



# MINUTES

## ORDINARY MEETING OF COUNCIL

Tuesday, 19 August 2014

Held at  
Robinvale Community Centre  
McLennan Drive, Robinvale  
Commencing at 7:00 PM

Confirmed 16 September 2014

Chairperson.....

**COUNCIL:**

Cr LT McPhee – Mayor

Cr JN Katis

Cr GW Norton

Cr GI Cruickshank

Cr JA Kiley

Cr CM Adamson

Cr JB Crowe

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**SECTION A – PROCEDURAL MATTERS**

- **Open**

Mayor, Cr Les McPhee assumed the chair and declared the meeting open at 7pm.

- **Acknowledgement of Country**

Mayor, Cr Les McPhee read the Acknowledgement to Country.

- **Prayer**

Cr John Katis read the prayer.

- **Apologies**

Cr Gary Norton.

**16/14 Motion**

**MOVED Cr Kiley**

**That the apologies be accepted.**

**SECONDED Cr Katis**

**The Motion was put and CARRIED**

- **Confirmation of Minutes**

- 1) Ordinary Meeting held on 15 July 2014
- 2) Extraordinary Council Meeting held on 22 July 2014
- 3) Extraordinary Council Meeting held on 29 July 2014

**17/14 Motion**

**MOVED Cr Kiley**

**That the minutes be confirmed.**

**SECONDED Cr Adamson**

**The Motion was put and CARRIED**

- **Declarations of Conflict of Interest**

- **Receptions and Reading of Petitions, Memorials, Joint Letters and Deputations**

**18/14 Recommendation**

**MOVED Cr Cruickshank**

**That standing orders be suspended.**

**SECONDED Cr Katis**

**The Motion was put and CARRIED**

- **Public Question Time**

**Mr Tim Williams** – When will Swan Hill Rural City Council take further legal action to enforce the removal of the waste used as illegal fill at the property of Geoff Finch, 53 – 57 Moore Street Robinvale?

Answer: Council officers are just as frustrated as the Community with the situation that exists at Moore Street. Council has been trying to work through the application with the planning consultant to achieve an outcome. The next step would be to write to Mr Finch with some enforcement action, however legal action may not follow directly. Once Council has written to Mr Finch to achieve an outcome, then Council will be in a position to approach VCAT for an enforcement order.

**19/14 Recommendation**

**MOVED Cr Katis**

**That Standing Orders be resumed.**

**SECONDED Cr Kiley**

**The Motion was put and CARRIED**

## **SECTION B – REPORTS**

### **B.14.44 S5 INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER**

**Responsible Officer:** Director Corporate Services  
**File Number:** 74-00-23  
**Attachments:** 1 Maddocks Letter 17-6-14  
2 S5 Delegation to Chief Executive Officer

#### **Declarations of Interest: Officer**

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

Section 98 of the Local Government Act (1989) enables council to delegate to a member of council staff, with specified exemptions, 'any power, duty or function of a council under this Act or any other Act' and delegate the Chief Executive Officer the power to delegate a power of the council, other than power of delegation, to another member of council staff.

Maddocks, in their attached letter, has recommended that council should refresh the Chief Executive Officer's delegations as a matter of course.

#### **Discussion**

In order to comply with the various legislative requirements, Council delegates a range of powers to the Chief Executive Officer. These delegations are made in accordance with section 98 of the Local Government Act 1989.

As per letter attached from Maddocks dated 17 June 2014 it has been advised that all Instruments of Delegation should be updated, or refreshed, on a regular basis to ensure that they incorporate all recent legislative developments. This includes the Instrument of Delegation to Council's Chief Executive Officer, even though it is expressed in general terms.

Section 94A of the Act states:

- (1)A Council's Chief Executive Officer is responsible for -
  - (a) Establishing and maintaining an appropriate organisational structure for the Council; and
  - (b) Ensuring that the decisions of the Council are implemented without undue delay; and
  - (c) The day to day management of the Council's operations in accordance with the Council's Corporate Plan; and
  - (d) Providing timely advice to the Council.

**REPORTS**

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19 August 2014

- (2) The Chief Executive Officer may appoint as many members of Council staff as are required to enable the functions of the Council under this Act or any other Act to be carried out and to enable the Chief Executive Officer to carry out his or her functions.
- (3) The Chief Executive Officer is responsible for appointing, directing, managing and dismissing Council staff and for all other issues that relate to Council staff.

The delegation to the Chief Executive Officer is a 'delegation by exception'.

**Consultation**

This is a statutory requirement of Council and as such consultation is not part of the process.

**Financial Implications**

Nil

**Social Implications**

Nil

**Economic Implications**

Nil

**Environmental Implications**

Nil

**Risk Management Implications**

Nil

**Council Plan Strategy Addressed**

***Responsible management of resources*** - We will continually improve the management of our finances, assets, systems and technology to achieve and maintain Best Value in our operations.

## **Options**

Council can choose to vary the level of delegations however the efficiency of day to day management of Council would be affected.

## **Recommendations**

### **That Council:**

- 1. Exercise the powers conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached Instrument of Delegation to the Chief Executive Officer as attached.**
- 2. Delegate to the person holding the position of Chief Executive Officer, or Acting Chief Executive Officer, the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer as attached to the report, subject to the conditions and limitations specified in that Instrument.**
- 3. Affix the common seal of the Council to the Instrument.**

## **20/14 Motion**

### **MOVED Cr Crowe**

#### **That Council:**

- 1. Exercise the powers conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached Instrument of Delegation to the Chief Executive Officer as attached.**
- 2. Delegate to the person holding the position of Chief Executive Officer, or Acting Chief Executive Officer, the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer as attached to the report, subject to the conditions and limitations specified in that Instrument.**
- 3. Affix the common seal of the Council to the Instrument.**

### **SECONDED Cr Kiley**

**The Motion was put and CARRIED**



## Maddocks

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### Email Letter

<b>From</b> Erin Tucker	<b>Date</b> 17/06/2014
<b>Direct</b> 03 9258 3712	<b>Email</b> erin.tucker@maddocks.com.au
<b>Partner</b> Melanie Olynyk	

Dear Subscriber

#### Delegations and Authorisations Service Update First update for 2014

We are pleased to provide you with our first update to the Delegations and Authorisations Service for 2014. This update takes into account legislative changes made since our last update in December 2013, which affect councils' powers, functions and duties.

We have set out below a summary of the changes made to the Service in this update.

All of the updates are contained on our Delegations and Authorisations Website, which can be accessed by clicking on the following link: <https://indepth.maddocks.com.au>

As always, please carefully review this explanatory letter and refer to the updated instruments to ensure that you are aware of the recent legislative changes that affect your council's delegations and authorisations.

#### CHANGES MADE IN THIS UPDATE

This update amends our S6, S7, S11 and S12 Instruments. We have outlined some of the changes to each instrument below.

##### Changes to the S6 Instrument of Delegation from Council to Staff

1. No statutory amendments have affected the content of the S6 Instrument of Delegation from Council to Staff since the last update. However, we have made a minor amendment to the Instrument, namely the insertion of comments in the "Conditions and Limitations" column for section 64 of the *Planning and Environment Act 1987*. These additional comments merely clarify the application of this provision and do not affect the substance of the delegation.

##### Changes to the S7 Instrument of Sub-Delegation from Council's CEO to Staff

In relation to the S7 Instrument of Sub-Delegation, we note the following in particular:

2. we have updated the reference to the former "Victorian Urban Development Authority" to the "Urban Renewal Authority Victoria" for section 32A(2) of the *Building Act 1993*;

[828721: 13005384\_1]





## Maddocks

3. we have included the additional council duties inserted into the *Domestic Animals Act 1994*. While these provisions are not yet in force, they are due to commence very shortly, on 1 July 2014;
4. the new duty, in section 84C of the *Electricity Safety Act 1998*, to keep trees clear of electrical lines on public land managed by council, has been added to the S7 Instrument of Sub-Delegation;
5. following legislative changes to the *Environment Protection Act 1970*, we have included the new council powers, functions and duties inserted in this Act. These are due to commence on 1 July 2015 (unless the amending act is proclaimed earlier). Additionally, we have recorded in the S7 Instrument that a number of provisions in this Act have been repealed, but that this change will not take effect until the amending act comes into force (being 1 July 2015, if not proclaimed earlier). The provisions which will be repealed in future have been left in our S7 Instrument, as they are still in force and are capable of delegation until the repeal takes effect;
6. for the *Fences Act 1968*, we have included a new council power and function in sections 14 and 16 of the Act, which are due to commence on 1 December 2014 (unless the amending act is proclaimed earlier). The council power and function previously existing in the S7 Instrument for this Act, in sections 13(1) and 13(4), have now been repealed. We have left these provisions in the S7 Instrument, with the notation that the repeal of these provisions will take effect on 1 December 2014 (or earlier if the amending act is proclaimed earlier);
7. statutory amendments to the *Fire Services Property Levy Act 2012* have been reflected in this update. These amendments affect a number of powers, duties and functions for councils. Some changes have already commenced and some are due to commence very shortly, on 1 July 2014;
8. as the *Heavy Vehicle National Law 2012* has now commenced, we have amended the "Conditions and Limitations" column for this Act to reflect that this is now in force;
9. we have amended the provision reference numbers for the functions and powers contained in the *Independent Broad-Based Anti-Corruption Commission Act 2011*;
10. we have deleted reference to the powers in sections 90 and 95 of the *Liquor Control Reform Act 1998*, which have now been removed from this Act;
11. we have incorporated the recent statutory changes to the *Local Government Act 1989*, which mostly relate to councils' duties to make certain documents available for public inspection. The duties previously existing in section 131 of the Act have largely been repealed and replaced by duties in new provisions. These amendments are already in force.
12. Also for the *Local Government Act 1989*, we have separated the power and function contained in clause 12(1) and (2) of Schedule 11 to the Act, for clarification;
13. for the *Mineral Resources (Sustainable Development) Act 1980*, we have updated the provision number reference for the function currently contained within section 77H(6) of the Act. Once a statutory amendment comes into force (on 1 November 2014, if not proclaimed earlier) the function will be contained in section 77HB(2) of the Act;
14. we have removed a duplicated table which contained the provisions of the *Pipelines Act 2005*;
15. for the *Transfer of Land Act 1958*, we have added reference to the power to consent to the creation of an easement, in section 45(1), which applies where council is the owner of the subject land. While this is a power of a landowner rather than a municipal council, we have inserted this provision following a number of requests from councils to include this power in the S7 Instrument of Sub-Delegation;



## Maddocks

16. we have included the powers contained in the newly enacted *Transport (Safety Schemes Compliance and Enforcement) Act 2014*. These powers are currently in force and apply to a council where it is the responsible road authority;
17. to reflect a minor amendment to regulation 415 of the *Building Regulations 2006*, we have updated the sub-regulation reference number and updated the narration for sub-regulation 415(6); and
18. we have also made a few minor alterations to the existing narrations contained within the "Miscellaneous and Administrative Powers" section of the S7 Instrument of Sub-Delegation.

#### Changes to the S11 Instrument of Appointment and Authorisation

19. Only one amendment has been made to the S11 Instrument of Appointment and Authorisation, namely, the removal of the reference to the *Shop Trading Reform Act 1996* from Part A of the Instrument. Previously, this Act was relevant to council appointed authorised officers but, following amendments to the Act, this is no longer the case.

#### Changes to the S12 Municipal Building Surveyor Package

20. A minor amendment has been made to the narration concerning regulation 321(1) of the *Building Regulations 2006*. This reflects statutory amendments which refer to new provision numbers for the *Building Act 1993* within regulation 321. This amendment does not affect the substance of the council duties delegated under the *Building Regulations 2006*.

