Road Management (General) Regulations 2016	r 13(1)	Duty to publish notice of amendments to road management plan	MIE, PMOI&AM	where Council is the coordinating road authority



15 Infrastructure Development and Works

15.1 2023-24 Country Football Netball Funding Program Briefing Report

Directorate: Infrastructure Development and Works

Report Author: Project Officer

Report Purpose: For Decision

Introduction

The 2023/24 Country Football Netball Funding (CFNF) program has opened, and council officers are working towards submitting one project from our football and netball precincts for application. The purpose of this report and attachments is to select an appropriate project for application submission.

Declaration of Interest

No officer declared an interest under the Local Government Act 2020 (LGA 2020) in the preparation of this report.

Background

The Country Football Netball Program is a competitive funding round that is run each year. For this round of the program applicants may submit up to 3 projects whose total combined funding requested must not exceed \$250,000. Applications close on the 9 October 2023. This is a 3 (CFNF):1 (applicant) funding ratio round.

As a part of the preparation for this funding round, council officers have contacted representatives for each of the active recreation reserves within the municipality, as well as the football/netball clubs. The submissions from the football/netball Clubs and Committees of Management are summarised in the table below.

The contribution amounts below are based on the council applying for the maximum allotted funding for this program. Should a lower amount be applied for, the council required contribution would also come down to the percentage shown.

Recreation Reserve	Project	Council Required Contribution	Community Contribution Confirmation of required 15% (Up to \$50,000)
Apsley	Football Lighting Upgrade	Up to \$83,334. 25%	No
Edenhope	Football Lighting Upgrade	Up to \$33,334. 10%	Yes
Goroke	Oval Irrigation, Drainage & Fencing	Up to \$33,334. 10%	Yes



Harrow	Football Lighting Upgrade	Up to \$33,334. 10%	Yes
Kaniva	Football Lighting Upgrade	Up to \$83,334. 25%	N/A - Council Owned

As each of these submissions is likely to encompass nearly the entire funding amount able to be applied for, the Council can realistically only apply for one of these projects.

Of the above recreation reserves, we have received letters of contribution confirmation from Edenhope, Goroke and Harrow. Apsley, however, is currently unable to source the required 15% contribution. Kaniva has also submitted a letter of support, however as this is a council owned asset, they are exempt from the community contribution requirement.

Brief Project Descriptions

Lighting Projects: All four of these projects have strong similarities between each site. Each of the recreation reserves has needs for lighting to be upgraded as none of them currently complies with the requirements for games. Each of the sites do currently have some lighting on the oval, however for safe play, all these sites should be upgraded. A four-pole layout would be ideal and is costed for this.

These projects would involve running a new electrical circuit from the main switchboard at the site (upgrading where necessary) to four new poles that have been designed based on the specific heights required by each oval determined by a formula of $0.36 \times \text{distance}$ to centre of the oval. This means that at each oval there may be differing heights of poles as these ovals may not be a perfect oval. Should a lighting project be chosen as the project to be put forward, to confirm uniformity and compliance, and quote will be the application's base.

Refer to Audit attachments for specifics on the current lighting and electrical conditions at each site.

Goroke Irrigation, Fencing and Drainage: This project was submitted for funding during the 22/23 funding period however was unsuccessful at that time. This project is shovel-ready and requires quotes to be updated (officers are currently doing this) and to be resubmitted. This project includes replacing all fencing around the oval, installing a new popup sprinkler system, and drainage to ensure the oval can be used into the future.

Risk Management Implications

Risk identified: There are no obvious risks for Council to mitigate or eliminate in regard to the proposal considered for funding support in this report.

All projects do pose a potential financial risk to clubs given the amount of contribution required for these projects. Mitigation of this was by confirming with the clubs these contributions will not leave them with nothing in reserves.



Apsley Risks: There is no contribution confirmation for this site. If this project is selected, the council will have to cover the entire share of the applicant contribution (25%).

Edenhope Risks: There is a parcel of land who we are currently ascertaining the ownership of where one of the light towers would be located. Council officers believe this parcel may have been given to the Football Netball Club, but we would need to confirm this prior to any application being submitted, as landowner consent is a requirement. This is being worked on however there are no guarantees this will be able to be rectified prior to application and as such this option cannot be chosen at this time. We are confident that this will be rectified prior to the next round being advertised.

Goroke: No obvious risks present.

Harrow: No obvious risks present.

Kaniva: Council currently services the electricity usage at this venue. Ongoing costs to be paid by Council however user agreements for reserve users may be considered.

Lighting Specific Risks: Depending on the site some of these have existing towers that may be perceived as reuseable or in 'good' condition. Unfortunately given the funding we are aiming to apply for, there is a strong preference for the installation of all new infrastructure. Where reusing these towers may be a promising idea, the perceived risk from the funding bodies point of view is too great as the infrastructure being installed is aimed at being around for decades to come with minimal maintenance required. We have also had this discussion with an engineer and without a full check over and computations (which the funding body would choose a project without this risk to award funding to) it is exceedingly difficult to estimate the remaining lifespan of the tower.

Legislative Implications

Not Applicable

Environmental Implications

Nil

Financial and Budgetary Implications

The financial risk rating has been assessed as: Low

The cost estimates from Laser Electrical have been in the \$250-300k range for the lighting upgrade. Once including contingency and Project Management this would be on the top end of the funding allocation being a total project of \$333,334.



The Goroke Irrigation, Drainage and Fencing project was previously submitted at a total project price of \$300k and this is likely to be the same as the current market.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy/s:

Recreation Policy

Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 1 – Liveable & Healthy Community

1.3 Provide well planned and sustainable community infrastructure.

Communication Implications

Consultation has already been undertaken in development of the plans

Gender Equality

No Gender Impact Assessment is required

Conclusion

In conclusion all these projects are incredibly important for their communities and would be heavily utilized by these groups as well as other unaffiliated groups. As such, council officers require priorities to be nominated by the council (in case an issue arises with the first option, and it cannot proceed in the allotted period).

OFFICER RECOMMENDATION:

The council nominates a priority project for submission of application.

- 2. That Council nominates a secondary project should a complication preclude submission of the priority project.**
- 3. That council authorise a council contribution of up to \$83,334 or \$33,334 dependent on project being submitted for application.**

Attachments

1. Apsley Oval [15.1.1 - 2 pages]
2. Edenhope Oval [15.1.2 - 2 pages]
3. Goroke oval [15.1.3 - 2 pages]



4. Harrow Oval [**15.1.4** - 2 pages]
5. Kaniva Oval [**15.1.5** - 2 pages]
6. Kaniva Support Letter [**15.1.6** - 1 page]
7. Harrow Contribution Confirmation [**15.1.7** - 1 page]
8. Harrow Support Letter [**15.1.8** - 1 page]
9. Edenhope Support Letter [**15.1.9** - 2 pages]
10. EAFNC Lighting Grant Letter of Commitment [**15.1.10** - 1 page]
11. Goroke Support and Contribution Letter [**15.1.11** - 1 page]

Apsley Oval

Powercor Pole Number – 228 – only number I could get grass is 6ft high to the pole

Powercor Meter Number – B6 127 467

Mains size – 25mm SDIs

Main CB – 63A 3 Phase

Findings

Current electrical capacity to site

- 100A three phase supply. Supply is an underground from the commons which has a pole mount transformer. 25mm SDIs in the board. If more power is needed will have to be a meter upgrade to CT metering

Football Oval

Details about current lighting facilities

- Currently two poles at either end of the ground. They are both 22M high. Both poles have 4 lights on them. All lights are 480v Metal halide. Starters draw 9 amps and running they draw 9 amps / 2.16Kwph per light.

Conditions of poles, cables

- Poles are in great overall condition. Cabling up the poles is adequate. Cabling to the LHS poles are undersized due to the small feed going to the board feeding the longneck room. This will have to be upgraded for any new lighting install. Lights are controlled by an isolator on the longneck room for the LHS pole and the RHS pole has keyed isolators directly on the pole.

Netball courts are currently being excavated and I had no access to the site

COST ESTIMATE FOR UPGRADE TO NEW LIGHTING TO PROVIDE 100 LUX

- Football Oval - \$250k - \$300K
- Netball Court - \$100k - \$150k

Upgrade will be in conjunction with AS 2560.2 : 2021 Table 2.6.1 (Pg. 61)

FURTHER NOTES:

Feed to Main changeroom board – 25mm Orange circ

Feed to Kitchen DB – 2 x 16mm SDIs + Neutral – They have it on a 2 phase breaker. The kitchen board is split. All ceramic fuses – **50A 2 Phase CB**

Feed to RHS Light pole is 25mm XLPEs 3 phase, no Neutral – D40 Breaker

Feed to Bore pump is 16mm orange circ. On same CB as RHS Pole

Main changeroom board has Feed to Longneck Room is a 2 x 6mm SDIs + Neutral. **20A 2 Phase CB**

LHS Pole

22M High

Fed from Longneck Room. 2 x 10mm SDI + 25mm Neutral. – **32A 2 Phase CB**. Controlled by isolator on the outside of the Longneck Room

Distance to Longneck room is 93M

RHS Pole

22M High

Fed from Main DB 25mm XLPEs 3 phase, no Neutral. – **40A 3 Phase CB**. Controlled by isolators on the pole

Distance to Main board is 150M

Edenhope Oval

Powercor Pole Number – 2675 – No transformer, just domestic poles down the driveway

Powercor Meter Number – B5 119 274

Mains size – 16mm SDIs

Main CB – 100A 3 Phase – in Domestic board

Findings

Current electrical capacity to site

- 100A three phase supply. Supply is an overhead coming from the street and on three poles. Will have to be upgraded to increase supply to the site. Site will nearly be on the limit if new light poles are to be installed.
- Upgrading of power to site will need more time and will incur costs from powercor for a proposal from them

Football Oval

Details about current lighting facilities

- Currently 4 poles around the ground. They are all 15M high. Both poles have 2 lights on them. All lights are 480v Metal halide. Lights draw 2Kwph each.

Conditions of poles, cables

- Poles are in poor condition. Extremely old and have a lot of surface rust. They are all old tri poles. The cabling going to the timekeeper's pole is 6mm 2 phase, two feeds in total. There is no circuit protection in the board, just goes straight to the ballasts. All the other poles have 16mm feeds in two phase, No neutrals. Will have to be changed back to single phase lighting or will have to be re ran for three phase. Cable sizes to the other three poles are adequate. All go to isolators before the ballasts. Lights are all turned on/off from an isolator in the meter panel, which is fine. No Pits

Current electrical capacity to site

- 100A three phase supply. Supply is an overhead coming from the street and on three poles. Will have to be upgraded to increase supply to site. Site will nearly be on the limit

Netball Courts

Details about current lighting facilities

- Currently 6 poles around the courts. They are a mixture of LED and 100w metal halides. Poles at the sides have one light on them, on the ends they have two. All 7m high. All single phase

Conditions of poles, cables

- Poles are all gal pipes clamped to the fence, all need replacing with adequate poles. All the cabling runs back to the netball changeroom DB. All are controlled by two RCBS which needs to be changed ASAP. There are no pits near the poles and the cabling runs straight up to lights at the top. Cable sizes are a mixture of 2.5mm-6mm

COST ESTIMATE FOR UPGRADE TO NEW LIGHTING TO PROVIDE 100 LUX

- Football Oval - \$250k - \$300k
- Netball Court - \$100k - \$150k

Upgrade will be in conjunction with AS 2560.2 : 2021 Table 2.6.1 (Pg. 61)

FURTHER NOTES:

Feed to Function Room DB is 16mm SDIs – 63A CB 3 Phase

Feed to Netball Change room DB is 16mm SDIs – 63A CB 3 Phase

Feed to Timekeepers Box is 6mm SDI– 32A CB Single Phase

Oval

Lighting is controlled by 40A isolator mounted in the meter Panel. All going through a 32A 3 phase breaker then to 2 phase CBs in main board

Near RHS Pole/ Time keepers pole

15M High

Fed from old Main DB. 2 x 6mm SDIs Red and Black wired in 2 Phase. No circuit protection in board– 20A CB

Also is a single phase 2.5mm feed with a 240V light on the pole from the Main DB - 20A CB

Underground is 34m back to Main DB.

Near LHS Pole

15M High

Fed from Main DB. 2 x 16mm SDIs wired in 2 Phase. No Neutral. 6mm Earth. Ran to 32A Isolator

Underground is 89m back to Main DB.

Far LHS Pole

15M High

Fed from Main DB. 2 x 16mm SDIs wired in 2 Phase. No Neutral. 6mm Earth. Ran to 32A Isolator

Underground is 164m back to Main DB.

Far RHS Pole

15M High

Fed from Main DB. 2 x 16mm SDIs wired in 2 Phase. No Neutral. 6mm Earth. Ran to 32A Isolator

Underground is 190m back to Main DB.

Netball Courts

Lights fed from Netball Change room DB. 2 x 16A RCBO. All Lights are individually ran back to the board and are a mixture of 2.5mm-6mm 2C+E. No access to cable as there is no inspection covers or pits. Just gal pipe up the poles.

Poles are 7m High

Feed from netball change room DB to Netball sheds is 10mm SDIs – 20A CB 3 phase + Neutral , Earth
Has the main bore pump on this board. 10A CB

Goroke

Meter Number – B5 161 235

Pole Number – 855435

Main Breaker – 63A

Mains size – 35mm XLPEs

Findings

Current electrical capacity to site

- 63A three phase supply. Supply is an underground coming from the pole.

Football Oval

Details about current lighting facilities

- There are two poles on the RHS of the Oval, either side of the Timekeepers box. Near pole is 18m high. It has one 480V metal halide light, using 2kWph. The far pole is 17m high. It has one 480V metal halide light, using 2kWph.

Conditions of poles, cables

- The near pole is newer but is fed by a cable coming from a nearby GPO pole which is running across the ground. This has no mechanical protection and needs to be fixed ASAP. Has a 4mm 2c+e feed ran in 2 phase. The far pole is an older tri pole which is in poor condition and is rusting out. It has a 4mm 2c+e feed ran in 2 phase. Both lights are controlled by turning a CB on/off in the Timekeepers board. This needs to be changed ASAP. Cabling should be upgraded to put more lights on the pole

Netball Courts

- The netball courts are near new. All the lighting is LED and has individual control for each court. All cabling is excellent

COST ESTIMATE FOR UPGRADE TO NEW LIGHTING TO PROVIDE 100 LUX

- Football Oval - \$250k - \$300K
- Netball Court - \$100k - \$150k

Upgrade will be in conjunction with AS 2560.2 : 2021 Table 2.6.1 (Pg. 61)

FURTHER NOTES:

Netball Courts are new as of last year. Has all Lighting control in second board.
Court three has 2 x 10mm SDI, then drops to 4mm 2c+e to the rest of the poles.
Court two has 2 x 4mm 2c+e in parallel then 4mm 2c+e to the rest of the poles.
Court one has 2 x 4mm 2c+e going each way to the poles.

There is a 50mm conduit going from the main board to the end of the rooms that finishes about 5M from the AED sign that is taped that could be used.

Clubroom board has 25mm XLPE 3 phase mains. 160A main switch.

Oval

Timekeepers board is fed by 3 phase 50mm ALU XPLeS – 32A CB in Main Board

New pole is 18M high. Has a 4mm 2c+e feed that goes to a powerpoint post, then goes along the ground in black corri – distance from time keepers board 20M – 32A 2 phase CB

Old pole is 17M high Has a 4mm 2C+E feed, wired as two phase. Pole is stuffed. Distance to time keepers board is 60M – 20A 2 phase CB

There are no other lights

Harrow Oval

Meter Number – DZ 175 632

Pole Number -125 or 751346 or 22 73 2041 00

Transformer had no rating on it

Main Breaker – 160A CB

Mains size – 70mm XLPEs

Findings

Current electrical capacity to site

- 160A three phase supply. Supply is an underground coming from a pillar on the fence line to a transformer over the road. 70mm XLPE to the main switch

Football Oval

Details about current lighting facilities

- Currently 4 poles around the ground. The two on the clubroom side are 24m high and the far side are 23m high. There are 8 lights on each of these. They are 480V metal halide lights, each using 2kWph. The far side light poles have 4, 480V metal halide lights, each using 2kWph.

Conditions of poles, cables

- The close poles are newer, coming from Kadinia Park. They are in good condition and the supply cables to both are in good condition and good size. The far side poles are older tri poles and are in poor condition. They have surface rust and are degrading. Some of the lights have blown on these. The far RHS pole is fed from the LHS pole and only has a 2-phase supply. The far LHS has a 3 phase supply, no neutral. They are all controlled from the old change room DB by turning the CBs on-off which needs to be changed ASAP

Netball courts are currently being excavated and I had no access to the site

COST ESTIMATE FOR UPGRADE TO NEW LIGHTING TO PROVIDE 100 LUX

- \$250k - \$300K

Upgrade will be in conjunction with AS 2560.2 : 2021 Table 2.6.1 (Pg. 61)

Netball courts are being built as we speak. No mains ran in yet

Oval

Feed to old changeroom DB is 70mm XLPEs – 160A CB

Feed to new changeroom DB is 16mm SDIs 3 phase – 63A CB

Entry gate light pole

24m High

Fed from old changeroom DB. 25mm XLPEs 3 phase + Neutral + Earth– 63A CB

All lights are fed 2 phase up the pole. All 2 phase 20A CBs

Underground is 62m back to changeroom board. Board is free standing

New Changeroom pole

24m high

Fed from old changeroom DB. 10mm SDI feed 3 phase + Neutral + Earth– 63A CB

All lights are fed 2 phase up the pole. All 2 phase 20A CBs

Underground is 32m back to changeroom board. Board is mounted to pole

Far RHS Pole

23m High

Fed from LHS Pole DB. 16mm SDI 2 phase + Earth. No Neutral – 50A CB in LHS pole

All lights are fed 2 phase up the pole. All 2 phase 16A CBs

Underground is 87m to LHS Pole. Board is mounted to pole

Far LHS Pole

23m High

Fed from old changeroom DB. 25mm XLPEs 3 phase + Earth. No Neutral –63A CB in old changeroom

All lights are fed 2 phase up the pole. All 2 phase 16A CBs

Underground is 145m back to changeroom board. Board is mounted to pole

Kaniva Oval

Meter Number – B1 247622
Powercor Pole – 2273739800
Transformer is 315Kva

Findings

Current electrical capacity to site

- 400A three phase supply. Supply is an overhead coming from the street to a transformer onsite. 150mm flex to the main switch which is set at 250A.

Football Oval

Details about current lighting facilities

- Currently 3 poles around the ground. They are all 16M high. Both poles have 2 lights on them. All lights are 480v 2 phase Metal halide. Lights draw 2Kwph each. There are also 2 metal halide lights mounted to the Telstra pole.

Conditions of poles, cables

- All poles are all extremely old tri poles. All need replacing as they are all rusting. Not even sure if you can mount equipment to the Telstra Pole. Three poles have small cabling to them. The ones on the Telstra tower are extremely undersized, if not dangerous. The far LHS pole has an adequate feed. All lights are two phase, so none have a neutral. The control for the lights is brand new and in excellent condition in the main board. All have 20A 2 phase protection.

Netball Courts

Details about current lighting facilities

- Currently 4 poles on the corners of the courts. They have one metal halide on each. They draw 2kWph each. All poles are 14m high

Conditions of poles, cables

- All poles are in decent condition, all have a swing point, but the ballasts are mounted to the back, so will have to be removed to swing. All lights have a 6mm 2c+e feed, but ran in 2 phase 415v. The lights are controlled by turning on/off circuit breakers, which needs to be changed ASAP. The DB for the netball courts also needs to be upgraded as it is extremely old.

COST ESTIMATE FOR UPGRADE TO NEW LIGHTING TO PROVIDE 100 LUX

- \$250k - \$300K

Upgrade will be in conjunction with AS 2560.2 : 2021 Table 2.6.1 (Pg. 61)

FURTHER NOTES:

Mains

Mains going to Main board in the Clubrooms Has 150mm flex from meter. **400A main switch set at 250A**

Feed from Main board to freestanding board near playground is 95mm XLPE – distance 81M. **160A CB in Main Board**

Netball Court

Feed from freestanding board to netball courts sub board is 16mm SDI - distance 29M. **40A CB in sub board**

Board will need to be upgraded and there is an old analogue meter in there, unsure if in use but still works.

Netball switchboard to RHS pole distance is 20M, then 45m to far RHS Pole, same for the LHS poles. All poles are fed in 6mm 2C+E but they are 2 phase 480V, using the black as the second phase. – **10A 2 phase CB in board.**

All poles are in good condition. They are swingable but could be a PITA.

Pole Height is 14M to the light.

Couldn't get into the netball Court shed but is single phase 6mm Feed – **40A CB in board**

Has no lighting control, they just turn CBs on and off

Football Oval

The submains to the office DB – **63A 3 phase**, Kitchen **-63A 3 phase** and the Bar-**50A 3 phase** are 16mm SDIs. **Hockey field 160A 3 phase**, 35mm XLPE

Light Poles

LHS close pole has 2 x 4mm 2c+e in parallel, running 2 phase lighting – distance 34m – Pole needs to be replaced. Pole height 16m – **20A 2 phase CB in board**

RHS pole has 2 x 4mm 2c+e in parallel, running 2 phase lighting – distance 72M – Pole needs to be replaced. Pole height 16m - **20A 2 phase CB in board**

Far pole has 35mm XLPE and an earth, has a join in it somewhere as it turns into 16mm SDIs somewhere – distance 134m – Pole needs to be replaced. Pole height 16m - **20A 2 phase CB in board**

Telstra pole lights has a single 4mm 2C+e feeding 2 2 phase lights mounted to the Telstra pole – distance 164M. Lights are 16m off the ground - **20A 2 phase CB in board**

Lighting control is all new – **80A 3 phase CB**

Couldn't see any pits



KANIVA LEEOR UNITED FOOTBALL NETBALL CLUB

08/09/2023

ATT: Aaron Shalders
West Wimmera Shire Council
RE: Kaniva Recreation Reserve Lighting Upgrade

Dear Aaron,

We are writing to you in regard to our request for an upgrade to our lighting facilities at the Kaniva Recreation Reserve.

We are a club solely operated by volunteers, providing Football & Netball opportunities in our community.

In the past we have been lucky enough to apply and be awarded with grant money through the West Wimmera Shire, providing us with opportunities to regularly upgrade facilities. Our Club facilities are the best in the Horsham District Football Netball League, noted by many who attended the 2023 Preliminary Final held last weekend.

This took many volunteer hours to run smoothly and in the hopes to be able to host the Grand Final in the future we are hoping to upgrade our facilities even more.

Currently our oval lights do not reach the whole oval which makes training nights and Saturdays in the middle of winter very challenging for the development and games of our footballers.

With a new upgrade of our lighting system, we anticipate that our facilities will be high standard and an appropriate ground to hold future events at, not only benefiting us but also other user groups such as the Kaniva Hockey Club, Kaniva Cricket Club and the Kaniva Show Society.

We appreciate the contact that has been made with us so far and as a result our committee have agreed to contribute a small monetary value if required, as well as in-kind labour as needed. Although like many clubs we struggle with volunteer numbers, we currently have a healthy member base always willing to chip in and assist.