#### BILLS NOT YET ENACTED

We are aware of a number of Bills currently before the Victorian Parliament which will affect council powers, duties and functions once enacted. These include the *Local Government Amendment (Governance and Conduct) Bill 2014* and the *Building Legislation Amendment Bill 2014*. We will continue to monitor the progress of these Bills through Parliament and will include any amendments made by these Acts in our Service, once they are assented to.

Also, we note that we have reviewed the *Local Government (Planning and Reporting) Regulations 2014* as part of this update. These Regulations do not create any new powers, duties or functions, but give detail regarding the powers, duties and functions of councils already existing under the *Local Government Act 1989*. As these existing powers, duties and functions under the Act are already captured in our S7 Instrument of Sub-Delegation, there is no need for councils to delegate any provisions from the *Local Government (Planning and Reporting) Regulations 2014*.

#### PROVISIONS DUE TO BE REPEALED OR EXPIRE

As noted above, where a provision which contains a relevant power, duty or function is due to expire, or has been repealed by an amending act but the repeal has not yet taken effect, we take the approach of leaving the provision in the delegation instruments until the provision expires or the repeal takes effect. This is because the relevant power, duty or function is still capable of being delegated while it is still in force. As such, we recommend that these provisions remain in councils' delegation instruments until such time as they are no longer in force.

We always provide a notation in the "Conditions and Limitations" column regarding the date by which the provision is due to expire or be repealed.

We make particular note of the repeal of sections 38(c), 42 and 45 of the *Metropolitan Fire Brigades Act 1958*, which is due to take effect on 1 July 2014. If your council is not reviewing its delegations until after 1 July 2014, there is no need to include these provisions in councils' S7 Instrument of Sub-Delegation.



Maddocks

**LOCAL LAWS**

We remind councils of the importance of delegating not only the powers, duties and functions existing under legislation, but also any council powers, duties and functions existing in any local laws made by their council.

Our Delegations and Authorisations Service covers only the former and so it is up to each council to ensure that it reviews all of its local laws and, where appropriate, delegates relevant powers, duties and functions.

**UPDATING YOUR INSTRUMENTS**

As a final comment, we recommend that you re-make all of your council delegations on a regular basis to ensure that they remain up to date and cover all relevant provisions. This includes the S5 Instrument of Delegation from council to the chief executive officer.

Please feel free to contact us if you have any questions regarding the Service or you would like assistance with your council's Instruments of Delegation or Authorisation.

Yours sincerely  
Maddocks

Transmission authorised by:  
Melanie Olynyk  
Partner

Maddocks Delegations and Authorisations

***S5. Instrument of Delegation to Chief Executive Officer***

**Swan Hill Rural City Council**

**Instrument of Delegation**

**to**

**The Chief Executive Officer**

### Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989 (the Act)* and all other powers enabling it, the Swan Hill Rural City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

- 1. this Instrument of Delegation is authorised by a Resolution of Council passed on ???? 2014;
- 2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.
- 3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

The COMMON SEAL OF THE SWAN HILL )  
 RURAL CITY COUNCIL was hereunto )  
 affixed in the presence of: )

.....  
Chief Executive Officer

.....  
(Print Name)

.....  
Councillor

.....  
(Print Name)

.....  
Councillor

.....  
(Print Name)

## SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

### Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 4.1 awarding a contract exceeding the value of \$1,000,000;
  - 4.2 making a local law under Part 5 of the Act;
  - 4.3 approval of the Council Plan under s.125 of the Act;
  - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
  - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
  - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
  - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
  - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
  - 4.9 appointment of councillor or community delegates or representatives to external organisations; or
  - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action or thing which is required by law to be done by Council resolution;
6. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
7. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - 7.1 policy; or
  - 7.2 strategy  
adopted by Council; or
8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
9. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

## **B.14.45 S6 INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF**

**Responsible Officer:** Director Corporate Services  
**File Number:** 74-00-23  
**Attachments:**  
1 Maddocks Letter 17-6-14  
2 S6 Delegation to Members of Council staff

### **Declarations of Interest: Officer**

David Lenton- as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

In order to deliver services to the community and discharge obligations placed on Council by legislation in an efficient and effective manner, Council has in place a range of delegations to members of Council staff. Periodically these delegations need to be reviewed and, if appropriate, updated. This report recommends changes to some delegations made by Council to members of Council staff.

The changes are the result of legislative changes to the relevant Acts, changes to position titles and organisational structure.

The vast majority of the delegations have not changed.

Some new Acts have come into force. Delegations of power for these Acts are also included in the attached document.

### **Discussion**

In order to comply with the various legislative requirements, Council delegates a range of powers and accountabilities to appropriately qualified and experienced members of Council staff. These delegations are made in accordance with section 98 of the Local Government Act 1989. A delegation may be made subject to limitations on these powers, such as the need to inform Council of a determination.

The powers and obligations delegated are mostly procedural in nature, allowing the delivery of services in accordance with Council policy, adopted strategies and plans, the authorised budget, and discharging Council obligations in accordance with legislative requirements.

The delegation of powers and obligations to Council staff by Council is managed by the Maddocks 'delegations and authorisations service'. Maddocks monitors changes to state legislation, and every six months provides a listing of the sections of legislation that a municipality could delegate to enable efficient and effective delivery of services.

The six monthly review of legislative changes has resulted in the recommended amendments in the attached document which are summarised in the attached letter from Maddocks.

Council delegations are made to positions in the organisation rather than to individual members of staff to avoid the need to change the delegation upon the departure of a staff member or the staff member taking up a different position in the Council.

### **Consultation**

Community consultation is not appropriate for the subject of this report.

### **Financial Implications**

Nil

### **Social Implications**

Nil

### **Economic Implications**

Nil

### **Environmental Implications**

Nil

### **Risk Management Implications**

Nil

### **Council Plan Strategy Addressed**

***Responsible management of resources*** - We will continually improve the management of our finances, assets, systems and technology to achieve and maintain Best Value in our operations.

### **Options**

Council can choose to vary the delegations however the efficiency of Council operations would be affected.



## **Recommendations**

### **That Council:**

- 1. Amend the schedule of delegated authorities, duties and functions of the various officers as detailed in the attached document.**
- 2a) Delegate to the members of Council staff holding or acting in the officer's position referred to in the *Instrument of Delegation to members of Council staff*, the powers, duties and functions once amended by the attached changes, subject to the conditions and limitations specified in that amended Instrument effective from the date that the Common Seal of Council is affixed to the instrument.**
- b) Revoke all the previous delegations related to the amended instrument on the coming into force of the amended instrument.**

### **21/14 Motion**

#### **MOVED Cr Adamson**

### **That Council:**

- 1. Amend the schedule of delegated authorities, duties and functions of the various officers as detailed in the attached document.**
- 2a) Delegate to the members of Council staff holding or acting in the officer's position referred to in the *Instrument of Delegation to members of Council staff*, the powers, duties and functions once amended by the attached changes, subject to the conditions and limitations specified in that amended Instrument effective from the date that the Common Seal of Council is affixed to the instrument.**
- b) Revoke all the previous delegations related to the amended instrument on the coming into force of the amended instrument.**

#### **SECONDED Cr Cruickshank**

**The Motion was put and CARRIED**



## Maddocks

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### Email Letter

<b>From</b> Erin Tucker	<b>Date</b> 17/06/2014
<b>Direct</b> 03 9258 3712	<b>Email</b> erin.tucker@maddocks.com.au
<b>Partner</b> Melanie Olynyk	

Dear Subscriber

#### Delegations and Authorisations Service Update First update for 2014

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This update amends our S6, S7, S11 and S12 Instruments. We have outlined some of the changes to each instrument below.

##### Changes to the S6 Instrument of Delegation from Council to Staff

1. No statutory amendments have affected the content of the S6 Instrument of Delegation from Council to Staff since the last update. However, we have made a minor amendment to the Instrument, namely the insertion of comments in the "Conditions and Limitations" column for section 64 of the *Planning and Environment Act 1987*. These additional comments merely clarify the application of this provision and do not affect the substance of the delegation.

##### Changes to the S7 Instrument of Sub-Delegation from Council's CEO to Staff

In relation to the S7 Instrument of Sub-Delegation, we note the following in particular:

2. we have updated the reference to the former "Victorian Urban Development Authority" to the "Urban Renewal Authority Victoria" for section 32A(2) of the *Building Act 1993*;

[828721: 13005384\_1]



## Maddocks

3. we have included the additional council duties inserted into the *Domestic Animals Act 1994*. While these provisions are not yet in force, they are due to commence very shortly, on 1 July 2014;
4. the new duty, in section 84C of the *Electricity Safety Act 1998*, to keep trees clear of electrical lines on public land managed by council, has been added to the S7 Instrument of Sub-Delegation;
5. following legislative changes to the *Environment Protection Act 1970*, we have included the new council powers, functions and duties inserted in this Act. These are due to commence on 1 July 2015 (unless the amending act is proclaimed earlier). Additionally, we have recorded in the S7 Instrument that a number of provisions in this Act have been repealed, but that this change will not take effect until the amending act comes into force (being 1 July 2015, if not proclaimed earlier). The provisions which will be repealed in future have been left in our S7 Instrument, as they are still in force and are capable of delegation until the repeal takes effect;
6. for the *Fences Act 1968*, we have included a new council power and function in sections 14 and 16 of the Act, which are due to commence on 1 December 2014 (unless the amending act is proclaimed earlier). The council power and function previously existing in the S7 Instrument for this Act, in sections 13(1) and 13(4), have now been repealed. We have left these provisions in the S7 Instrument, with the notation that the repeal of these provisions will take effect on 1 December 2014 (or earlier if the amending act is proclaimed earlier);
7. statutory amendments to the *Fire Services Property Levy Act 2012* have been reflected in this update. These amendments affect a number of powers, duties and functions for councils. Some changes have already commenced and some are due to commence very shortly, on 1 July 2014;
8. as the *Heavy Vehicle National Law 2012* has now commenced, we have amended the "Conditions and Limitations" column for this Act to reflect that this is now in force;
9. we have amended the provision reference numbers for the functions and powers contained in the *Independent Broad-Based Anti-Corruption Commission Act 2011*;
10. we have deleted reference to the powers in sections 90 and 95 of the *Liquor Control Reform Act 1998*, which have now been removed from this Act;
11. we have incorporated the recent statutory changes to the *Local Government Act 1989*, which mostly relate to councils' duties to make certain documents available for public inspection. The duties previously existing in section 131 of the Act have largely been repealed and replaced by duties in new provisions. These amendments are already in force.
12. Also for the *Local Government Act 1989*, we have separated the power and function contained in clause 12(1) and (2) of Schedule 11 to the Act, for clarification;
13. for the *Mineral Resources (Sustainable Development) Act 1980*, we have updated the provision number reference for the function currently contained within section 77H(6) of the Act. Once a statutory amendment comes into force (on 1 November 2014, if not proclaimed earlier) the function will be contained in section 77HB(2) of the Act;
14. we have removed a duplicated table which contained the provisions of the *Pipelines Act 2005*;
15. for the *Transfer of Land Act 1958*, we have added reference to the power to consent to the creation of an easement, in section 45(1), which applies where council is the owner of the subject land. While this is a power of a landowner rather than a municipal council, we have inserted this provision following a number of requests from councils to include this power in the S7 Instrument of Sub-Delegation;



## Maddocks

16. we have included the powers contained in the newly enacted *Transport (Safety Schemes Compliance and Enforcement) Act 2014*. These powers are currently in force and apply to a council where it is the responsible road authority;
17. to reflect a minor amendment to regulation 415 of the *Building Regulations 2006*, we have updated the sub-regulation reference number and updated the narration for sub-regulation 415(6); and
18. we have also made a few minor alterations to the existing narrations contained within the "Miscellaneous and Administrative Powers" section of the S7 Instrument of Sub-Delegation.

#### Changes to the S11 Instrument of Appointment and Authorisation

19. Only one amendment has been made to the S11 Instrument of Appointment and Authorisation, namely, the removal of the reference to the *Shop Trading Reform Act 1996* from Part A of the Instrument. Previously, this Act was relevant to council appointed authorised officers but, following amendments to the Act, this is no longer the case.

#### Changes to the S12 Municipal Building Surveyor Package

20. A minor amendment has been made to the narration concerning regulation 321(1) of the *Building Regulations 2006*. This reflects statutory amendments which refer to new provision numbers for the *Building Act 1993* within regulation 321. This amendment does not affect the substance of the council duties delegated under the *Building Regulations 2006*.

#### BILLS NOT YET ENACTED

We are aware of a number of Bills currently before the Victorian Parliament which will affect council powers, duties and functions once enacted. These include the *Local Government Amendment (Governance and Conduct) Bill 2014* and the *Building Legislation Amendment Bill 2014*. We will continue to monitor the progress of these Bills through Parliament and will include any amendments made by these Acts in our Service, once they are assented to.

Also, we note that we have reviewed the *Local Government (Planning and Reporting) Regulations 2014* as part of this update. These Regulations do not create any new powers, duties or functions, but give detail regarding the powers, duties and functions of councils already existing under the *Local Government Act 1989*. As these existing powers, duties and functions under the Act are already captured in our S7 Instrument of Sub-Delegation, there is no need for councils to delegate any provisions from the *Local Government (Planning and Reporting) Regulations 2014*.

#### PROVISIONS DUE TO BE REPEALED OR EXPIRE

As noted above, where a provision which contains a relevant power, duty or function is due to expire, or has been repealed by an amending act but the repeal has not yet taken effect, we take the approach of leaving the provision in the delegation instruments until the provision expires or the repeal takes effect. This is because the relevant power, duty or function is still capable of being delegated while it is still in force. As such, we recommend that these provisions remain in councils' delegation instruments until such time as they are no longer in force.

We always provide a notation in the "Conditions and Limitations" column regarding the date by which the provision is due to expire or be repealed.

We make particular note of the repeal of sections 38(c), 42 and 45 of the *Metropolitan Fire Brigades Act 1958*, which is due to take effect on 1 July 2014. If your council is not reviewing its delegations until after 1 July 2014, there is no need to include these provisions in councils' S7 Instrument of Sub-Delegation.



Maddocks

**LOCAL LAWS**

We remind councils of the importance of delegating not only the powers, duties and functions existing under legislation, but also any council powers, duties and functions existing in any local laws made by their council.

Our Delegations and Authorisations Service covers only the former and so it is up to each council to ensure that it reviews all of its local laws and, where appropriate, delegates relevant powers, duties and functions.

**UPDATING YOUR INSTRUMENTS**

As a final comment, we recommend that you re-make all of your council delegations on a regular basis to ensure that they remain up to date and cover all relevant provisions. This includes the S5 Instrument of Delegation from council to the chief executive officer.

Please feel free to contact us if you have any questions regarding the Service or you would like assistance with your council's Instruments of Delegation or Authorisation.

Yours sincerely  
Maddocks

Transmission authorised by:  
Melanie Olynyk  
Partner

Maddocks Delegations and Authorisations

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

**Swan Hill Rural City Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

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

“AC” means Asset Coordinator

“CEO” means Chief Executive Officer

“CSC” means Commercial Service & Revenue Coordinator

“CSO” means Customer Service Officer

“DDP” means Director Development & Planning

“DE” means Design Engineer

“DI” means Director Infrastructure

“DM” Means Development Manager

“EHO” means Environmental Health Officer

“EPAM” means Engineering Projects & Assets Manager

“MBS” means Municipal Building Surveyor

“MERO” means Municipal Emergency Resource Officer

“MFPO” means Municipal Fire Prevention Officer

“PHRSC” means Public Health & Regulatory Services Coordinator

“PC” means Planning Coordinator

“PO” means Planning Officer

“SRO” means Senior Revenue Officer

“TOS” means Technical Officer Survey

declares that:

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

2.2 the delegation:

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

2.2.2 remains in force until varied or revoked;

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

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

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

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

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

(a) policy; or

(b) strategy

adopted by Council; or

2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

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

The COMMON SEAL OF THE SWAN HILL RURAL CITY COUNCIL)

Was hereunto affixed in the presence of )

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
(Print Name)

Councillor \_\_\_\_\_ Councillor \_\_\_\_\_

(Print Name) \_\_\_\_\_ (Print Name) \_\_\_\_\_



## **SCHEDULE**

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<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.41A(1)	power to declare a dog to be a menacing dog	DDP, DM, PHRSC	Council may delegate this power to an authorised officer

<b>ENVIRONMENT PROTECTION ACT 1970</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.53M(3)	power to require further information	PHRSC, EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	PHRSC, EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	PHRSC, EHO	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	PHRSC, EHO	refusal must be ratified by council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	PHRSC,EHO	refusal must be ratified by council or it is of no effect

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	DDP, DM, PHRSC, EHO	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	DDP, DM, PHRSC, EHO	If section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DDP, DM, PHRSC, EHO	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	PHRSC, EHO	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	PHRSC, EHO	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DDP, EHO	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	DDP, EHO	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	DDP, EHO	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	PHRSC, EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	PHRSC EHO	where council is the registration authority

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	PHRSC, EHO	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	DDP, EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	PHRSC, EHO	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	PHRSC, EHO	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	PHRSC, EHO	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	PHRSC, EHO	where council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DDP, DM, PHRSC, EHO	where council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	PHRSC, EHO	where council is the registration authority
---	power to register, renew or transfer registration	DDP, DM, PHRSC, EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	PHRSC, EHO	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Not Delegated fixed by Council	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	PHRSC, EHO	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	PHRSC, EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	PHRSC, EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	PHRSC, EHO	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	PHRSC, EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	PHRSC, EHO	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	PHRSC, EHO	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	DDP, DM PHRSC, EHO	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	PHRSC, EHO	where council is the registration authority

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	PHRSC, EHO	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	DDP, DM, PHRSC, EHO	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	PHRSC, EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	PHRSC, EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	Not delegated, considered by Council.	where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	PHRSC, DM, EHO	where council is the registration authority
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	PHRSC, DM	where council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	PHRSC, EHO	where council is the registration authority



<b>HERITAGE ACT 1995</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.84(2)	power to sub-delegate Executive Director's functions	CEO, DDP, DM	must obtain Executive Director's written consent first.

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.4B	power to prepare an amendment to the Victoria Planning Provisions	Not delegated, considered by Council.	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	DDP, DM, PC, PO	
s.4H	duty to make amendment to Victoria Planning Provisions available	DDP, DM, PC, PO	
s.4I	duty to keep Victoria Planning Provisions and other documents available	DDP, DM, PC, PO	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DDP, DM, PC	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Not delegated, considered by Council.	
s.8A(5)	function of receiving notice of the Minister's decision	DDP, DM, PC	
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	DDP, DM	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DDP, DM, PC	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DDP, DM, PC, PO	
s 12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	Not delegated, considered by Council.	
s.12B(1)	duty to review planning scheme	Not delegated, considered by Council.	
s.12B(2)	duty to review planning scheme at direction of Minister	Not delegated, considered by Council.	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Not delegated, considered by Council.	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Not delegated considered by Council	
s.17(1)	duty of giving copy amendment to the planning scheme	DDP, DM, PC, PO	
s.17(2)	duty of giving copy s.173 agreement	DDP, DM, PC, PO	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, DDP, DM, PC, PO	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.18	duty to make amendment etc. available	DDP, DM, PC, PO	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	DDP, DM, PC	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	DDP,DM, PC	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	CEO, DDP, DM, PC	
s.21(2)	duty to make submissions available	DDP, DM, PC, PO	
s.21A(4)	duty to publish notice in accordance with section	DDP, DM, PC, PO	
s.22	duty to consider all submissions	Not delegated, considered by Council	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	DDP, DM	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	CEO, DDP, DM, PC	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	DDP, DM, PC, PO	
s.26(1)	power to make report available for inspection	DDP, DM, PC	
s.26(2)	duty to keep report of panel available for inspection	DDP, DM, PC, PO	
s.27(2)	power to apply for exemption if panel's report not received	DDP, DM, PC	
s.28	duty to notify the Minister if abandoning an amendment	DDP, DM, PC	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	DDP, DM, PC, PO	
s.30(4)(b)	duty to provide information in writing upon request	DDP, DM, PC, PO	
s.32(2)	duty to give more notice if required	DDP, DM, PC, PO	
s.33(1)	duty to give more notice of changes to an amendment	DDP, DM, PC, PO	
s.36(2)	duty to give notice of approval of amendment	DDP, DM, PC, PO	
s.38(5)	duty to give notice of revocation of an amendment	DDP, DM, PC	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	Not delegated considered by Council	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.40(1)	function of lodging copy of approved amendment	DDP, DM, PC, PO	
s.41	duty to make approved amendment available	DDP, DM, PC, PO	
s.42	duty to make copy of planning scheme available	DDP, DM, PC, PO	
s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	DDP,DM	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DDP, DM, PC PO	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	DDP, DM, PC, PO	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DDP, DM, PC	
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	DDP, DM, PC	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DDP, DM, PC	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DDP, DM, PC	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DDP, DM, PC	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46Q(1)	duty to keep proper accounts of levies paid	DCS, SRO, DM, PC, PO	
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	DDP, DM, PC	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc.	DDP, DM, PC	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Only applies when levy is paid to Council as a development agency.	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	DDP, DM, PC	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	DDP, DM, PC	must be done in accordance with Part 3
s46Q(4)(e)	duty to expend that amount on other works etc.	DDP, DM, PC	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	DDP, DM, PC	
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Not Applicable	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46Y	duty to carry out works in conformity with the approved strategy plan	Not Applicable	
s.47	power to decide that an application for a planning permit does not comply with that Act	CEO, DDP, DM, PC	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	DDP, DM, PC, PO	
s.49(2)	duty to make register available for inspection	DDP, DM, PC, PO	
s.50(4)	duty to amend application	DDP, DM, PC, PO	
s.50(5)	power to refuse to amend application	DDP, DM, PC	
s.50(6)	duty to make note of amendment to application in register	DDP, DM, PC, PO	
s.50A(1)	power to make amendment to application	DDP, DM, PC, PO	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	DDP, DM, PC, PO	
s.50A(4)	duty to note amendment to application in register	DDP, DM, PC, PO	
s.51	duty to make copy of application available for inspection	DDP, DM, PC, PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DDP, DM, PC, PO	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	DDP, DM, PC, PO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	DDP, DM, PC, PO	
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	DDP, DM, PC, PO	
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	DDP, DM, PC, PO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	DDP, DM, PC, PO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	DDP, DM, PC, PO	
s.52(3)	power to give any further notice of an application where appropriate	DDP, DM, PC, PO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	DDP, DM, PC, PO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	DDP, DM, PC, PO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.54(1)	power to require the applicant to provide more information	DDP, DM, PC, PO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	DDP, DM, PC, PO	
s.54(1B)	duty to specify the lapse date for an application	DDP, DM, PC, PO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	DDP, DM, PC, PO	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	DDP, DM, PC, PO	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DDP, DM, PC, PO	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	CEO, DDP, DM, PC	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	DDP, DM, PC, PO	
s.57(5)	duty to make available for inspection copy of all objections	DDP, DM, PC, PO	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	DDP, DM, PC, PO	
s.57A(5)	power to refuse to amend application	DDP, DM, PC	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.57A(6)	duty to note amendments to application in register	DDP, DM, PC, PO	
s.57B(1)	duty to determine whether and to whom notice should be given	DDP, DM, PC, PO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	DDP, DM, PC, PO	
s.57C(1)	duty to give copy of amended application to referral authority	DDP, DM, PC, PO	
s.58	duty to consider every application for a permit	DDP, DM, PC, PO	
s.58A	power to request advice from the Planning Application Committee	DDP, DM, PC	
s.60	duty to consider certain matters	DDP, DM, PC, PO	
s60(1A)	power to consider certain matters before deciding on application	DDP, DM, PC, PO	
s.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, DDP, DM, PC	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, DDP, DM, PC, PO	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, DDP, DM, PC	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DDP, DM, PC	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	DDP, DM, PC, PO	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DDP, DM, PC, PO	
s.62(1)	duty to include certain conditions in deciding to grant a permit	DDP, DM, PC, PO	
s.62(2)	power to include other conditions	DDP, DM, PC, PO	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DDP, DM, PC, PO	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	DDP, DM, PC, PO	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	DDP, DM, PC, PO	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DDP, DM, PC, PO	
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 section 62(5) or section 46N	DDP, DM, PC, PO	