If you require any further information, please don't hesitate to get in touch with our president Ben Dunstall.

Kind regards,

Holly Pepper
KLUFNC
Secretary

Kaniva Leeor United Football Netball Club

PO Box 60, Kaniva Vic 3419

E-mail: klufnc1@outlook.com.au

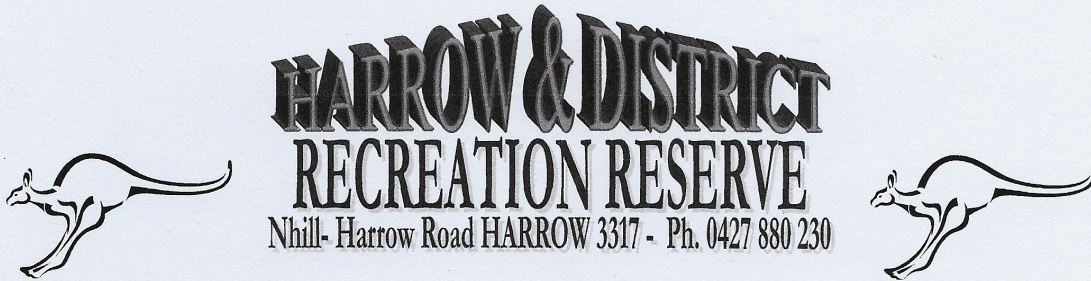
Treasurer Email: klufnctreasurer@outlook.com

President: Ben Dunstall 0409 931 296 - **Vice President: Hailee Witmitz** 0409 388 119

Secretary: Holly Pepper 0447 250 039 - **Treasurer: Sharon Maddern**

ABN: 25 693 895 056

Affiliated with Horsham District Football Netball League



5th September 2023

West Wimmera Shire
ATT: Aaron Shalders
Elizabeth Street
EDENHOPE VIC 3318

Dear Aaron

I would like to thank you for your support in helping the community with potential grant applications and in particular our proposed grant application for the upgrade of lighting around the oval at Harrow so we can become compliant with AFL regulations and guidelines.

At our last committee meeting it was agreed that the committee is committed to providing the required 15% contribution towards the project which would consist of 50% of this contribution being paid prior to the application being submitted and the following 50% prior to the funding agreement being signed should our application be successful.

Thank you and please don't hesitate to contact me for further information.

Kind Regards

A handwritten signature in black ink, appearing to read 'Corey Shrive', is written over the printed name.

Corey Shrive
President – Harrow & District Recreation Reserve



17th August 2023

West Wimmera Shire Council
ATT: Aaron Shalders

RE: 2023-24 COUNTRY FOOTBALL NETBALL PROGRAM SUBMISSIONS

The Harrow & District Recreation Reserve would like to thank you for the opportunity to submit our proposed project that would require significant funding via a grant application in order for us to proceed with.

At our last committee meeting we listed a number of projects that we as a committee would like to focus on at the Harrow Recreation Reserve going forward and one of these projects is the upgrade of the lighting around the football oval. We are fortunate enough to be having the lighting at the netball court upgraded with the current court upgrade that is happening at the moment so we would just be looking at the football oval lighting.

Currently the lighting around the oval is very average with a number of the lights not operation which is and can be a safety issue for the users of the oval at night and if the lights were to be upgraded to a standard that meets AFL and other sports there could be the possibility of hosting later afternoon/night sporting events which would be beneficial for not only the Harrow Recreation Reserve but the wider Harrow & District Community.

Please find attached a costing to upgrade the lighting around the oval to new LED lighting from George Devenish at Idwala. This costing is a rough estimate and appreciate that a more detailed quote/s would be required if this proposal was to be considered.

The other major project that we have on our list to aim for is an extension to the kitchen in the current clubroom and a local builder has given us an estimate costing of around \$300K plus and if this project could be considered either in this round of funding or for future rounds of funding should any become available it would be greatly appreciated.

Should our proposal/s be considered by Council the Harrow & District Recreation Reserve Committee would be committed to inputting the required funds and/or In Kind works in order for this project to be considered for approval. We would also be more than willing to help with the grant application process should our help be required.

Thank you again for the opportunity and please don't hesitate to contact me for further information or if you have any questions relating to this proposed project.

Kind Regards

Corey Shrive
President – Harrow & District Recreation Reserve



EDENHOPE APSLEY FOOTBALL & NETBALL CLUB INC

Correspondence to: P.O. Box 18, Edenhope VIC 3318
Phone: Edenhope (03) 5585 1487 - Apsley (03) 5586 1320

Dear Councillors,

First and foremost, we would like to thank you for the contact and opportunity to present our item to you today.

In relation to the upgrade of the light towers, we have had this on our Wishlist for several years. We had in the past been in conversations about a grant for this necessary item, however, they have not yet come to fruition. Therefore, we would like to stress the need for these lights for the Edenhope Apsley Football Netball Club and the wider community.

Local and community sport plays such a key role in our community for the health and wellbeing of our community members. We would like our facilities to be able to assist with this in enabling our community members to train and play football and other sport safely through the upgrade of lights for the football oval. Not only is the oval used for sport it is also used in the case of emergencies of helicopter landings and therefore is essential to having adequate lighting in order to ensure the safety of all of those involved.

Please see below the current location of the light towers for the oval, marked by red X. There are 4 in total for the entire oval. We are proposing to replace the current light towers with AFL preferred light towers (more information below) and LED lighting for reduction of energy consumption and full brightness for use of facility and safety of players and members.

The light tower circled on the picture below is continually tripping the fuse and since August 2023 has been not working. Training has had to be cancelled several times due to the lighting, and only certain parts of the oval are adequate lighting therefore trainings are very restricted by staying in these areas of the oval.

Please also find attached an email from Will Smith, electrician from Willpower describing the most recent investigations to the lighting, issues, and concerns with it.

We have also attached several photos to show the current lighting, being mindful that these were taken prior to the above report from Will in that one light tower now is faulty and had to be isolate for the remainder of the lights to work.

I have also attached Photos 13 & 14, which were taken on 1st of August, when the light tower become faulty, and the senior footballers were forced to train under vehicle lights. This is not acceptable in eyes of OHS due to the lack of visibility and the increased chance of injury.

By upgrading these lights we could also host different sports on the oval at given times throughout the year or participate in night games and could enable the oval to be used for a wide range of activities during the off season.



AFL Standard Lighting

Please find attached document AFL Preferred Facility Guidelines that advise the lighting preferences. Currently as the lighting stands this Edenhope's oval is definitely not up to standard and could be deemed a OHS issue of training at nights, due to the lack of visibility.

AFL - AS 2560.2

Category	Average horizontal maintained illuminance	Minimum horizontal uniformity		Maximum uniformity gradient	Maximum glare rating
	Eh lux	U1Min/Avg	U2Min/Max	UG (per 5m)	GR
<i>Amateur</i>					
Training	50	0.3	N/A		
Match practice and competition	100 (150*)	0.5	0.3 (0.4*)	2	50
<i>Semi-professional</i>					
Training	50	0.5	N/A		
Match practice	100	0.5	0.3	2	50
Semi-professional comp	200	0.6	0.4	1.67	50
<i>Professional</i>					
Training	100	0.5	0.3	2	50
Match practice	200	0.6	0.4	1.67	50
Professional comp	500	0.7	0.5	1.33	50

*For amateur match practice and competition, there is a small print note in AS 2560.2 which is at times overlooked or not requested by clients and which states that 150 lux is the preferred lighting level (rather than 100 lux) for this level of the game. A higher U2Min/Max value of 0.4 is also recommended when installing a completely new floodlighting system for football.

<https://www.halliday-lighting.com.au/articles/afl-lighting-standards/>

If you have any further questions about this please do not hesitate to contact Carolyn Middleton on 0407 579 961

Kind Regards,
President & Main Committee of Management



EDENHOPE APSLEY FOOTBALL & NETBALL CLUB INC

Correspondence to: P.O. Box 18, Edenhope VIC 3318
Phone: Edenhope (03) 5585 1487 - Apsley (03) 5586 1320

Dear Aaron,

Thank you for your correspondence regarding the Edenhope Apsley Football Netball Club's application for new lights on our football grounds at Edenhope.

We agree to provide the required 15% contribution towards the project, up to a value of \$50,000. We also commit to providing 50% of that payment prior to the application being submitted and the other 50% prior to the funding agreement being signed, if we are to be successful.

If there is anything else you require please let us know.

Warm regards,
Morgan Coventry



Edenhope-Apsley Football Netball Club Secretary



Goroke Recreation Reserve Committee of Management Inc.

85 – 101 Main Street, Goroke Victoria 3412

8 September, 2023

TO WHOM IT MAY CONCERN

**COUNTRY FOOTBALL & NETBALL PROGRAM 2023/24
GOROKE RECREATION RESERVE – IRRIGATION, FENCING AND DRAINAGE PROJECT
CA 9E, PARISH OF GOROKE, 85-101 MAIN ST, GOROKE**

On behalf of the Goroke Recreation Reserve Committee of Management Inc. we provide support for the application for the Country Football and Netball Program 2023/24 for the irrigation and fencing project at the Goroke recreation reserve.

Council's project team have indicated that as the project is located on crown land where Council are not the Committee of Management the contribution would be a minimum of 15% of the total project cost.

Our Committee have the available funds if the application is favourable. The committee do consider 15% to be a substantial amount to contribute and Council may find a lot of community groups not able to obtain these funds.

To date we have excessive insurance costs, not to mention the increase in electricity, gas and water costs. This is a huge burden on the volunteers who thrive to maintain community facilities on recreation reserves that are not managed by Council.

If you would like to discuss this further, please don't hesitate to contact me.

Regards

**Nick Gabbé
President
Goroke Recreation Reserve Committee of Management Inc.
0429 861 230**



15.2 Edenhope Tourism - Request for Planning Permit Fee Waiver

Directorate: Infrastructure Development and Works

Report Author: Director Infrastructure Development and Works

Report Purpose: For Decision

Introduction

This report is to provide information to the Council regarding the request made by Edenhope Tourism Inc to waive planning permit fees for the proposed Cricket Museum at 98 Elizabeth Street, Edenhope and seek a resolution to waive permit fees.

Declaration of Interest

No officer declared an interest under the Local Government Act 2020 (LGA 2020) in the preparation of this report.

Background

Edenhope Tourism Inc made a Planning Permit application for "change of use" to convert the current shed located at 98 Elizabeth Street, Edenhope to the Cricket Museum. The president of Edenhope Tourism Inc wrote to West Wimmera Shire requesting a waiver of the planning permit application fee of \$1,360.80 on a once-off basis. The president says that Edenhope Tourism is a not-for-profit organisation and is completely run by volunteers for the benefit of the community and this Cricket Museum is likely to attract more visitors to the town and add to the economy.

Risk Management Implications

Risk identified: There are no obvious risks for the Council to mitigate or eliminate in regard to the proposal considered for funding support in this report.

Legislative Implications

The report complies with the requirements of the:
Local Government Act 2020

Environmental Implications

Not applicable

Financial and Budgetary Implications

The financial risk rating has been assessed as: Medium



There is some risk that approval of this request might set precedence and the council might get additional requests from other community groups for waivers of such fees.

If this waiver is approved \$1,360.80 will need to be funded through budget variation.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy/s:

Not applicable

Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 1 – Liveable & Healthy Community

1.5 Support and encourage our events, cultural and arts communities.

Goal 2 – Diverse and Prosperous Economy

2.2 Promote the Shire as a great place to visit, live and invest.

Goal 5 – Our Commitment Values

Collaboration - We will actively and openly consult with you and work constructively with community organisations, agencies, the business community and other levels of government to our community's benefit.