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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 section 62(1)(a)	DDP, DM, PC, PO	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	DDP, DM, PC, PO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	DDP, DM, PC, PO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	DDP, DM, PC, PO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	DDP, DM, PC, PO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DDP, DM, PC	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	DDP, DM, PC, PO	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	DDP, DM, PC, PO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DDP, PM, PO, DM	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DDP, PM, PO, DM	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	DDP, DM, PC	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	DDP, DM, PC, PO	
s.69(1A)	function of receiving application for extension of time to complete development	DDP, DM, PC	
s.69(2)	power to extend time	DDP, DM, PC	
s.70	duty to make copy permit available for inspection	DDP, DM, PC, PO	
s.71(1)	power to correct certain mistakes	DDP, DM, PC, PO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.71(2)	duty to note corrections in register	DDP, DM, PC, PO	
s.73	power to decide to grant amendment subject to conditions	DDP, DM, PC	
s.74	duty to issue amended permit to applicant if no objectors	DDP, DM, PC	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DDP, DM, PC, PO	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	DDP, DM, PC, PO	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DDP, DM, PC	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DDP, DM, PC, PO	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	DDP, DM, PC	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	CEO, DDP, DM, PC	
s.83	function of being respondent to an appeal	CEO, DDP, DM, PC	

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s.83B	duty to give or publish notice of application for review	DDP, DM, PC, PO	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DDP, DM, PC	
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	DDP, DM, PC	
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	DDP, DM, PC	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	DDP, DM, PC	
s.86	duty to issue a permit at order of Tribunal within 3 working days	DDP, DM, PC	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	CEO, DDP, DM, PC	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	DDP, DM, PC	
s.91(2)	duty to comply with the directions of VCAT	DDP, DM, PC, PO	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DDP, DM, PC, PO	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	DDP, DM, PC, PO	



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s.93(2)	duty to give notice of VCAT order to stop development	DDP, DM, PC, PO	
s.95(3)	function of referring certain applications to the Minister	CEO, DDP, DM, PC, PO	
s.95(4)	duty to comply with an order or direction	DDP, DM, PC, PO	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	CEO, DDP, DM, PC	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DDP, DM, PC	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	DDP, DM, PC	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	DDP, DM, PC	
s.96F	duty to consider the panel's report under section 96E	Not Delegated considered by Council	
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 section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DDP, DM, PC	
s.96H(3)	power to give notice in compliance with Minister's direction	DDP, DM, PC, PO	

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s.96J	power to issue permit as directed by the Minister	DDP, DM, PC, PO	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DDP, DM, PC, PO	
s.97C	power to request Minister to decide the application	Not delegated, considered by Council.	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, DDP, DM, PC	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CEO, DDP, DM, PC	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	CEO, DDP, DM, PC, PO	
s.97L	duty to include Ministerial decisions in a register kept under section 49	CEO, DDP, DM, PC	
s.97MH	duty to provide information or assistance to the Planning Application Committee	DDP, DM, PC	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DDP, DM, PC	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DDP, DM, PC	

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s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, DDP, DM, PC	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, DDP, DM, PC	
s.97Q(4)	duty to comply with directions of VCAT	CEO, DDP, DM, PC	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	CEO, DDP, DM, PC	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	CEO, DDP, DM, PC	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	CEO, DDP, DM, PC	
s.101	function of receiving claim for expenses in conjunction with claim	CEO, DDP, DM, PC	
s.103	power to reject a claim for compensation in certain circumstances	CEO, DDP, DM, PC	
s.107(1)	function of receiving claim for compensation	CEO, DDP, DM, PC	
s.107(3)	power to agree to extend time for making claim	CEO, DDP, DM, PC	
s.114(1)	power to apply to the VCAT for an enforcement order	CEO, DDP, DM, PC	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.117(1)(a)	function of making a submission to the VCAT where objections are received	CEO, DDP, DM, PC, PO,	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	CEO, DDP, DM, PC, PO,	
s.123(1)	power to carry out work required by enforcement order and recover costs	DDP, DM, PC	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	CEO, DDP, DM, PC	except Crown Land
s.129	function of recovering penalties	DDP, DM, PC	
s.130(5)	power to allow person served with an infringement notice further time	CEO, DDP, DM, PC	
s.149A(1)	power to refer a matter to the VCAT for determination	CEO	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DDP, DM, PC	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	CEO, DDP, DM, PC	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	Not delegated, considered by Council.	

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s.171(2)(g)	power to grant and reserve easements	Not delegated considered by Council.	
s.173	power to enter into agreement covering matters set out in section 174	DDP, DI, EPAM, DM, PC	
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act</i> 1987 requires something to be to the satisfaction of Council or Responsible Authority	DDP, DI, EPAM, DM, PC	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act</i> 1987 requires that something may not be done without the consent of Council or Responsible Authority	Not delegated, considered by Council.	
s.177(2)	power to end a section 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	Not delegated, considered by Council.	
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	Not delegated, considered by Council.	
s.178A(1)	function of receiving application to amend or end an agreement	CEO, DDP	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DDP	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, DDP	

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s.178A(5)	power to propose to amend or end an agreement	CEO, DDP	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DDP, DM, PC	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DDP, DM, PC	
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	DDP, DM, PC	
s.178C(4)	function of determining how to give notice under s.178C(2)	DDP, DM, PC	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	CEO, DDP	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	CEO, DDP	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, DDP	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	CEO, DDP	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	CEO, DDP	After considering objections, submissions and matters in s.148B

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s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, DDP	After considering objections, submissions and matters in s.148B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, DDP	After considering objections, submissions and matters in s.148B
s.178E(3)(d)	power to refuse to amend or end the agreement	CEO	After considering objections, submissions and matters in s.148B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	CEO, DDP	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	CEO, DDP	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO, DDP	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	CEO	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO, DDP	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, DDP	
s.179(2)	duty to make available for inspection copy agreement	DDP, PO, DM, PC	

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s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DDP, DM, PC	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DDP, DM, PC	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DDP, DM, PC	
s.182	power to enforce an agreement	CEO, DDP, DM, PC	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	DDP, DM, PC, PO,	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO, DDP	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, DDP	
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	DDP, DM, PC	
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	DDP, DM, PC	
s.184G(2)	duty to comply with a direction of the Tribunal	DDP, DM, PC	



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s.184G(3)	duty to give notice as directed by the Tribunal	DDP, DM, PC	
s.198(1)	function to receive application for planning certificate	DDP, DM, PC, PO,	
s.199(1)	duty to give planning certificate to applicant	DDP, DM, PC, PO,	
s.201(1)	function of receiving application for declaration of underlying zoning	DDP, DM, PC, PO,	
s.201(3)	duty to make declaration	DDP, DM, PC	
-	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	DDP, DM, PC, PO,	
	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	DDP, DM, PC, PO,	
	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DDP, DM, PC, PO,	
-	power to give written authorisation in accordance with a provision of a planning scheme	DDP, DM, PC, PO,	
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Not Applicable	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Not Applicable	

<b>RAIL SAFETY ACT 2006</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.33	duty to comply with a direction of the Safety Director under this section	DI, AC, EPAM	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DI, AC, EPAM	duty of council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DI, AC, EPAM	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	DI, AC, EPAM	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DI, AC, EPAM	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DI, AC	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DI, AC, EPAM	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	DI, AC, EPAM	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DI, AC, EPAM	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, AC, EPAM	where council is the relevant road authority

<b>RAIL SAFETY ACT 2006</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	AC, EPAM, WM	where council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DI, AC, EPAM	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, AC, EPAM	where council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	AC, EPAM, WM	where council is the relevant road authority
s.34I	function of entering into safety interface agreements	DI, AC EPAM	where council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	AC, EPAM, WM	where council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	AC, EPAM, WM	where council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	AC	where council is the relevant road authority

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.142D	function of receiving notice regarding an unregistered rooming house	DM, PHRSC	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	DM, PHRSC, MBS	
s. 142G(2)	power to enter certain information in the Rooming House Register	DM, PHRSC, MBS	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	DM, PHRSC, MBS	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	DDP, DM, PHRSC, MBS	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	DDP, DM, PHRSC, MBS	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	DDP, DM, PHRSC, MBS	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DDP, DM, PHRSC, MBS	
s.522(1)	power to give a compliance notice to a person	DM, PHRSC, EHO MBS	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	CEO	

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.525(4)	duty to issue identity card to authorised officers	CEO	
s.526(5)	duty to keep record of entry by authorised officer under section 526	PHRSC, EHO, MBS	
s.526A(3)	function of receiving report of inspection	PHRSC, EHO, MBS	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	PHRSC, EHO, MBS	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	Not delegated considered by Council.	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Not delegated considered by Council.	
s.11(9)(b)	duty to advise Registrar	DI, AC, EPAM	
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	DI, AC, EPAM	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	DI, AC, EPAM	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	DI, AC, EPAM	where council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	Not delegated, considered by Council.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	DI, AC, EPAM	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	DI, AC, EPAM	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DI, AC, EPAM	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DI, AC, EPAM	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	DI, AC, EPAM	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	CEO, DI	
s.14(7)	power to appeal against decision of VicRoads	DI, AC, EPAM	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, DI, AC, EPAM	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, DI, AC, EPAM	
s.15(2)	duty to include details of arrangement in public roads register	DI, AC, EPAM	
s.16(7)	power to enter into an arrangement under section 15	CEO, DI, AC, EPAM	
s.16(8)	duty to enter details of determination in public roads register	DI, AC, EPAM	
s.17(2)	duty to register public road in public roads register	DI, AC, EPAM	where council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.17(3)	power to decide that a road is reasonably required for general public use	DI, AC, EPAM	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	DI, AC, EPAM	where council is the coordinating road authority
s.17(4)	power to decide that a road is no longer reasonably required for general public use	Not delegated, considered by Council.	where council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	EPAM, TOS, AC	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	DI, AC, EPAM	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	DI, AC, EPAM	where council is the coordinating road authority
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	DI, AC, EPAM	
s.19(4)	duty to specify details of discontinuance in public roads register	DI, AC, EPAM	
s.19(5)	duty to ensure public roads register is available for public inspection	DI, AC, EPAM	
s.21	function of replying to request for information or advice	CEO, DI, AC, EPAM	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	CEO, DI, AC, EPAM	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	CEO, DI, AC, EPAM	
s.22(5)	duty to give effect to a direction under this section.	DI, EPAM	
s.40(1)	duty to inspect, maintain and repair a public road.	DI, AC, EPAM	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DI, AC, EPAM	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	AC, EPAM	
s.42(1)	power to declare a public road as a controlled access road	DI, AC, EPAM	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	DI, AC, EPAM	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	DI, AC, EPAM	where council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	DI, AC, EPAM	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DI, AC, EPAM	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	DI, AC, EPAM	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	DI, AC, EPAM	
s.49	power to develop and publish a road management plan	DI, AC, EPAM	
s.51	power to determine standards by incorporating the standards in a road management plan	DI, AC, EPAM	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Not delegated, considered by Council.	
s.54(2)	duty to give notice of proposal to make a road management plan	DI, AC, EPAM	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	DI, AC, EPAM	
s.54(6)	power to amend road management plan	DI, AC, EPAM	
s.54(7)	duty to incorporate the amendments into the road management plan	DI, AC, EPAM	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	DI, AC, EPAM	
s.63(1)	power to consent to conduct of works on road	DI, AC, EPAM	where council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DI, AC, EPAM	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	DI, AC, EPAM	where council is the infrastructure manager or works manager

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.66(1)	power to consent to structure etc	DI, AC, EPAM	where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	DI, AC, EPAM	where council is the coordinating road authority
s.67(3)	power to request information	DI, AC, EPAM	where council is the coordinating road authority
s.68(2)	power to request information	DI, AC, EPAM	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO, DI, AC, EPAM	
s.72	duty to issue an identity card to each authorised officer	CEO	
s.85	function of receiving report from authorised officer	DI, AC, EPAM	
s.86	duty to keep register re section 85 matters	DI, AC, EPAM	
s.87(1)	function of receiving complaints	DI, AC, EPAM	
s.87(2)	duty to investigate complaint and provide report	CEO, DI, AC, EPAM	
s.112(2)	power to recover damages in court	CEO, DI, AC, EPAM	
s.116	power to cause or carry out inspection	DI, AC, EPAM	
s.119(2)	function of consulting with VicRoads	DI, AC, EPAM	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DI, EPAM	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DI, AC, EPAM	
s.121(1)	power to enter into an agreement in respect of works	DI, AC, EPAM	
s.122(1)	power to charge and recover fees	DI, AC, EPAM	
s.123(1)	power to charge for any service	DI, AC, EPAM	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Not delegated, considered by Council.	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Not delegated, considered by Council.	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Not delegated, considered by Council.	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DI, AC, EPAM	
Schedule 2 Clause 5	duty to publish notice of declaration	DI, AC, EPAM	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DI, AC, EPAM	where council is the infrastructure manager or works manager

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DI, AC, EPAM	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DI, AC, EPAM	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes 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	DI, AC, EPAM	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DI, AC, EPAM	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	DI, AC, EPAM	where council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	DI, AC, EPAM	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DI, AC, EPAM	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	DI, AC, EPAM	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DI, AC, EPAM	where council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DI, AC, EPAM	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DI, AC, EPAM	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	DI, AC, EPAM	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	DI, AC, EPAM	where council is the responsible road authority
Schedule 7A Clause 3(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	DI, AC, EPAM	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

<b>PLANNING AND ENVIRONMENT REGULATIONS 2005</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r.6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	PC, PO	
r. 8	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	DDP,DM	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.
r.22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	CEO, DDP, DM, PC	
r.40	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of an amendment to a planning scheme	DDP, DM	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.
r.55	duty of responsible authority to tell Registrar of Titles under section 183 of the Act of the cancellation or amendment of an agreement	PC, PO	



<b>PLANNING AND ENVIRONMENT (FEES) FURTHER INTERIM REGULATIONS 2013</b>			
<b>Note: these Regulations expire on 18 October 2014</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO, DDP, DM, PC	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	CEO, DDP, DM, PC	
r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	DM, PC	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.7	function of entering into a written agreement with a caravan park owner	DDP, DM, PHRSC	
r.11	function of receiving application for registration	PHRSC, EHO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	DDP, DM, PHRSC, EHO	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	PHRSC, EHO	
r.13(4) & (5)	duty to issue certificate of registration	PHRSC, EHO	
r.15(1)	function of receiving notice of transfer of ownership	PHRSC, EHO	
r.15(3)	power to determine where notice of transfer is displayed	PHRSC, EHO	
r.16(1)	duty to transfer registration to new caravan park owner	PHRSC, EHO	
r.16(2)	duty to issue a certificate of transfer of registration	Set by Legislation Not Applicable	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	PHRSC, EHO	
r.18	duty to keep register of caravan parks	PHRSC, EHO	
r.19(4)	power to determine where the emergency contact person's details are displayed	PHRSC, EHO	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.19(6)	power to determine where certain information is displayed	PHRSC, EHO	
r.22A(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	CSO	
r.22A(2)	duty to consult with relevant emergency services agencies	MERO, MFPO	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	PHRSC, EHO	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	EPAM, PHRSC, EHO	
r.25(3)	duty to consult with relevant floodplain management authority	PC, PHRSC, EHO	
r.26	duty to have regard to any report of the relevant fire authority	EPAM, MBS, PHRSC, EHO	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	PHRSC, EHO	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MBS, PHRSC, EHO	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MBS, PHRSC, EHO	
r.40(4)	function of receiving installation certificate	PHRSC, EHO	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBS, PHRSC, EHO	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	PHRSC, EHO, MBS	

<b>ROAD MANAGEMENT (GENERAL) REGULATIONS 2005</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.301(1)	duty to conduct reviews of road management plan	DI, AC, EPAM	
r.302(2)	duty to give notice of review of road management plan	DI, AC, EPAM	
r.302(5)	duty to produce written report of review of road management plan and make report available	DI, AC, EPAM	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	DI, AC, EPAM	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	DI, AC, EPAM	
r.501(1)	power to issue permit	DI, AC, EPAM	where council is the coordinating road authority
r.501(4)	power to charge fee for issuing permit under regulation 501(1)	DI, AC, EPAM	where council is the coordinating road authority
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	DI, AC, EPAM	where council is the coordinating road authority
r.508(3)	power to make submission to Tribunal	DI, AC, EPAM	where council is the coordinating road authority
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DI, AC, EPAM	where council is the responsible road authority
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with regulation 509(3))	DI, AC, EPAM	where council is the responsible road authority
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	DI, DDP	

<b>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.10	power to exempt a person from requirement under clause 13(1) of Schedule 7 to the Act to give notice as to the completion of those works	DI, EPAM, AC	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.18(2)	power to waive whole or part of fee in certain circumstances	DI, EPAM, AC	where council is the coordinating road authority

#### **B.14.46 KEY STRATEGIC INITIATIVES FOR 2013/14 STATUS REPORT FOR THE FOURTH QUARTER**

**Responsible Officer:** Director Corporate Services  
**File Number:** 22-23-08  
**Attachments:** 1 KSI Fourth Quarter Status Report

**Declarations of Interest:** Officer

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

This is the fourth quarterly report identifying the status of the Key Strategic Initiatives from the Council Plan for the 2013/14 financial year.

#### **Discussion**

The Council Plan 2013/17 includes 77 initiatives and 235 actions, through which the achievement of the Council Plan may be measured over its four-year term.

There are 81 actions in total identified for the 2013/14 period and each action has a nominated responsible officer. In each case, the responsible officer is a member of the Executive Leadership Team, reflecting the importance placed on achieving targets.

Twenty-three actions were completed during the fourth quarter of the 2013/14 financial year.

In total, 44 of the 81 actions were completed during the 2013/14 period.

In addition, 17 actions that were scheduled for future years were also completed during 2013/14.

Of the 37 outstanding actions for 2013/14, 12 are expected to be completed within the first quarter of the 2014/15 financial year, 13 are subject to the budget or external funding and the remaining 12 will be completed later in 2014/15.

The progress of all actions is outlined in the comments section of the attachment to this report.

#### **Consultation**

Council consulted the community during the development of the Council Plan 2013/17. The Council Plan was adopted at the June Council Meeting 2013.

### **Financial Implications**

The implementation of the 2013/14 Key Strategic Initiatives was included in the budget.

### **Social Implications**

Not applicable.

### **Economic Implications**

Not applicable.

### **Environmental Implications**

Not applicable.

### **Risk Management Implications**

Monitoring of Council's progress to implement the Council Plan helps to reduce risks associated with governance and reputation.

### **Council Plan Strategy Addressed**

***Councillor and Staff accountability*** - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

### **Options**

Nil

### **Recommendations**

**That Council approve the “Key Strategic Initiatives Status Report” for the fourth quarter 2013/14.**



**22/14 Motion**

**MOVED Cr Katis**

**That Council approve the “*Key Strategic Initiatives Status Report*” for the fourth quarter 2013/14.**

**SECONDED Cr Kiley**

**The Motion was put and CARRIED**

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officer/s	Complete Y/N	Comments as at 30 June 2014
<p><b>Legend</b></p> <p>Completed <span style="background-color: #90EE90; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Currently underway/Ongoing <span style="background-color: #FFD700; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Action yet to be taken <span style="background-color: #FF4500; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span></p>									
<p><b>Initiatives carried over from previous Council Plan</b></p>									
EG	Housing	Facilitate development of the South West Precinct of Swan Hill	Complete the Planning Scheme Amendment for the South West Development Precinct.	2014-15	Amendment to the Minister of Planning for approval.	DDP	DM		Swan Hill South West Development Precinct project will be submitted to Council seeking approval to send to the Minister for Planning for authorisation.
EG	Attracting new business	Begin implementation of the Central Business District Masterplans for Robinsonville and Swan Hill including identifying links to Streetfronts	4. Determine and complete Year 3 of the Swan Hill CBD Masterplan	May-14	Stage 3 works complete.	DI	ESM	Y	Works completed in May 2014. COMPLETED
EG	Attracting new business	Development of a strategy to support the attraction of new business based on the regions comparative and competitive advantages as identified in the Economic Development Strategy.	Develop and implement an Investment Attraction Strategy to streamline processes for business investment and to promote the regions comparative and competitive advantages	Jun-14	Strategy developed.	DDP	EDM		The Investment Attraction policy is in draft and is due to go to EMT in July/August 2014. Ongoing and will continue to be reported on.
EG	Infrastructure	Conduct a review of Council operated aerodromes and implement both CASA requirements and Council recommendations	1. Renewal of current infrastructure	Dec-14	Works completed within available funds.	DDP DI	EDM		Committed funds will be spent in 2014. Ongoing and will continue to be reported on.
EG	Infrastructure	Conduct a review of Council operated aerodromes and implement both CASA requirements and Council recommendations	4. Call for expressions of interest in potential operation of passenger air services from Swan Hill aerodrome	2014	Expressions of interest advertised if recommended by Business Case for Aerodrome.	DDP	EDM	Y	Discussions with potential commercial operator has recently ceased due to changes in their commercial direction. Discussions will now be held with Councilors to determine a course of action. COMPLETED
EG	Infrastructure	Commence Program to identify works required on access roads to enable B Double access	1. Determine suitability of Council roads in accordance with the hierarchy	2014	Identify appropriate roads.	DDP	EDM	Y	National Heavy Vehicle Regulator will determine access as part of national program. Council completed the pre-approval process to determine routes. COMPLETED
<p><b>Governance and Leadership (15 Strategic Initiatives - 43 Actions)</b></p>									
GL	Developing open community relationships	1.1 Review and implement actions from the Communication Strategy	1.1.1 Review of existing Communication Strategy	2014-15	Revised Communication Strategy adopted by Council	DCS	HRGM		Review in process
GL			1.1.2 Progressively implement actions from revised strategy	2015-17	Half yearly report of achievement of Strategy will be present to Council	DCS	HRGM		
GL		1.2 Review results of Community Satisfaction Surveys to identify and implement changes in service demand	1.2.1 Results of Surveys analysed by EMT and Council	2013-17	Annual report to Council presenting Survey results and recommendations	DCS	HRGM		1. State Government Community Satisfaction Survey completed and result presented to Council in July 2013. 2. Staff presentations to be made in February 2014. 3. SHRCC's community satisfaction survey due in August 2014.
GL			1.2.2 Service Level Changes implemented where appropriate and funded	2014-17	Service Level changes identified and funded in the Budget	DCS	HRGM		
GL	Developing open community relationships	1.3 Produce and distribute a Community Newsletter three times a year	1.3.1 Produce and distribute a Community Newsletter three times a year	2013-17	Newsletter distributed in April, August and December	DCS	HRGM		August 2013 and December 2013 newsletters distributed. ONGOING
GL	Developing open community relationships	1.4 Develop Council's systems and processes to improve Customer Service	1.4.1 Implement the I.T. Strategy within the available funds	2013-17	Annual report on completion of actions from I.T. Strategy presented to Council	DCS	ITM		Quarterly report presented to both Councilors and EMT in April 2014. ONGOING
GL	Developing open community relationships	1.5 Council will investigate and implement new technologies to better communicate with our community	1.5.1 Develop a Social Media Policy	2013-14	Policy adopted by Council	DCS	HRGM	Y	Social Media Policy adopted in February 2013. COMPLETED
GL			1.5.2 Implement Social Media Policy within existing resources	2013-17	Social media "sites" established and maintained for Council and 4 selected areas of Council operations.	DCS	HRGM	Y	Social Media sites (Facebook and Twitter) launched 1 October 2013. COMPLETED
GL			1.5.3 Launch new Council Website	2013-14	New Website live and active	DCS	ITM	Y	Website launched 1 October 2013. COMPLETED