Communication Implications

No Communication Implications

Gender Equality

Not Applicable

Conclusion

Edenhope Tourism Inc is a not-for-profit organisation run by a group of volunteers. The proposed Cricket Museum is expected to boost the economy of the town by attracting additional visitors. Hence, Edenhope Tourism has requested assistance by waving the Planning Permit application fee (Change of use) of \$1,360.80 for consideration by the Council.

OFFICER RECOMMENDATION:



That the Council considers the request from Edenhope Tourism Inc regarding the Planning Permit application fee waiver.

Attachments

1. Request to consider wavering Fees for Ref. P A 1151 [15.2.1 - 1 page]

From: [Helen Mulraney-Roll](#)
To: [Ram Upadhyaya](#)
Cc: [David Bezuidenhout](#); [Bruce Meyer](#)
Subject: Request to consider wavering Fees for Ref. PA1151
Date: Tuesday, 18 July 2023 11:56:41 AM
Importance: High



Edenhope Tourism Incorporated

96-98 Elizabeth St Edenhope 3318.

Telephone: 03-55851509

0427514140.

Email: edenhopetourism@outlook.com

Dear Ram.

The meeting held at the Council Chambers Monday 26th June at 3pm, Mrs Helen Surman, member of ET, asked if Council could waiver the Permit fees for the old SES Shed located at 98 Elizabeth St Edenhope.

The response was "a possibility".

As a not for profit organisation of hard working volunteers, working for the community Edenhope, ET Inc would like to make a request to West Wimmera Shire Council, to waiver the Planning Permit Fees for 98 Elizabeth St Edenhope. (Class 1 -Change of use only). Tax Invoice \$1360.80.

Cam Colley independent, has stated he will help with all the appropriate requests made by WWSC. I have an understanding he has spoken to you Ram?

Trust the Council will consider our request.

Regards

Helen Mulraney-Roll

President

Interim Secretary.



16 Sealing Schedule

16.1 Section 173 Agreement for Signing and Sealing - 1295 Ozenkadnook-Mortat Road, Peronne

Directorate: {directorate-do-not-remove}

Report Author: {position-do-not-remove}

Report Purpose: For Decision

Introduction

Planning Permit PA1133 was issued on 17 April 2023 allowing the removal of native vegetation. This Section 173 Agreement has the following relevant requirements to be lodged on land 1295 Ozenkadnook-Mortat Road, Peronne (Crown Allotment 36 Parish of Dopewora) in association with this permit:

9.2 Protection of Native Vegetation in perpetuity

- Subject to Clause 10.2, the owner must:
 - Maintain any Native Vegetation in perpetuity, to the same or better condition than exists at the Offset Site after the Management Actions under the Offset Management Plan are complied with;
 - Not cause or consent to the removal, destruction, lopping or any other interference with any Native Vegetation on the Offset Site, or the application of a permit for the same;
 - To the satisfaction of Council, take all reasonable steps to ensure that Native Vegetation on the Offset Site is protected and that no Native Vegetation is removed, destroyed, lopped or otherwise interfered with.

A section 173 Agreement is attached to be signed and sealed.

Declaration of Interest

No officer declared an interest under the Local Government Act 2020 (LGA 2020) in the preparation of this report.

Background

Planning Permit PA1133 was issued on 17 April 2023, allowing the permit holder to remove five (5) native trees on the subject site at Grant and Richs Road, Kaniva.

Condition 2 of the Permit requires an offset to be provided for the vegetation, prior to its removal.



Condition 3 provides the mechanisms in which the offset may be achieved. In particular, condition 3a. provides that the permit holder may establish a first party offset site, including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site.

This Section 173 agreement is to give effect to the requirement for a 'security agreement', ensuring that the offset area is protected and managed in accordance with the requirements of the condition.

The offset site is located at 1295 Ozenkadnook-Mortat Road, Peronne (more particularly described as Crown Allotment 36 Parish of Dopewora), with the Section 173 Agreement to be applied to this parcel of land.

Risk Management Implications

Risk identified:

There are no obvious risks for the Council to mitigate or eliminate in regard to the proposal considered for funding support in this report.

The council is the responsible authority for the administration of the Planning and Environment Act 1987. The signing and sealing of the 173 Agreement is an administrative process required prior to lodgment with the title's office.

Legislative Implications

The report complies with the requirements of the:
Local Government Act 2020
Planning and environment Act 1987

Environmental Implications

Environmental Risk rating has been assessed as: Low
Ensuring that planning and building controls are appropriately implemented in accordance with the relevant legislation ensures the protection of our environment.

Financial and Budgetary Implications

Nil

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy/s:

Environmental Policy



Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 1 – Liveable & Healthy Community

1.3 Provide well planned and sustainable community infrastructure.

Communication Implications

Consultation has already been undertaken in development of the planning permit in 2022.

Gender Equality

Not Applicable

Conclusion

This Section 173 Agreement is an administrative process required as part of planning permit PA1133 for the removal of native vegetation once the document is signed and sealed it will be lodged with the Victorian Title's Office.

OFFICER RECOMMENDATION:

That the CEO and Mayor sign the 173 Agreement for 1295 Ozenkadnook-Mortat Road, Peronne to be lodged on the title of the property.

Attachments

1. Rich s 173 Agreement 24.8.23 [16.1.1 - 33 pages]

Agreement under Section 173 of the Planning and Environment Act 1987

Dated

Parties

Name	William John Rich and Margery Joy Rich
Address	325 Richs Road, Goroke Vic 3412
Short name	the Owner
Name	West Wimmera Shire Council
Address	49 Elizabeth Street, Edenhope Vic 3318
Short name	Council

RECITALS

- A. Council is the responsible authority for the Planning Scheme, pursuant to the Act.
- B. The Owner is the registered proprietor of the Subject Land.
- C. The Owner proposes to meet the Offset Requirement by providing a first party offset that meets the requirements of the Guidelines.
- D. The Parties enter into this Agreement, pursuant to section 173 of the Act, to satisfy the Offset Requirement, to restrict and regulate the use and development of the Subject Land in perpetuity, and to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.
- E. The Subject Land is subject to the Mortgage. The Mortgagee consents to this Agreement as evidenced in Schedule 5.

The Parties agree

1. Definitions

In this Agreement unless expressed or implied to the contrary:

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Act means the *Planning and Environment Act 1987 (Vic)*.

Agreement means this Agreement, including any schedule to this Agreement.

Annual Report means a report provided to Council within one year of the Commencement Date and prior to each anniversary of that date for each year thereafter for a period of 10 years, in accordance with clause 11.1.

Building has the same meaning as in the Act.

Business Day means any day in Victoria that is not:

- (a) a Saturday or a Sunday; or
- (b) a public holiday in Melbourne, Victoria pursuant to the *Public Holidays Act 1993 (Vic)*

Commencement Date means the date on which this Agreement commences in accordance with clause 6.

DELWP Offset Register means the register administered by the Department which contains information about existing and potential offset sites, and is described in the Guidelines as the 'Offset Register'.

Department means the Department of Environment, Land, Water and Planning or its relevant successor.

Domestic or Feral Animal means any animal that is not native fauna or livestock.

First Owner means the person or persons referred in Item 1.

Gain means the predicted improvement in biodiversity value of native vegetation due to active management and increased security provided at an offset site, as determined in accordance with the Department's Gain Scoring Manual.

Gain Balance means the whole or any part of the Gain recorded by the Secretary on the DELWP Offset Register under or in connection with this Agreement which is not necessary to satisfy the Offset Requirement.

Gain Scoring Manual means the *Native vegetation gain scoring manual, Version 2*, dated December 2017, a copy of which is available from the website administered on behalf of the Secretary, which at the Commencement Date is <www.delwp.vic.gov.au>.

Guidelines means the *Guidelines for the removal, destruction or lopping of native vegetation*, dated December 2017, a copy of which is available from the website administered on behalf of the Secretary, which at the Commencement Date is www.delwp.vic.gov.au.

Item means an item in Schedule 1.

Management Actions means the works and other requirements to be carried out by the Owner as specified in the Offset Management Plan in Schedule 3.

Management Commitments means the outcomes for the improved quality and extent of Native Vegetation on the Offset Site to be achieved by the Owner carrying out the Management Actions.

Mortgage means the registered mortgage referred to in Item 8.

Mortgagee means the person or persons referred to in Item 8, and any person registered or entitled to be registered, from time to time, by the Registrar of Titles as mortgagee of a mortgage affecting the Subject Land or any part of it.

Native Vegetation includes native vegetation within the meaning of the same term in the Planning Scheme, and includes dead native vegetation (to the extent not within that meaning).

Native Vegetation Offset Report means the report annexed at Schedule 4.

Offset Extract means a document issued by the Department specifying that the whole or any part of any Gain Balance has been used to satisfy any current or future offset requirement (other than the Offset Requirement) that is capable of being satisfied by the Gain Balance in accordance with the Guidelines.

Offset Management Plan means the plan annexed at Schedule 3.

Offset Requirement means the requirement to provide a Native Vegetation offset described in Item 5.

Offset Site means that part of the Subject Land as specified in Schedule 2.

Owner means any person registered or entitled to be registered, from time to time, by the Registrar of Titles as proprietor of an estate in fee simple of the Subject Land or any part of it, and includes the First Owner for so long as the First Owner remains the registered proprietor.

Periodic Report means an additional report requested by Council from time to time in accordance with clause 11.2, which relates to a specified period for the purpose of demonstrating compliance with the Agreement, including the Offset Management Plan.

Planning Permit means the planning permit described in Item 4.

Planning Scheme means the planning scheme described in Item 6 and any other planning scheme that applies to the Subject Land from time to time.

Secretary means the Secretary to the Department.

Subject Land means the land that is described in Item 7 as at the date of this Agreement, and any reference to the Subject Land includes all or any part of it, including any lot created by the subdivision of the Subject Land.

2. Interpretation

In this Agreement unless the context admits otherwise:

- 2.1 The singular includes the plural and vice versa.
- 2.2 If a party consists of more than one person, this Agreement binds them jointly and each of them severally.
- 2.3 A term used in this Agreement has its ordinary meaning unless that term is defined in either this Agreement or in the Act. In the event that a term is defined in both this Agreement and the Act, the definition in this Agreement shall prevail.

- 2.4 A reference to an Act, Regulation or planning scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or planning scheme.
- 2.5 The Recitals are deemed to form part of this Agreement.
- 2.6 This Agreement should be interpreted, insofar as the language of the Agreement permits:
- (a) to give full effect to the Offset Requirement, any clause of the Planning Scheme or other regulatory provision pursuant to which the Offset Requirement was imposed, and the Guidelines; and
 - (b) to protect, preserve, foster, promote the growth, and improve the condition of, Native Vegetation and other environmental values of the Offset Site.
- 2.7 A provision in this agreement that a thing be done or an obligation be met to the satisfaction of Council is intended to enable the Council to determine actions that must be taken or the standard of compliance to be achieved by the Owner, subject to such actions or standards being not unreasonably disproportionate or burdensome.

3. Business day

Where the day on or by which any thing is to be done is not a Business Day, that thing must be done on or by the following Business Day.

4. Agreement under section 173 of the Act

This Agreement is made as a deed in accordance with section 173 of the Act.

5. Parts of this Agreement

- 5.1 This Agreement includes any schedule to this Agreement.
- 5.2 If there is any ambiguity, discrepancy or inconsistency in the documents forming part of this Agreement, the higher standard, quality or quantum will prevail.

6. Commencement Date

- 6.1 This Agreement commences from the date of execution of the Agreement by the final executing party.