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officers/	Complete Y/N	Comments as at 30 June 2014
GL			1.5.4 Website content kept up to date	2013-17	Website page audit reports to prompt review and updating of old information	DCS	ITM		All web content now goes through a manual auditing process, the automated process will be introduced late 2014 as part of stage 2 of the web site redevelopment project. As at June 2014 we have automated content review cycles, this is an intermediary step. On target for late 2014 implementation. <b>ONGOING</b>
GL	Developing open community relationships	1.6 Progressively develop "Easy Read" Council communication documents	1.6.1 Review and update Council publications and forms to ensure they are easy to read and understand 1.6.2 Easy Read training to be provided on an ongoing basis to appropriate staff	2013-17	All media releases and speeches, Annual Report, Council Plan, Policies due for review, new website information to be written in 'easy read' format. Six Council forms to be reviewed and updated each year. Training offered and undertaken	DCS	HRGM		Annual Report, Council Plan, reviewed policies and website content all written in easy read format. <b>ONGOING</b> 12 staff completed at the end of 2012. To be rescheduled in 2014/15. <b>ONGOING</b>
GL	2. Councillor and staff accountability	2.1 Review the SHRCC Councillor and staff Codes of Conduct	2.1.1 Review existing Councillor Code of Conduct against DPCD guidelines and values statements in Council Plan. 2.1.2 Adopted revised Councillor Code of Conduct	2013-14	Existing Code reviewed, updated and presented at Councillor Assembly	DCS	HRGM	Y	Councillor Code of Conduct reviewed and presented at Councillor Assembly in October 2013. <b>COMPLETED</b>
GL			2.1.3 Review existing Staff Code of Conduct against DPCD guidelines, current employment law and values statements in Council Plan. 2.1.4 Adopt revised Staff Code of Conduct	2013-14	Revised Code adopted by Council	DCS	HRGM	Y	Revised Councillor Code of Conduct was approved at the November 2013 Statutory Council Meeting. <b>COMPLETED</b>
GL			3.1.1 List of all relevant documents to be prepared including a review date 3.1.2 Documents reviewed and updated prior to expiry	2014-15	Existing Code reviewed and presented to Consultative Committee meeting	DCS	HRGM		Currently under review.
GL	3. Responsible Management of Resources	3.1 Develop and review plans, policies, directives and procedures as required.	3.1.1 List of all relevant documents to be prepared including a review date 3.1.2 Documents reviewed and updated prior to expiry	2015-16	Revised Code adopted by EMT	DCS	HRGM		Draft list has been collated. Will be presented to EMT in July.
GL	Responsible Management of Resources	3.2 Pursue Strategic Land Acquisitions and review Council's existing land bank	3.2.1 Conduct a review to identify what type, size and location of land Council may require for its Strategic objectives over the next 10 years 3.2.2 Review Council's existing 'Land Bank' against the above list 3.2.3 Prepare a disposal strategy for any surplus land 3.2.4 Implement the Disposal Strategy as appropriate 3.2.5 Pursue acquisition and/or control of land identified as being required	2013-14 2013-14 2014-15 2014-17	Confidential list of the sort of land Council may require to be prepared Existing Land holdings to be identified as required or surplus to needs Strategy prepared and approved by Council Surplus land progressively disposed of Appropriate land progressively acquired	DCS DCS DCS DCS DCS	DCS DCS DCS DCS DCS	Review has commenced. Report to be presented to EMT and Councillor Assembly in September 2014. Review has commenced. Report to be presented to EMT and Councillor Assembly in September 2014. 77 Bromley Road acquired.	
GL	4. Valuing our staff	4.1 Negotiate of new EBA	4.1.1 Determine Council position on pay increases, work place facilities etc 4.1.2 Undertake negotiation with staff and unions and develop a draft agreement 4.1.3 Fair Work Australia Register the new EBA 4.1.4 Implement the terms and conditions of the new EBA	2013-14 2013-14 2013-14 2014-17	Position determined Draft agreement prepared EBA registered Ongoing monitoring of EBA terms and conditions by all parties	DCS DCS DCS DCS	HRGM HRGM HRGM HRGM		Final EBA meeting in June, Draft EBA document to be voted on early July 2014. Final EBA meeting in June, Draft EBA document to be voted on early July 2014. Final EBA meeting in June, Draft EBA document to be voted on early July 2014.
GL	Valuing our staff	4.2 Introduce measures to continually improve workplace safety and staff health and wellbeing	4.2.1 Review workover claims, accident and injury reports and insurance claims to identify the top 5 causes of workplace injury, accidents and near misses. 4.2.2 Implement recommendations to address top issue identified in the report. 4.2.3 Implement recommendations to address 2nd and 3rd top issues identified in the report.	2013-14 2014-15 2015-16	Report with recommended improvement actions adopted by EMT Recommended actions complete Recommended actions complete	DCS DCS DCS	HRGM HRGM HRGM		1. WorkCover file reviews take place quarterly. 2. Accident and Injury Reports presented to OHS&S Committee bi-monthly. 3. Report in progress.

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officers	Complete Y/N	Comments as at 30 June 2014
GL			4.2.4 Implement recommendations to address 4th and 5th top issues identified in the report.	2016-17	Recommended actions complete	DCS	HRGM		
GL	5. Nurturing critical external relationships	5.1 Engage with community organisations to increase cooperation and avoid duplication of resources	5.1.1 Update register of community organisations 5.1.2 Identify duplication of resources and services provided 5.1.3 Prioritise a program of meeting with various organisations to negotiate consolidating resources 5.1.4 Assess infrastructure consolidation 5.1.5 Negotiate shared resourcing with organisations	2013-17 2014-15 2015-16 2014-17 2014-17	Register is loaded onto a common network drive and a review period is implemented Duplications identified Program developed Program for rationalisation approved Outcomes of negotiations approved by Council	DCS DCS DCS DCS DCS	CSRM CFM AM CSRM CFM AM CSRM CFM AM CSRM CFM AM		Community Services Directory is now accessible through Customer Services Public site on Alhresco. Updated on an annual or as-needs basis. <b>COMPLETED AND ONGOING</b>
GL	Nurturing critical external relationships	5.2 Identify opportunities to nominate Council for industry recognition	5.2.1 Report to EMT & Council as opportunities arise and seek endorsement 5.2.2 Maintain membership of professional and peak bodies	2013-17 2013-17	Nominations approved Nominations lodged with various industry organisations	DCS EMT	DCS EMT		Four projects nominated for LGPro Awards for Excellence of which three were successful. <b>ONGOING</b> 4 new memberships with LGPro and 1 membership with Australian Human Resource Institute <b>ONGOING</b>
GL	Nurturing critical external relationships	5.3 Encourage and support Council representatives to obtain positions on relevant boards	5.3.1 Identify opportunities that match the skill set of Councillors and Senior staff	2013-17	Board position opportunities discussed regularly at Council Assemblies	EMT	EMT		Council is well represented on boards and will continue to look for opportunities. Councillor representation on MAY Board (Cr Norrington) <b>ONGOING</b>
GL	Nurturing critical external relationships	5.4 Ensure regular dialogue with neighbouring NSW municipalities to assist in reducing cross border issues	5.4.1 Schedule regular meetings / assemblies with Wodooi & Baranald Shires 5.4.2 Maintain membership of Central Murray Regional Trains Forum & Murray Tourism Board 5.4.3 Facilitate discussions with Cross Border Commissioner (NSW) and Dept of Premier & Cabinet (VIC) 5.4.5 Industry based discussions held with Council staff and industry reps	2013-17 2013-15 2013-17 2013-17	Schedule is established and agreed to by all municipalities Councillor rep and Senior staff nominated to administer / participate Meetings scheduled Meetings scheduled	CEO CEO CEO CEO CEO EMT	CEO CEO CEO CEO CEO EMT	Joint tour of Murray Downs and Swan Hill with Wodooi Shire in January 2014. There will be a meeting of NSW Councils (RAIRROCC) and Murray River Group of Councils (MRROCC) in the second half of 2014. <b>ONGOING</b> Membership of, and participation in, both organisations has been maintained. <b>ONGOING</b> Determined that meeting should coincide with a quarterly meeting with Wodooi Shire. <b>ONGOING</b> CEO and Director Development and Planning have had meetings with large Swan Hill Businesses. Industry presentation to be made at Councillor Assembly. <b>ONGOING</b>	
<b>Community Health and Wellbeing (27 Strategic Initiatives/88 Actions)</b>									
CHW	6. Council seeks to connect members of our community to bring people together to find solutions to community problems	6.1 Assist with the review and implementation of community plans	6.1.1 Implementation of plans are an ongoing process. There are currently 11 community plans in place. 6.1.2 Every community plan is reviewed approximately every 18 months. Over a four year period approximately 6 plans are reviewed yearly.	2013-17 2013-17	Projects identified in the plans are completed and signed off on by relevant community. There will be projects that are investigated by community members and are seen not to be a priority. New community plans are published	DCS DI DCS DI	CPDO CPDO		25 projects completed. Plans continue to be implemented by individual communities. <b>ONGOING</b> Nyah District Beverford reviews completed. Lake Rogie, Ulthra and Meningaling reviews commenced. <b>ONGOING</b> Provision for new Youth Strategy included in draft Major Projects Plan. Projects referred to budget.
CHW	7. Building community capacity	7.1 Implement Youth Action Plan	7.1.1 Youth Strategy reviewed and Action Plan developed 7.1.2 Determine Council responsibilities and prioritise for resource allocation.	2013-14 2013-14	Council adopts reviewed Youth Strategy, endorse Action Plan Council responsibilities and priorities determined, and resource allocation complete.	DCCS DCCS	FYCSM FYCSM		