7. Covenants to run with the land

- 7.1 The obligations of the Owner under this Agreement take effect as separate and several covenants which are annexed to and run at law and in equity with the Subject Land and every part thereof.

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- 7.2 Subject to clause 7.3, the obligations bind the Owner, its successors, assigns and transferees.
- 7.3 If the Subject Land is subdivided, this Agreement must be read and applied so that:
- 7.3.1 the Agreement continues to apply to the whole of any lot containing any part of the Offset Site (or any part of the fencing around the Offset Site);
 - 7.3.2 each Owner of a lot that includes any part of the Offset Site is responsible for those covenants and obligations which relate to the part of the Offset Site included in Owner's lot; and
 - 7.3.3 if the Offsite Site is located on more than one lot, and satisfying any covenant or obligation requires the action of more than one Owner or affects more than one lot:
 - (a) the Owners of each lot containing any part of the Offset Site are jointly and severally responsible for any such covenants and obligations; and
 - (b) each Owner of such a lot grants to the Owners of each other lot containing part of the Offset Site permission to access the lot owned by that Owner for the purposes of satisfying such covenants or obligations.

8. Ending of Agreement

- 8.1 This Agreement is intended to apply to:
- 8.1.1 the Offset Site; and
 - 8.1.2 the whole of the Subject Land, or (if the Subject Land is subdivided) the whole of any lot that includes any part of the Offset Site,
- in perpetuity.
- 8.2 This Agreement will not end except in accordance with Division 2 of Part 9 of the Act.
- 8.3 As soon as reasonably practicable after the Agreement has ended, Council will, at the Owner's request and cost, apply to the Registrar of Titles under section 183(1) of the Act to cancel the recording of this Agreement on the Folio of the Register to the Subject Land.
- 8.4 If the Subject Land is subdivided, and the subsequent Owner of a lot has no obligations under this Agreement with respect to any part of the Offset Site, Council will, at that Owner's request and cost, apply to the Registrar of Titles under section 183(1) of the Act to cancel the recording of this Agreement on the Folio of the Register to that lot.

9. Owner's management obligations

The Owner covenants, agrees and undertakes as follows.

9.1 Implementation of the Offset Management Plan

- 9.1.1 The Owner must implement and comply with the Offset Management Plan.

- 9.1.2 To achieve the Management Commitments, the Owner must complete the Management Actions to the standards, requirements and timeframes set out in the Offset Management Plan and to the satisfaction of Council.
- 9.1.3 On completion of any part of the Management Actions, the Owner must, to the satisfaction of Council:
 - (a) maintain and protect the Management Actions;
 - (b) not interfere with, or cause or consent to interference by any other person with, the Management Actions; and
 - (c) carry out any other ongoing maintenance activities or works described in the Offset Management Plan.

9.2 Protection of Native Vegetation in perpetuity

Subject to clause 10.2, the Owner must:

- 9.2.1 maintain any Native Vegetation in perpetuity, to the same or better condition than exists at the Offset Site after the Management Actions under the Offset Management Plan are complied with;
- 9.2.2 not cause or consent to the removal, destruction, lopping or any other interference with any Native Vegetation on the Offset Site, or to the application for a permit for the same;
- 9.2.3 to the satisfaction of Council, take all reasonable steps to ensure that Native Vegetation on the Offset Site is protected and that no Native Vegetation is removed, destroyed, lopped or otherwise interfered with.

9.3 Introduction of animals other than livestock

- 9.3.1 Subject to clauses 10.2, 10.3 and 9.3.2, the Owner must:
 - (a) not cause or consent to the bringing of any Domestic or Feral Animal onto the Offset Site; and
 - (b) to the satisfaction of Council, take all reasonable steps to exclude any Domestic or Feral Animal from entering onto or remaining on the Offset Site.
- 9.3.2 The Owner may bring domestic dogs on to the Offset Site provided that:
 - (a) any dogs so brought are under the immediate control of the Owner or another person authorised by the Owner at all times; and
 - (b) do not cause damage to the Offset Site or otherwise interfere with an obligation under this Agreement.

9.4 Installation, upgrade and maintenance of fencing

- 9.4.1 If any stock or person other than the Owner accesses or is reasonable likely to access the Offset Site, or has ready access to or becomes reasonably likely to have access to the Offset Site, the Owner must, subject to clause 10.3, ensure that fencing and gates are installed and maintained so as to protect the Offset Site from any stock or other threats to the condition of the native vegetation, to the satisfaction of Council.

- 9.4.2 Subject to clause 10.3, the Owner must maintain any fencing required by or under this Agreement in good repair and condition, and to a standard that is adequate to prevent the access of stock or other threats which the fencing is intended to prevent, at all times, to the satisfaction of Council.

9.5 Weed and pest management obligations

The Owner must, in relation to the Offset Site:

- 9.5.1 comply with sections 20(1)(d), (e) and (f) of the *Catchment and Land Protection Act 1994* (Vic); and
- 9.5.2 subject to clause 10.3, monitor for and take all reasonable steps to reduce and minimise the growth and spread of weeds to the satisfaction of Council.

9.6 Application of fertiliser

The Owner must:

- 9.6.1 not cause or consent to the application of any fertiliser to any part of the Offset Site; and
- 9.6.2 to the satisfaction of Council, take all reasonable steps to ensure that fertiliser is not applied to any part of the Offset Site.

9.7 Buildings and structures

Subject to clauses 10.2 and 10.3, the Owner must:

- 9.7.1 not construct, erect or place any Building or structure on the Offset Site; and
- 9.7.2 to the satisfaction of Council, take all reasonable steps to:
- (a) ensure that no Building or structure is constructed, erected or placed on the Offset Site by any other person; and
 - (b) to remove any Building or structure constructed, erected or placed on the Offset Site.

9.8 Rubbish and other materials

The Owner must:

- 9.8.1 not cause or consent to the dumping of any rubbish or the storage of any materials on the Offset Site; and
- 9.8.2 to the satisfaction of Council, take all reasonable steps to:
- (a) avoid and prevent the dumping of any rubbish or the storage of any materials on the Offset Site; and
 - (b) remove and clean up any rubbish dumped or materials placed or stored on the Offset Site.

9.9 Further management obligations

Subject to clauses 10.2 and 10.3, the Owner must not cause or consent to any of the following on, to or from the Offset Site, and must take all reasonable steps to ensure that the following do not occur on, to or from the Offset Site to the satisfaction of Council:

- 9.9.1 the removal, introduction or disturbance of any soil, rocks or other minerals;
- 9.9.2 the alteration of, interference with or deterioration in the natural state or the flow, supply, quantity or quality of water, including in or to any waterway or body of water;
- 9.9.3 the construction of dams or modification of existing dams;
- 9.9.4 the removal of or interference with any fallen vegetation, twigs, branches or other woody or leafy material;
- 9.9.5 the introduction, entry or presence of any livestock;
- 9.9.6 the subdivision of the Offset Site;
- 9.9.7 the operation of any trade, industry or business;
- 9.9.8 the recreational use of trail bikes or four wheel drive vehicles;
- 9.9.9 the carrying out of any works on the Offset Site other than those required or expressly permitted by this Agreement or required by law; and
- 9.9.10 the use of the Offset Site, or the carrying out of any works or other activities, not consistent with this Agreement.

9.10 Extractive industry and utility installations

- 9.10.1 The Owner must not cause or consent to, unless required by law:
 - (a) exploration, mining, extraction or production of gas, petroleum, minerals or other substances on the Offset Site; or
 - (b) the installation of any transmission lines or other services or works on the Offset Site.
- 9.10.2 The Owner must bring this Agreement to the attention of any person who notifies the Owner that they have applied for or will be applying for a licence, approval, authorisation or proposal to take an action of the kind described in clause 9.10.1, and to any other person or body whose approval is required to take that action.
- 9.10.3 The Owner must notify Council of any notification of an application for a licence, approval, authorisation or proposal to take an action of the kind described in clause 9.10.1.

9.11 Ongoing obligations

The Owner's obligations under this Agreement continue to apply regardless of any amendment to the Planning Scheme or any amendment to, expiration or cancellation of the Planning Permit.

9.12 Notice

The Owner must bring this Agreement to the attention of all prospective purchasers, lessees, mortgagees, chargees, transferees and assigns.

9.13 Special obligations

The Owner covenants, agrees and undertakes to comply with the obligations specified in Schedule 6.

10. Exemptions from compliance with Owner's obligations

The Owner may be exempted from compliance with the obligations under clause 9 to the extent set out in this clause.

10.1 General exemptions

10.1.1 Notwithstanding anything in clause 9, the Owner may remove, destroy, lop or otherwise interfere with any Native Vegetation on the Offset Site to the minimum extent necessary:

- (a) to keep vegetation clear of an electric line, provided that the removal, destruction, lopping or interference is carried out in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998* (Vic);
- (b) to remove vegetation from an electricity supply easement in accordance with any code of practice prepared in accordance with Part 8 of the *Electricity Safety Act 1998* (Vic) in order to minimise the risk of bushfire ignition in the proximity of electric lines;
- (c) to mitigate an immediate risk of personal injury or damage to property;
- (d) as part of measures for the suppression of fire in emergency circumstances;
- (e) to comply with a fire prevention notice issued under sections 41 or 41F of the *Country Fire Authority Act 1958* (Vic) or sections 87 or 93 of the *Metropolitan Fire Brigades Act 1958* (Vic); and
- (f) to comply with a direction given under section 65 of the *Forests Act 1958* (Vic).

10.1.2 The Owner must provide Council with a notice at least seven days before removing, destroying, lopping or otherwise interfering with any Native Vegetation under clauses 10.1.1(a) or 10.1.1(b).

10.1.3 The Owner must provide Council with a notice not more than seven days after removing, destroying, lopping or otherwise interfering with any Native Vegetation under clauses 10.1.1(c), 10.1.1(d), 10.1.1(e) or 10.1.1(f).

10.1.4 A notice under clause 10.1.2 or 10.1.3 must set out the works or activities, the specific circumstances in which the works or activities are required, and the clause under which the works or activities are permitted.

10.2 Exemptions under Offset Management Plan

If an Offset Management Plan expressly provides for the Owner to carry out any activity, that activity is taken not to contravene clauses 9.2, 9.3, 9.7, or 9.9.

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10.3 Exemptions granted by Council

- 10.3.1 On application by the Owner, Council may, in its sole discretion, exempt the Owner from compliance with clauses 9.3, 9.4, 9.5.2, 9.7, or 9.9.
- 10.3.2 An exemption granted under clause 10.3.1 may be conditional and applies only to the circumstances described in the exemption.

11. Reporting and information

11.1 The Owner covenants and agrees to submit an Annual Report to Council for each of the 10 years following the Commencement Date, which sets out, among other matters:

- 11.1.1 progress under and compliance with the Agreement; and
- 11.1.2 progress under, completed actions and compliance with the Offset Management Plan,

for the period since the previous Annual Report (or since the Commencement Date, if no previous Annual Report has been submitted).

11.2 Council may require the Owner to prepare a Periodic Report after the period during which Annual Reports are required under clause 11.1. Council can only request a Periodic Report once every five years.

11.3 The Owner further covenants and agrees to:

- 11.3.1 retain for 10 years invoices, documents and other records of activities the Owner has taken in the implementation of this Agreement and the Offset Management Plan; and
- 11.3.2 provide to Council, within 30 days of a request from the Council, subject to any restrictions on disclosure, records kept in accordance with 11.3.1 and any other information specified by Council that is in the Owner's possession and that is reasonably required by Council to assist Council to assess compliance with the Owner's obligations under this Agreement.

12. Access to Subject Land

12.1 The Owner covenants and agrees to permit Council and its officers, employees, agents, contractors, invitees and licensees, on provision of five business days' notice (or such lesser period as is reasonable in the circumstances):

- 12.1.1 to enter and access the Subject Land; and
- 12.1.2 to bring any associated machinery, equipment or vehicles on to the Subject Land,

for the purposes of this Agreement, including (without limitation):

- 12.1.3 to assess compliance with this Agreement; and
- 12.1.4 to rectify non-compliance with this Agreement in accordance with clause 19.

13. Owner's indemnities

- 13.1 The Owner hereby indemnifies Council and agrees to keep Council indemnified against all claims, demands, loss or damage which Council may suffer or sustain in respect of:
- 13.1.1 the death or injury to any person or loss of or damage to property (**Loss**) as a result of Council's access to or works or activities on the Subject Land or any part of the Subject Land for the purposes of this Agreement to the extent that the Loss is caused or contributed to by the Owner's act or omission; and
 - 13.1.2 any costs incurred by Council in obtaining any remedy against the Owner in respect of any contravention of this Agreement.
- 13.2 The Owner hereby acknowledges and agrees that:
- 13.2.1 Council is not and will not at any time be construed as the employer or principal of the Owner or any employee that the Owner might have; and
 - 13.2.2 the Owner is solely responsible and liable for making any payments in respect of superannuation, payroll or any other tax, WorkCover levy or any similar payments in relation to any employees of the Owner.

14. Owner to pay costs of Council

- 14.1 Within 30 days of the provision of a tax invoice by Council, the Owner covenants and agrees that the Owner will pay to Council the reasonable costs and expenses of and incidental to:
- 14.1.1 the preparation, review, and execution of this Agreement;
 - 14.1.2 the recording of this Agreement on the Folio of the Register to the Subject Land in accordance with the Act;
 - 14.1.3 any variation to or termination of this Agreement requested by or on behalf of the Owner, or applied for by the Owner under the Act, whether or not Council agrees to such an amendment or termination;
 - 14.1.4 any application to the Registrar of Titles to make any amendments to or recordings in the Register that are necessary because of the variation or termination of this Agreement, as a consequence of:
 - (a) a request by the Owner;
 - (b) the subdivision of the Subject Land; or
 - (c) an application made by the Owner for consent or approval for any act, matter or thing under or in connection with this Agreement.
- 14.2 On the provision of a tax invoice by Council, these costs are and until paid remain a debt due to Council by the Owner.

15. Successors in Title

Without limiting the operation or effect that this Agreement has, the Owner must ensure that, until such time as the Registrar of Titles makes a recording of this Agreement on the Folio of the Register to the Subject Land, successors in title shall be required to:

- 15.1 give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
- 15.2 execute a deed by which successors assume the obligations of the Owner under, and agree to be bound by, this Agreement.

16. Owner's warranties and third party consents

The First Owner warrants that:

- 16.1 all persons who have any interest in the Subject Land, other than the First Owner, have consented to this Agreement and that consent is recorded in Schedule 5 to this Agreement;
- 16.2 apart from the First Owner and the persons who have consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Subject Land which may be affected by this Agreement.

17. Recording of offsets

- 17.1 Within 30 days after the Commencement Date, Council must cause a copy of this Agreement to be provided to the Secretary for the purpose of enabling the Secretary to record the Offset Site, allocate the Gain in respect of the Site and record any Gain Balance on the DELWP Offset Register:
- 17.2 Once recorded on the DELWP Offset Register, any Gain Balance is available to the Owner to satisfy any other current or future offset requirement that is capable of being satisfied by the Gain Balance in accordance with the Guidelines (as amended from time to time, and including any successor to or replacement of that policy), if:
 - 17.2.1 the Owner applies in writing to the Department for an Offset Extract; and
 - 17.2.2 the Department issues an Offset Extract to the Owner,
- 17.3 The Owner obtains no right in law or equity in relation to the Gain Balance, by reason of the recording of the Gain or the Gain Balance on the DELWP Offset Register or by reason of the issue of an Offset Extract to the Owner or otherwise.
- 17.4 The Owner must not purport to sell, assign, or transfer the right or opportunity to use the Gain Balance to any person.

18. Further assurance

The Parties agree to do all things necessary:

- 18.1 to give effect to this Agreement;

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- 18.2 to enable Council to apply to the Registrar of Titles to:
- 18.2.1 record this Agreement on the Folio of the Register to the Subject Land in accordance with the Act;
 - 18.2.2 replace this Agreement with registration of an amended agreement if an amendment is made to this Agreement which necessitates replacement of its registration; and
 - 18.2.3 remove the registration of this Agreement in whole or part (as applicable) from the Subject Land if this Agreement ends in accordance with clause 8, or is otherwise discharged as to part of the Subject Land.

19. Non-compliance

- 19.1 If Council considers that the Owner has not complied with any obligations under this Agreement:
- 19.1.1 Council may issue a notice to the Owner which sets out the nature of the alleged non-compliance;
 - 19.1.2 the Owner must respond in writing to the notice within 10 Business Days after the notice is given, setting out the Owner's response to the alleged non-compliance and, if substantiated, the actions the Owner proposes to take in order to remedy the non-compliance and the timeframe in which to complete the actions;
 - 19.1.3 in the event of a failure by the Owner to comply with the written notice within 28 Business Days after the notice is given, or in the event of a dispute or difference between the Owner and Council in relation to the alleged non-compliance which is not resolved:
 - (a) Council and its officers, employees, agents, contractors, invitees and licensees may enter into the Subject Land in accordance with clause 12 and take action for the purpose of rectifying the non-compliance; and
 - (b) Within 30 days of the provision of a tax invoice by Council, the Owner must pay to Council the reasonable costs and expenses of and incidental to action taken pursuant to this clause to rectify non-compliance with this Agreement (including costs and legal expenses of investigating and issuing a notice in accordance with this clause), which are and until paid remain a debt due to Council by the Owner.
- 19.2 Clause 19.1 does not constrain Council or any other person from taking enforcement action under the Act, or from otherwise seeking to enforce this Agreement.

20. Amendment

This Agreement may be amended with the agreement of all the Parties or only in accordance with Division 2 of Part 9 of the Act.

21. Notices

21.1 Form of Notice

21.1.1 A notice or other communication to a Party under this Agreement (**Notice**) must be

- (a) in writing and in English; and
- (b) addressed to that Party in accordance with the details nominated in Schedule 1 (or any alternative details nominated to the sending party by Notice).

21.2 How Notice must be given and when Notice is received

21.2.1 A Notice must be given by one of the methods set out in the table below.

21.2.2 A Notice is regarded as given and received at the time set out in the table below.

21.2.3 However, if this means the Notice would be regarded as given and received outside the period between 9.00am and 5.00pm (addressee's time) on a Business Day (**business hours period**), then the Notice will instead be regarded as given and received at the start of the following business hours period.

Method of giving Notice	When Notice is regarded as given and received
By hand to the nominated address	When delivered to the nominated address
By pre-paid post to the nominated address	At 9.00am (addressee's time) on the second Business Day after the date of posting
By fax to the nominated fax number	At the time indicated by the sending party's transmission equipment as the time that the fax was sent in its entirety.
By email to the nominated email address	When the email (including any attachment) comes to the attention of the recipient party or a person acting on its behalf.

22. No waiver

Any time or other indulgence granted by Council to the Owner or any variation of this Agreement or any judgment or order obtained by Council against the Owner does not amount to a waiver of any rights or remedies of Council in relation to this Agreement.

23. No fettering of Council's powers

This Agreement does not fetter or restrict Council's power or discretion to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certifying any plan which subdivides the Subject Land or relating to any use or development of the Subject Land.

24. Governing Law

- 24.1 This Agreement is governed by the laws of the State of Victoria.
- 24.2 Each of the Parties irrevocably submits to the exclusive jurisdiction of the courts of Victoria and courts of appeal from them in respect of any proceedings arising out of or in connection with this Agreement. Each Party irrevocably waives any objection to the venue of any legal process in these courts on the basis that the process has been brought in an inconvenient forum.

25. Severability

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void, then it is severed with the other provisions of this Agreement remaining operative.

26. Entire agreement

This Agreement states all the express terms of the agreement between the Parties in respect of its subject matter. It supersedes all prior discussions, negotiations, understandings and agreements between the Parties in respect of its subject matter.

27. Inspection of documents

A copy of any planning permit, document or plan referred to in this Agreement is available for inspection at offices of Council or the Department during normal business hours upon giving reasonable notice to Council or the Department (as applicable).

Signing Page

Executed and delivered as a deed.

Signed, sealed and delivered by
WILLIAM JOHN RICH in the presence of:

Signature of witness

Signatory

Name of witness (print)

Date

Signed, sealed and delivered by
MARGERY JOY RICH in the presence of:

Signature of witness

Signatory

Name of witness (print)

Date

The COMMON SEAL of the **WEST WIMMERA**)
SHIRE COUNCIL was hereunto affixed in the)
presence of:

Chief Executive Officer

Councillor

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Schedule 1 Agreement Details

Item 1: Owner William John Rich and Margery Joy Rich

Item 2: Owner's details

Address: 325 Richs Road, Goroke Vic 3412
Email: richfarmingt@gmail.com

Item 3: Council's details

Address: 49 Elizabeth Street, Edenhope Vic 3318
Attention: Nicole Wearne
Email: planning@westwimmera.vic.gov.au

Item 4: Planning Permit

Permit number: PA1133
Date issued: 17 April 2023
Purpose: Removal of native vegetation

Item 5: Offset Requirement Condition 2 of Planning Permit PA1133.

To offset the removal of 0.228 hectares of native vegetation at Grants and Richs Road, Kaniva (Crown Allotment 22, Section 4, Parish of Kaniva) the Owner agrees to a native vegetation offset, in accordance with the guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as follows:

1. A general offset of 0.041 general habitat units located within the Wimmera Catchment Management Authority boundary or West Wimmera Shire municipal district with a minimum strategic biodiversity score of at least 0.151; and
 2. The offset secured must provide protection of at least 5 large trees.
-