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officer/s	Complete Y/N	Comments as at 30 June 2014
CHW			7.1.3 Implementation of Actions	2014-16	Identified Actions are resourced and completed	DCCS	FYCSM		
CHW			7.1.4 Review of the Action Plan	2016-17	Process for continual review undertaken and agreed, resources allocated.	DCCS	FYCSM		
CHW	8. Building community capacity	8.1 Provide leadership/support to the community as issues of significance arise	B.1.1 Determine Council's role in our community addressing youth mental health and early intervention service gaps.	2013-14	Service gaps determined and Council's role defined	DCCS	FYCSM		Council participates actively in various working parties: Southern Mallee Youth Partnership Governance project steering committee, to establish a sub-regional governance structure. SHRCC invited to assist in developing the Mallee Area Partnership led by DHS and DEECD.
CHW			8.1.2 (For example) Seek the establishment of a Headspace in Swan Hill.	2014-15	A Headspace is established	DCCS	FYCSM		
CHW			8.1.3 Implement the agreed actions.	2013-17	Actions are implemented.	DCCS	FYCSM		
CHW	Building community capacity	8.2 Provide leadership/support to the community as issues of significance arise	8.2.1 Determine Council's role in closing community mental health service gaps.	2013-14	Service gaps determined and Council's role defined	DCCS	FYCSM		Council participates actively in various working parties, and provides venue for trial of integrated youth services.
CHW			8.2.2 Implement the agreed actions which are Council responsibility	2014-15	Actions are implemented within budget and to agreed timelines	DCCS	FYCSM		
CHW			8.2.3 Implement the agreed actions.	2013-17	Actions are implemented.	DCCS	FYCSM		
CHW	9. Supporting people who need extra assistance	9.1 Investigate implications and opportunities through Council's role regarding the Community Based Aged Care reform	9.1.1 Review implications of aged care reform	2013-14	Full understanding of the reforms and their effects on local government are understood by EMT and Council	DCCS	CCSM		Financial modelling and software development for managing CDC for packaged care underway. Consortium meeting 12-13 December to examine staffing and financial models. Triennial statement of intent from MAV, DSS and DPH confirms current HACC funding level remain in place until 2018
CHW			9.1.2 Provide the community with a clear direction on what services Council could provide post-2015	2013-14	Community is fully informed of the direction of Council, the implications for changes to services.	DCCS	CCSM		Anticipated May 2015.
CHW			9.1.3 Identify opportunities for Council in undertaken community aged care	2014-15	Internal processes are finalised and assessed and adopted.	DCCS	CCSM		Anticipated July 2015.
CHW			9.1.4 (Example) Council will use the Consortium model for regional delivery of community-based aged care services.	2015-16	Service delivery is undertaken using the new regime and costs borne by Council equate those previously due to HACC system, or with reduced subsidy.	DCCS	CCSM		Anticipate to be identified during 2015-16 budget preparation.
CHW	Supporting people who need extra assistance	9.2 Finalise, adopt and implement an Early Years Priority Plan	9.2.1 Early Years Plan completed	2013-14	Council has adopted the Plan and endorsed the Actions for referral to annual budget processes.	DCCS	FYCSM		Early Years Plan in draft form. EMT review anticipated in July/August 2014.
CHW			9.2.2 Identified actions for Council, and their outcomes to be undertaken	2014-15	Actions of Council responsibility are completed within budget and timelines and outcomes achieved by measurable data.	DCCS	FYCSM		
CHW			9.2.3 Action - to be identified	2014-15	Project is scoped, outcomes determined and community benefit measurable	DCCS	FYCSM		
CHW			9.2.4 Funding sought for action/project	2014-15	Funding is secured and received	DCCS	FYCSM		
CHW			9.2.5 Completion of action/project	2015-17	Action/project completed	DCCS	FYCSM		
CHW	Supporting people who need extra assistance	9.3 Implement Disability Action Plan	9.3.1 Implement actions from Objective 1 - Services and facilities for the community	2013-14	All actions completed within time frame.	DI	RAC		Of 20 actions, 17 have been addressed with some ongoing, 3 not to be actioned.
			9.3.2 Implement actions from Objective 2 - Council Employment Services	2013-14	All actions completed within time frame.	DI	RAC	Y	Of 9 actions, 3 have been addressed and 2 are ongoing. COMPLETED
			9.3.3 Implement actions from Objective 3 - Inclusion and participation in the community	2013-14	All actions completed within time frame.	DI	RAC	Y	Of 4 actions, 4 have been addressed. COMPLETED
			9.3.4 Implement actions from Objective 4 - Planning for attitudinal change in the community	2013-14	All actions completed within time frame.	DI	RAC	Y	Of 15 actions, 12 have been addressed, 3 are ongoing. COMPLETED
CHW	10. Maintaining a safe community	10.1 Promote the development of a strategy to enable communication of emergency management plans and activities to CALD communities	10.1.1 Formulate a process during the development of the Diversity Plan	2014-15	Diversity Plan is adopted, a clear process is developed and resourced for communication of emergency plans to CALD communities	DI	DI DCCS		Harvest and Structural plan completed as part of Municipal Fire Management Plan. Communication strategy to form part of the plan.



Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officers	Complete Y/N	Comments as at 30 June 2014
CHW		11.4 Implement Riverfront Master Plan	11.4.1 Develop detailed designs and costings for projects 11.4.2 Identify funding opportunities and submit applications in accordance with Implementation Plan and Major Projects Plan 11.4.3 Consider funding allocations through Council's annual budgeting process	2013-17	Projects completed in accordance with timelines	DI	CFM		Design and costings process commenced. Grants successfully applied for. Walking path near Carveen park has been completed. Riverbank Restoration Guidelines has been developed. Outdoor fitness stations to be installed this year.
CHW			11.5 Continue to implement actions within the Public Health and Wellbeing Plan	2013-17	Funding identified	DI	CFM		Funding opportunities identified for Stage 1 works.
CHW			11.5.1 Action report template taken to Councilor Assembly quarterly 11.5.2 Continuous review/update of the Public Health and Wellbeing Plan	2013-17	Completion of annual budgeting process	DI	CFM		Budget completed
CHW	Facilitate and provide services for health and well being		11.6.1 Consider the SGS Business Plan and the Essential Economics Business Case	2013-14	Copies of completed quarterly report	DDP	PHSTL		Report presented to Council at Assembly held on 3 June 2014. ONGOING
CHW	Facilitate and provide services for health and well being		11.7.1 Contact MAV and Public Transport Victoria (PTV) to determine responsibilities in regard to the installation and maintenance of bus shelters 11.7.2 Determine the standards of construction of bus shelters and the optimum locations within the municipality. 11.7.3 Obtain cost estimates and investigation of possible funding options	2013-14	Relevant updates included in the PHWP	DDP	PHSTL		PHWP presented and adopted by Council at November 2013 Council Meeting. A copy was also sent to Department Of Health in November 2013. ONGOING
CHW	Facilitate and provide services for health and well being		11.8 Engage with appropriate organisations to co-locate community facilities	2013-14	Council considered reports recommendations	DI	CFM	Y	Options considered. COMPLETED
CHW	Facilitate and provide services for health and well being		11.8.1 Through the building asset Mgt group, identify co-location opportunities 11.8.2 Regular discussions with State Government authorities	2013-14	Upon receipt of advice	DI	ESM		Agreement reached with Swan Hill inc to construct two shelters and Council takes responsibility of ownership.
CHW	Facilitate and provide services for health and well being		11.8.3 Obtain cost estimates and investigation of possible funding options	2013-14	Information received	DI	ESM		As above.
CHW	Facilitate and provide services for health and well being		11.8.4 Regular discussions with State Government authorities	2013-14	Information received	DI	ESM		Cost estimates being undertaken by SH Inc Industrial, Trade & Professional Services.
CHW	12. Celebrating our identity	12.1 Pursue funding for the redevelopment of the Swan Hill Regional Art Gallery	12.1.1 Provide final designs and all costs and contingencies 12.1.2 Identify funding sources 12.1.3 Seek funding for development	2013-17	Negotiations with various groups commence	DI	CFM		Co-location opportunities identified with Scouts and Swan Hill band groups and the RobInvale Senior Citizens Centre.
CHW	Celebrating our identity	12.2 Support for new citizens to the municipality to increase awareness of local customs and practices	12.2.1 Review existing services to address short-term options. 12.2.2 (Following Diversity Plan) Actions identified for ongoing assistance to new arrivals. TBD 12.2.3 (Following Diversity Plan) Actions identified for ongoing assistance to new arrivals. TBD	2013-14	Updates provided at Councilor Assemblies	DI	CFM		
CHW	Celebrating our identity	12.3 Encourage Community harmony, cultural understanding and tolerance	12.3.1 Support and develop Harmony Day as the central point for a larger festival of events 12.3.2 Harmony Day 2015 linked to other events 12.3.3 Harmony Day 2016 linked closer to Pioneer Settlement 50 year celebrations	2013-14	Final designs are approved and accurately costed	DDP	DDPM		Research undertaken.
CHW				2013-17	Funding sources are identified	DI	CFM		No applications made to date.
CHW				2013-17	Funding is received for development to match Council Major Projects contribution	DI	CFM		
CHW				2013-14	Short-term options and actions are undertaken	DCCS	DCCS		Early Years Services under review, and Community Care responding to State Diversity Framework.
CHW				2015-16	Actions undertaken and reviewed for effectiveness	DCCS	DCCS		
CHW				2016-17	Actions undertaken and reviewed for effectiveness	DCCS	DCCS		
CHW	Celebrating our identity		12.3.1 Support and develop Harmony Day as the central point for a larger festival of events 12.3.2 Harmony Day 2015 linked to other events 12.3.3 Harmony Day 2016 linked closer to Pioneer Settlement 50 year celebrations	2013-14	Harmony Day is improved and annual commitment secured, greater service provider participation	DCCS	MCDL		Harmony Day 2014 held 22 March, huge success. Review is underway, and level of ongoing commitment determined. Draft budget allocating an additional \$5000.
CHW				2014-15	Harmony Day 2015 linked to Food and Wine Festival, greater local business participation 50 Year celebrations of Pioneer Settlement	DCCS	MCDL		
CHW				2015-16	linked to range of events, including Harmony Day, indigenous celebration and cultural awareness through linking history and food, settlement of region.	DCCS	MCDL		