Item 6: Planning Scheme West Wimmera Planning Scheme

Item 7: Subject Land

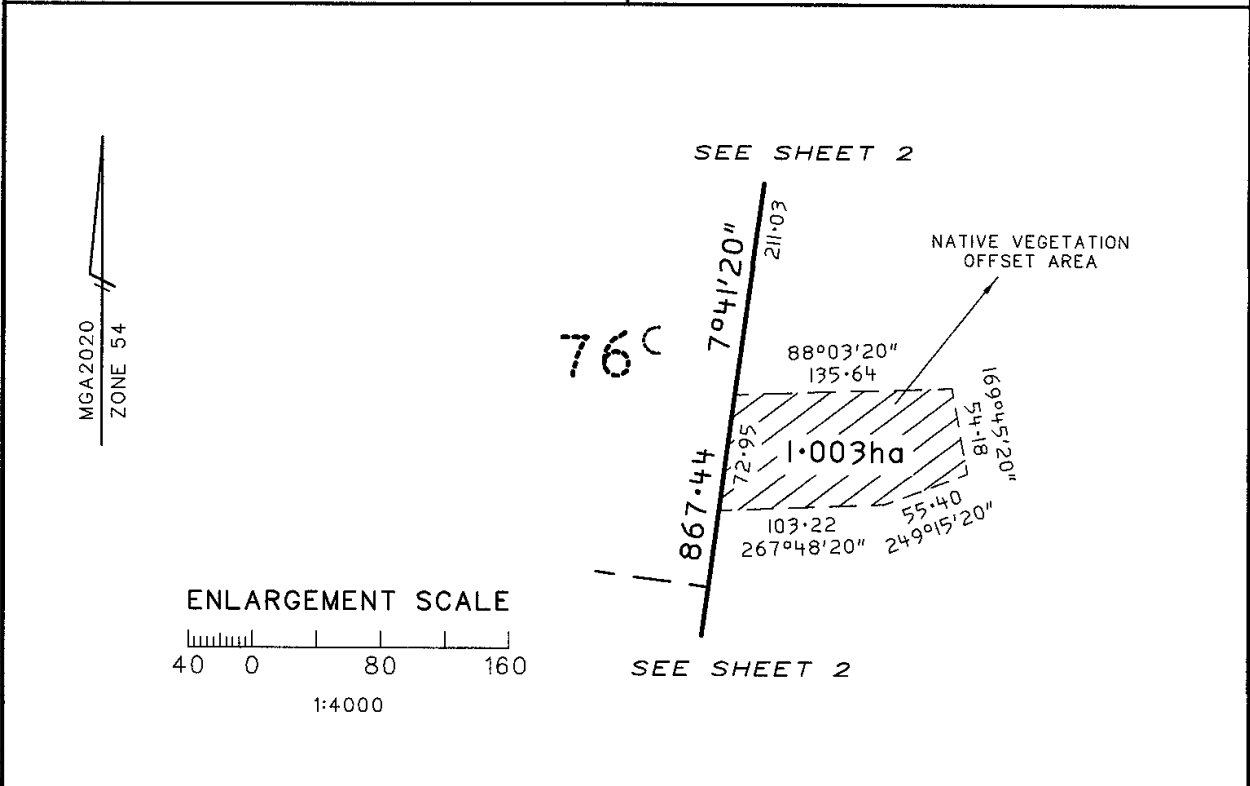
Register details: Certificate of Title Volume 2928 Folio 569
Lot and plan: Crown Allotment 36 Parish of Dopewora
Known as: Ozenkadnook-Mortat Road, Peronne Vic 3413

Item 8: Mortgage

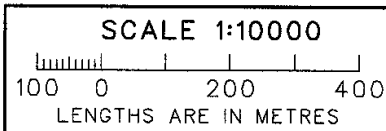
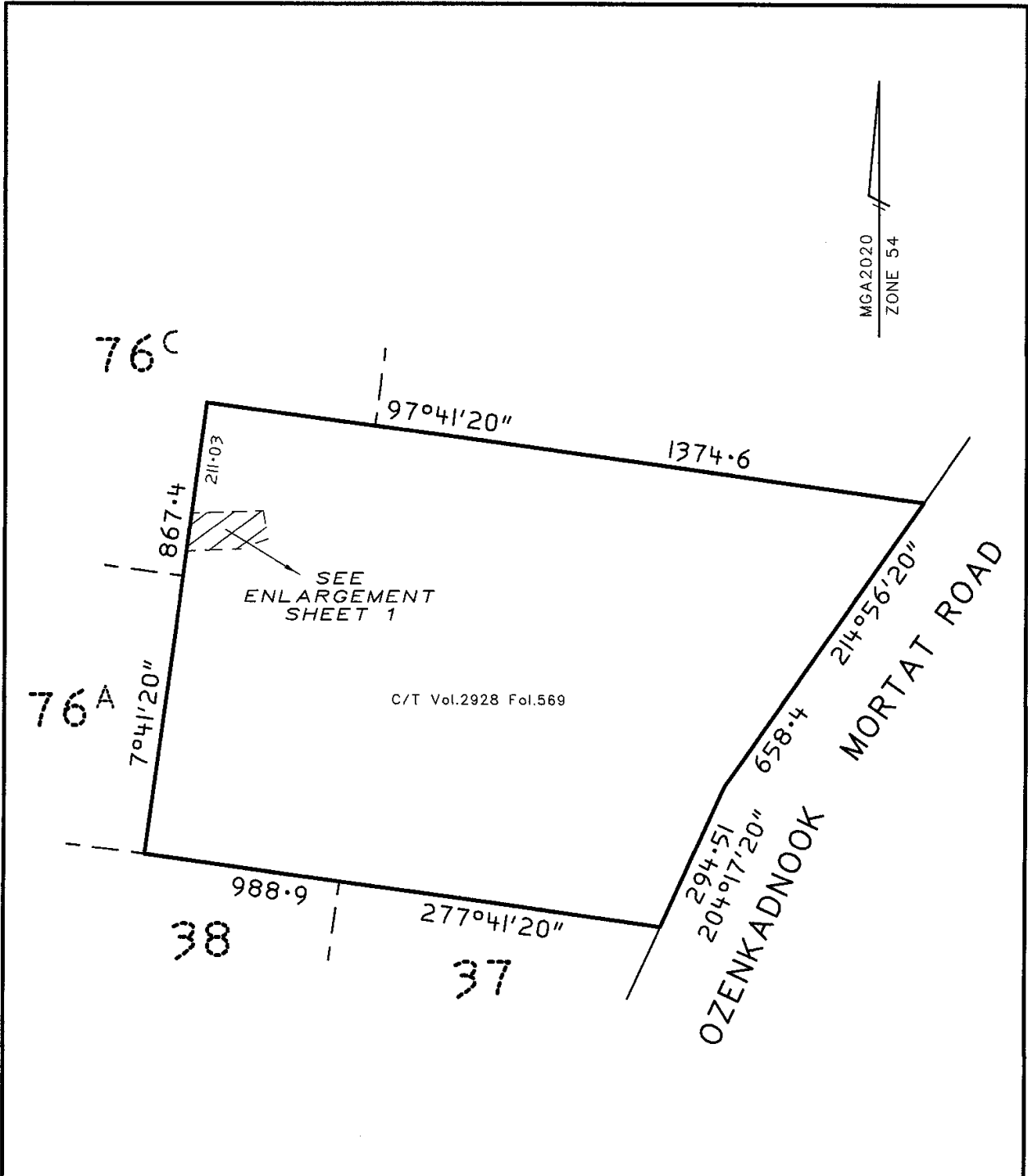
Mortgage number: AM217452D
Date of registration: 29 September 2015
Mortgagee: National Australia Bank Ltd

Schedule 2 Offset Site

<p>PLAN FOR CREATION OF NATIVE VEGETATION OFFSET AREA</p>	<p>CERTIFICATION BY SURVEYOR</p>
<p>COUNTY OF LOWAN PARISH OF DOPEWORA SECTION _____ CROWN ALLOTMENT 36</p> <p>TITLE REF: Vol.2928 Fol.569 LAST PLAN REF: TP564227K POSTAL ADDRESS: OZENKADNOOK MORTAT ROAD PERONNE, VIC., 3413</p>	<p>I, MARK GREGORY DORE, CERTIFY THAT THIS PLAN HAS BEEN MADE BY ME, IS MATHEMATICALLY CORRECT AND ACCORDS WITH TITLE.</p> <p>DATE: 21st Aug. 2023</p>
<p>NOTATIONS</p>	<p>MGA2020 E 531 850 Zone: 54 Co-ordinates: N 5 930 650 (of approx centre of land in plan)</p>
<p>Purpose of Plan: To define Native Vegetation Offset Area as required by West Wimmera Shire Council Planning Permit No. PA1133</p> <p>Other Notations: Subtract 7°41'20" for Title Datum.</p>	<p>ENDORSEMENT OF MUNICIPALITY</p> <p>COUNCIL: WEST WIMMERA SHIRE COUNCIL REF:</p> <p>_____ COUNCIL DELEGATE DATE:</p>



<p>BRAYLEY & HAYES LAND & ENGINEERING SURVEYORS 85 KENNEDY STREET, HAMILTON, 3300 PHONE: (03) 5571 9171 EMAIL: admin@brayleyandhayes.com.au</p>	<p>SURVEYOR'S REFERENCE 23062 VERSION 1 21/08/23</p>	<p>SHEET 1 OF 2</p>	<p>OFFICE USE ONLY</p>
		<p>SHEET SIZE A4</p>	



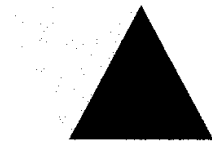
MARK G. DORE	
SIGNATURE _____	VERSION 1
LICENSED SURVEYOR	DATE 21/08/2023
SHEET 2 OF 2	OFFICE USE ONLY
SHEET SIZE A4	

BRAYLEY & HAYES
LAND & ENGINEERING SURVEYORS
85 KENNEDY STREET, HAMILTON, 3300
PHONE: (03) 5571 9171
EMAIL: admin@brayleyandhayes.com.au

SURVEYOR'S REFERENCE
23062
VERSION 1
21/08/23

Schedule 3 Offset Management Plan

The Offset Management Plan is attached.



First party general offset management plan

This offset management plan (OMP) has been designed for permit holders securing a first party general offset site using the NVIM Native vegetation offset tool. The offset is used to meet their permit conditions. This plan must be completed and attached as a schedule to the security agreement.

A. Offset site details

Offset site reference ID	N/A
Address of offset site	OZENKADNOOK-MORTAT RD, PERONNE VIC 3413
Property owner	WILLIAM JOHN RICH & MARGERY JOY RICH
Local Council	WEST WIMMERA
Authority responsible for the security agreement	Local Council
Contact phone	03 5585 9900
Contact email	council@westwimmera.vic.gov.au
Native vegetation offset report ID	featureclass_120356
Type of vegetation to be protected	Patch of native vegetation

B. Condition of offset site

The following describes the condition of the offset site before implementation of the offset management plan.

Condition measurement	Current condition	Comments
1. Amount of site covered by standing trees (dead and alive)	30-70% cover	
2. Protection from stock and other threats	Existing stock exclusion fence	
3. Average weed cover across site	1-10% cover	
4. Amount of logs, fallen trees or large branches on the ground	Small amount	
5. Amount of leaves, twigs, bark, or small branches on the ground	Small amount	
6. Level of rabbit presence	Evidence of rabbits (poo) but no warrens	

C. Management commitments for all protected vegetation

The management commitments listed below must be undertaken in accordance with the document *Management standards for native vegetation offset sites (DELWP 2019)* and must be implemented each year (annually) on the offset site over a ten year period. Where a checkbox is available for management commitments 2, 3 and 6, only those management commitments indicated with a ticked checkbox must be implemented.

Management commitments	Timing	Comments
1. Retain all standing trees (dead or alive)		
The removal of dead and living standing trees is prohibited.	Ongoing.	
2. Exclude stock and other threats		
Year 1:	Tick	
Erect a new fence around the perimeter of the site.	<input type="checkbox"/> Within 3 months of commencement of agreement.	
Upgrade fencing around the perimeter of the site.	<input type="checkbox"/> Within 3 months of commencement of agreement.	
New fencing or upgrades not necessary.	<input checked="" type="checkbox"/> N/A	
Year 2-10:		

Maintain fencing around boundary of the site in good condition.	Ongoing.	
If a new threat arises, erect or upgrade fencing around the perimeter of the site.	Within 3 months of threat arising.	
3. Manage weeds <i>Tick</i>		
Managing weeds requires the management of both <i>Catchment and Land Protection Act 1994</i> (CaLP Act) and non CaLP Act weeds and includes: a) Ensuring weed cover does not increase beyond the current level, and b) Monitoring for any new and emerging weeds and eliminate to less than 1% cover.		
List the weeds that will be managed on the site.		Cape tulip, bridle creeper
Felling/ring barking <input type="checkbox"/>	In <insert month or season>, before plant has flowered or set seed.	
Cut and paint with suitable herbicide <input type="checkbox"/>	In <insert month or season>, before plant has flowered or set seed.	
Drill and fill with suitable herbicide <input type="checkbox"/>	In <insert month or season>, before plant has flowered or set seed.	
Spot-spraying or wick-wiping with suitable herbicide <input checked="" type="checkbox"/>	In Spring, when plant is actively growing and before plant has flowered or set seed.	
Slashing and mowing <input type="checkbox"/>	In <insert month or season>, before plant has flowered or set seed.	
Hand weeding <input type="checkbox"/>	In <insert month or season>, before plant has flowered or set seed.	
Other <input type="checkbox"/>		
4. Retain fallen logs and timber		
Collecting any fallen logs or timber is prohibited.	Ongoing.	
5. Retain organic litter		
All organic litter must remain within the boundaries of the offset site.	Ongoing.	
6. Control rabbits <i>Tick</i>		
Monitor for rabbits and implement controls if the threat arises.		
Burrow fumigation and hand collapse <input checked="" type="checkbox"/>	Late summer.	
Removal of shelter areas <input type="checkbox"/>	Late summer.	
Baiting <input type="checkbox"/>	Late summer.	
Other <input type="checkbox"/>		
7. Monitor and report		
Submit an annual report. The annual report must describe the specific management actions completed each year, and the condition of the offset site for each year of implementation of the offset management plan.	Each year of the ten year management plan and thereafter at the reasonable request of the responsible authority.	

Declaration

<i>Landowner</i>	
Name	William John Rich & Margery Joy Rich
Signature	
Date	

Statutory authority officer	
Name	
Title	
Signature	
Date	

Schedule 4 Native Vegetation Offset Report

The Native vegetation offset report is attached.

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Native vegetation offset report

Information included in this report is based on spatial data provided to DELWP. The proposal has not been assessed to confirm eligibility or gain

This report provides information about a potential native vegetation offset site in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The information in this report is based on spatial information and the gain score provided by the landholder (or their representative). Any changes to this input information will change the habitat units of gain reflected in this report and it must be reassessed.

Date of issue: 16/05/2023
Time of issue: 4:35 pm

DELWP GEN_2023_363

Project ID	featureclass_120356
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Extent of proposed offset site

Total extent	1.003 ha
Patches	1.003 ha
Revegetation	0.000 ha
Scattered tree(s)	0.000 ha

Habitat units of gain for the proposed offset site

The offset site has the following total general and species habitat units. These units can be used to satisfy a **single permit condition** or if the offset site is established as a **first party offset site**.

Total habitat units and attributes used for a single permit (once off use)	
Number of large trees	5 large trees are protected at the offset site
General habitat units	0.633 general habitat units Wimmera CMA, West Wimmera Shire Council 0.423 Strategic biodiversity value
Species habitat units	Nil



Environment,
Land, Water
and Planning

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Native vegetation offset report

Habitat units of gain per zone of the proposed offset site

This table provides the habitat units of gain per zone of the offset site. Trading and allocation of units within the Native Vegetation Credit Register takes place at the zone.

The species-general offset test is done to determine which species the proposed offset site provides habitat for. The threshold is set at 0.0025 per cent of the mapped habitat value for a species. When the threshold is met or exceeded, species habitat units are generated. If required species habitat units cannot be generated for all other species mapped at the site. Multiple species units will be generated if the threshold is exceeded for multiple species.

The species habitat units for each species in a zone is calculated by the following equation in accordance with the Guidelines:

$$\text{Species habitat units} = \text{extent} \times \text{gain score} \times \text{species landscape factor, where the species landscape factor} = 0.5 + (\text{habitat importance score}/2)$$

The general habitat units in a zone is calculated by the following equation in accordance with the Guidelines:

$$\text{General habitat units} = \text{extent} \times \text{gain score} \times \text{general landscape factor, where the general landscape factor} = 0.5 + (\text{strategic biodiversity value score}/2)$$

Species and general habitat units are alternates and the use or sale of one type of unit will affect the number of other types of units remaining.

Information provided by or on behalf of the applicant							Information calculated by EnSym			
Zone	Type	Pattern	Gain score	Large tree extent	Polygon extent	Extent without overlap	SBV	HIS	Habitat units	Attributes
1-A			0.169	5	1.068	1003	0.425		0.135 general habitat units	Wimmera ; West Wimmera Shire

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Native vegetation offset report

Next steps

Offset sites must meet eligibility criteria as outlined in the *Guidelines for the removal, destruction or lopping of native vegetation* and the *Native vegetation gain scoring manual, version 2* available on the DELWP website, and any other relevant requirements. Eligible offset sites that are intended to be banked or sold as credits must be registered on the Native Vegetation Credit Register (NVCR). A gain scoring assessment must be done before any offset can be registered on the NVCR. All proposed offset sites must be secured by a relevant security agreement that includes an offset management plan.

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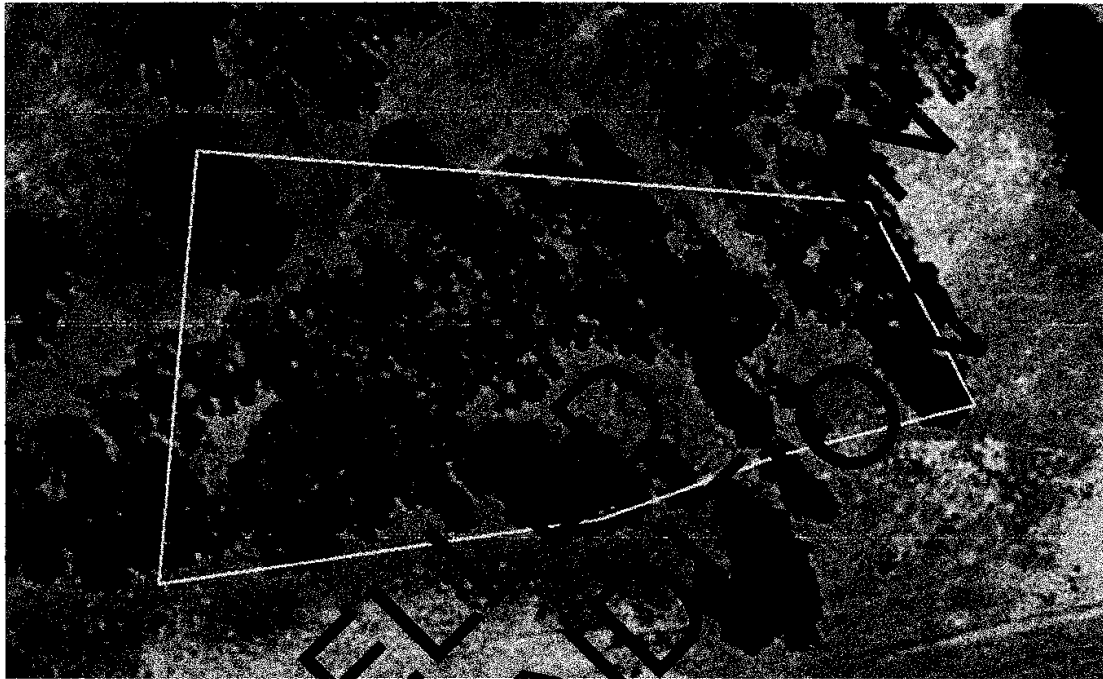
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Native vegetation offset report

Appendix 1 – Images of marked native vegetation

1. Aerial photograph showing marked native vegetation



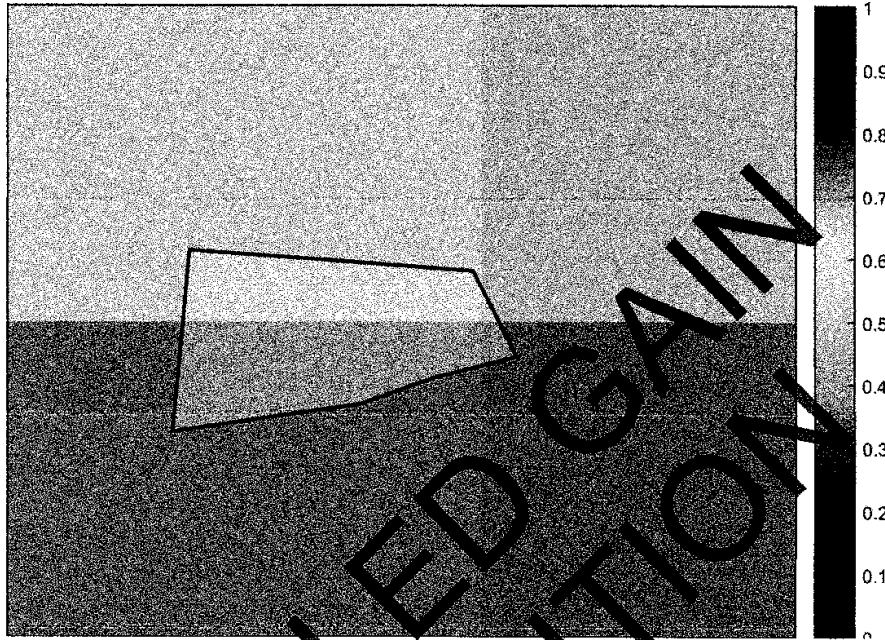
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Native vegetation offset report

2. Strategic biodiversity value map



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Native vegetation offset report

GLOSSARY

Alternate offset types Offset types within a zone are alternates. The use of one offset type will result in the proportional reduction of all other offset types within the zone. Refer to *Native vegetation offset sites* fact sheet available on the DELWP website for more information.

Gain score This is the site-assessed gain score for the native vegetation based on the agreed management and security commitments. Each zone in the proposed offset site is assigned a gain score according to the gain scoring assessment. The score is divided by 100 to give a number between 0 and 1.

General habitat units of gain The general habitat units quantify the overall contribution that the protection and management of native vegetation at the offset site makes to Victoria's biodiversity. The general habitat units are calculated as follows:

$$\text{General habitat units} = \text{extent} \times \text{gain score} \times \text{general landscape factor}$$

General landscape factor The general landscape factor is the adjusted strategic biodiversity value (SBV) score. The SBV score is adjusted so that site-based biodiversity information has more influence on the number of units.

General offset attributes The attributes of a general offset includes the location (Catchment Management Authority and Municipal District), strategic biodiversity value score and the number of large trees protected.

Offset type There are two types of offsets, general offsets and species offsets. All offset sites include general offsets. Sites that are mapped as habitat for rare or threatened species can also include species offsets for the mapped species.

Species offset attributes The attributes of a species offset is the mapped habitat for the species and the number of large trees protected.

Species habitat units of gain The species habitat units quantify the overall contribution that the protection and management of native vegetation at an offset site makes to the habitat of the relevant rare or threatened species. Species habitat units are calculated for each species in the zone where the result of the threshold test is greater than 0.0025 per cent. Species units are calculated as follows:

$$\begin{aligned} \text{Species habitat units}_{\text{species } x} \\ = \text{extent} \times \text{gain score} \times \text{species landscape factor}_{\text{species } x} \end{aligned}$$



17 Late Items of Business

Pursuant to West Wimmera Shire Council Governance Rules – Division 3 Section 20:

20. Urgent Business

If the agenda for a Council meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council, and only then if it:

- *20.1 relates to or arises out of a matter which has arisen since distribution of the agenda; and*
- *20.2 cannot safely or conveniently be deferred until the next Council meeting.*

18 Confidential Reports

RECOMMENDATION:

That Council pursuant to Section 66 (2)(a) of the Local Government Act 2020 close the meeting to members of the public at {time} to resolve on matters pertaining to the following items:

- Senior Citizen of the Year 2023
- Maintenance of the Western Highway under DTP maintenance contract
- CM0 589 – Supply & Delivery of 4WD Tractor
- CM0 588 – Supply & Delivery of a Motor Grader

Reasons for Confidentiality:

Local Government Act 2020, Section 3 - Personal information

Local Government Act 2020, Section 3 - Council business Information

19 Close of Meeting

Next Meeting:

Wednesday, 18th October 2023

Dergholm, Vic