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officers	Complete Y/N	Comments as at 30 June 2014
CHW			12.3.4 Change perception of Harmony Day to illustrate iconic status for the region	2016-17	Harmony Day is imbedded as an iconic celebration for the region	DCCS	MCDL		
CHW	Celebration our identity	12.4 Pursue funding to develop a Diversity Plan and investigate the potential to develop a multicultural hub	12.4.1 Identify potential funding sources	2013-14	funding identified	DCCS	DCCS		Meetings held with Victorian Multicultural Commission in December 2013, some potential funding identified but not within timeframes to apply. Cultural Planning run by MAV are working towards incorporation of diversity into Cultural Plans. Forums held in May, June and upcoming JAN 2014.
CHW			12.4.2 Develop project scope (consultants brief)	2013-14	project scope and brief approved	DCCS	DCCS		Draft brief completed. Awaiting funding.
CHW			12.4.3 Apply for funding	2013-14	application submitted	DCCS	DCCS		Funding not yet obtained.
CHW			12.4.4 Secure funding	2013-17	funding secured	DCCS	DCCS		
CHW			12.4.5 Develop plan (including consultation)	2013-17	plan is adopted by Council	DCCS	DCCS		
CHW			12.4.6 Draw on findings of plan to determine need and location of multicultural hub	2013-17	plan assesses requirement for multicultural hub	DCCS	DCCS		
CHW	Celebrating our identity	12.5 Develop and implement a Cultural Plan	12.5.1 Develop an understanding of the cultural experiences currently available in the municipality	2013-14	Conduct audit and gap analysis of the cultural assets and experiences available	DCCS	MCDL		A basic audit was carried out as part of the community consultation for the development of the Cultural Plan. A more detailed audit will be carried out within the next 12 months. Cultural team is involved with a MAV project to develop guidelines for cultural planning and incorporating diversity initiatives.
CHW			12.5.2 Development of Plan undertaken	2014-15	Community consultation, and prioritising of potential actions	DCCS	MCDL		Community consultation has been completed. Plan is currently in draft format.
CHW			12.5.3 Development continues	2014-16	Community consultation, and prioritising of potential actions	DCCS	MCDL		Ongoing.
CHW			12.5.4 Cultural Plan is completed and adopted	2015-17	Adoption of Plan by Council and	DCCS	MCDL		Draft Cultural Plan has been presented to EMT. MCDL currently working on castings.
CHW	13. Aboriginal Identity	13.1 Review and implement identified actions following the review of Aboriginal Partnership Plan	13.1.1 Upon completion of Aboriginal Community Planning process Review Aboriginal Partnership Plan	2014-17	Plan review completed to the satisfaction of Council and the Aboriginal community	DI	CFM		Aboriginal Planning Officer commenced review.
CHW			13.1.2 Implement actions identified in Aboriginal Partnership Plan	2014-17	Actions completed	DI	CFM		
CHW	Aboriginal Identity	13.2 Continued involvement in Aboriginal Strategic Placement program	13.2.1 Assist contracted employment placement provider to place Aboriginal jobseekers into employment by providing advice on local Aboriginal issues; assist in completion of individual employment placement plans; assist with identification of employment opportunities; assist with post placement support; process payment of doffing and incidentals allowance.	2014-16	Achievement of contracted employment placement and outcomes targets	DI	CFM		Contracted employment placement and outcomes targets achieved on rolling process. ONGOING
CHW	Aboriginal Identity	13.3 Be and active participant in the Aboriginal Community Planning processes throughout the Municipality	13.3.1 Encourage Local Indigenous Networks(LIN) in Robinvale and Swan Hill to consider completion of Aboriginal Community Plans	2013-14	Commitment gained from LIN to complete Aboriginal Community Plans	DI	CFM	Y	LIN commitment received. COMPLETED
CHW			13.3.2 Advise and assist LIN with the process and methodology to complete community plans	2014-16	Completion of community plans in Robinvale and Swan Hill	DI	CFM	Y	LIN Community Plans have been completed. These will be used as Community Plans. COMPLETED
<b>Economic Growth (28 Strategic Initiatives): 17 Actions</b>									
EG	14. Creating population growth	14.1 Support the key initiatives arising from the Northern Loddon Mallee Regional Strategic Plan	14.1.1 Align the Council Plan with the objectives of the Regional Strategic Plan	2013-17	Council Plan endorsed and communicated to State Government	DDP	DM		Council Plan currently reflects Regional Strategic Plan. During annual review of Council Plan, we will ensure it continues to align with RSP. The MSS review will highlight and provide strategic directions for this. ONGOING
			14.1.2 Participate in the review of the Strategic Plan	2013-14 2016-17	Councils input is included in reviewed plan	DDP	DM		Review not yet undertaken. Council has participated in forums relating to the Regional Strategic Plan and will participate in full review since it is commenced.



Council Plan Worksheet

Area	Objective	Strategic Initiative	Actions	When	How we will know we have achieved this	Directorate	Officer/s	Complete Y/N	Comments as at 30 June 2014
			14.1.3 Pursue a position on steering committees of key projects within the Strategy	2013-17	Council is granted positions on Committees (eg Natural Gas study committee)	DDP	DM		
EG	Creating population growth	14.2 Review of the Municipal Strategic Statement (MSS) with a view to encourage population growth	14.2.1 Commence MSS review	2014-17	MSS review report completed by end of 2015	DDP	DM		MSS Review was commenced in April 2014. Due to the current review of the State Planning Policy, MSS review has to be postponed to next financial year until the State Government completes their review.
EG	Creating population growth	14.3 Investigate opportunities of accommodation and services being provided for displaced people	Liaise with key stakeholders to identify issues and possible actions.	2014-15	Results of investigation will be reported back to Council	DDP	DM		
EG	15. Housing	15.1 Develop Rural Land Use/Living Strategy	15.1.1 Scoping paper to be developed	2013-14	Scoping paper approved by EMT and presented at Councilor Assembly	DDP	DDP	Y	Scoping paper complete. Workshop with Councilors on 8 July to commence study. COMPLETED
EG	Housing	15.2 Adopt the Swan Hill Residential Housing Strategy and complete the planning scheme amendments	15.2.1 Respective Planning Scheme Amendments to be initiated	2014-15	Minister's authorisation for the amendment, public exhibition and subsequent processes. Approval of the Amendment	DDP	DDP	Y	Swan Hill Residential Strategy adopted by Council at its Ordinary Meeting in March 2013. Large number of recommendations will be undertaken with the Development Plan for the SWDP. COMPLETED
EG	Housing	15.3 Review of the Municipal Strategic Statement (MSS) taking into consideration appropriate accommodation options	15.3.1 Commence MSS review	2014-15	Revised MSS referral to the Minister	DDP	DDP		The Victorian Government is revising the structure of the Victorian Planning Provision which includes the MSS. Review on hold pending outcome of revision of VPPPs. Council has written to the Department of Planning & Community Development outlining the delay.
EG	Housing	15.4 Investigate the connection of small towns to reticulated sewerage and potable water	15.4.1 Complete Rural Living/Land Use Strategy (including consultation)	2014-16	Rural Living/Land Use Strategy adopted by Council	DDP DI	DM		Rural Land Use Strategy brief commenced. Will be required to be reviewed by EMT and Council. Briefing EMT and Council in April 2014.
EG			15.4.2 Draw on findings to identify towns	2014-15	Council recommendations adopted	DDP DI	DM		
EG			15.4.3 Develop a project scope for feasibility study for identified towns.	2014-15	completed project scope approved by EMT in consultation with Councilors	DDP DI	DM		
EG			15.4.4 Complete feasibility study	2014-15	feasibility study adopted by Council	DDP DI	DM		CEO and DI met with Woocrain Progress Association to look into options of a feasibility study.
EG			15.4.5 If feasible, proceed to community consultation	2015-16	completed consultation process for each town with evidence of input from all relevant sectors	DDP DI	DM		
EG			15.4.6 Establish priority towns (Council decision in conjunction with relevant community)	2015-16	Council adopted list of priority towns	DDP DI	DM		
EG			15.4.7 Develop business case for preferred option for each town	2015-17	adopted business cases for each town	DDP DI	DM		As above
EG	16. Educational/Skilling	16.1 Advocate for higher educational opportunities in our region	16.1.1 Engage with education providers and community representative bodies (MFC, School Boards, SunTafe etc) to identify education opportunities 16.1.2 Gain community involvement to assist the process	2014-16	Opportunities identified Community Planning working parties established	CEO EMT	CEO EMT		
EG	Education/Skilling	16.2 Promote the availability of local University access	16.2.1 Utilise Councils media presence to cross promote University accessibility 16.2.2 Actively promote Councils cadetships, traineeships and apprenticeships	2013-17 2013-17	University media exposure increased Cadetships are linked to University opportunities available locally	DCS DCS	HRGM HRGM		Investigating cadetship funding through RDV.
EG	Education/Skilling	16.3 Provide access to a study common room and access to professionals for university students	Liaise with education providers and other stakeholders to identify opportunities.	2014-15	Opportunities are identified through discussions with local education providers	DDP	DDP	Y	Discussions held with SunTafe representatives however opportunities limited. Swan Hill Library provides study spaces in close within the CBD. COMPLETED
EG	17. Attracting new business	17.1 Investigate new opportunities to support new business development	17.1.1 Implement actions of Economic Development Strategies	2013-17	Progress reports against various actions provided to Council	DDP	EDM		Implementation of EDOS continues, report to be presented to Council in July 2014.

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officer/s	Complete Y/N	Comments as at 30 June 2014
			17.1.2 Identify suitable land parcels for new business. 17.1.3 Review Economic Development incentives within strategies.	2015-17 2015-17	Land use strategies are reviewed Incentives reviewed and altered where necessary.	DDP DDP	EDM EDM		Planning continues to support and facilitate new business through planning process, and is a part of day to day planning function. In draft format to be presented to EMT in July/August 2014.
EG	Attracting new business	17.2 Encourage the establishment of value adding industries	17.2.1 Undertake industry forums / discussions 17.2.2 Prioritise industries with greatest return 17.2.3 Seek State Govt assistance	2013-15 2014-16 2015-17	Regular discussions take place Priorities established Grant applications successful	DDP DDP DDP	EDM EDM EDM		A business event calendar for 2014 has been developed and is being promoted monthly through the EDU newsletter. Regular business events are being held. Agribusiness forum held in Robinvale in May, plans for an agricultural working group to be established in the second half of 2014.
EG	Attracting new business	17.3 Conduct and Business Expansion Attraction and Retention survey	17.3.1 Establish criteria for survey	2014-16	Survey Completed	DDP	EDM	Y	Survey was conducted during May and June, report presented to Council in October 2013. <b>COMPLETED</b>
EG	Attracting new business	17.4 Continue to investigate options for renewable energy for the municipality	17.4.1 Complete a Study that explores opportunities to source renewable energy for Council operations	2013-14	Study completed and adopted by Council	DI	SEO		Council is a member of the Central Victorian Greenhouse Alliance. This organisation consists of 13 other Councils and is collating information, to be provided through a business case, outlining options to Council's options in regard to installing solar power. This project is due to start in August.
			17.4.2 Implement preferred renewable energy options for Council	2014-17	Renewable energies projects delivered	DDP	EDM		
EG	Attracting new business	17.5 Encourage organisations to joint tender for works and services	17.5.1 Work with regions Councils to combine contracts and services 17.5.2 Assess local business and tenderers to improve their tendering processes	2013-17 2013-15	Joint contracts established (eg road sealing, waste management) Increased success rate for local tenders	DDP DDP	EDM EDM		Business events topic for 2014.
EG	Attracting new business	17.6 Promote the benefits of the region as a place to live, work and invest	17.6.1 Participate in regional Expos 17.6.2 Support regional promotions of the municipality 17.6.3 All job vacancies advertised with description on the regions benefits	2013-17 2013-17 2013-17	Regular bookings established Advertising in regionally distributed publications continue. SH Inc television campaigns continue Standard template ad developed	DDP DDP DCS	EDM EDM HRGM		Ameroid Regional Victoria Living Expo in April 2014. Received 85 strong leads that are now being followed up. Attending national events with the Murray Regional Tourism Board. <b>ONGOING</b>
EG	Existing Business Support	18.1 Assist local businesses to upskill and retain their workforce	18.1.1 Establish specific skill shortages in the region 18.1.2 Support regional training opportunities	2013-14 2013-17	Shortages identified Council staff participate in regional training	DDP DDP	EDM HRGM	Y	Strategies identified in the Swan Hill Region Workforce Development Strategy adopted by Council November 2013. Implementation to commence in 2014. <b>COMPLETED</b>
EG	Existing Business Support	18.2 Investigate opportunities arising from the Murray Darling Basin Plan	18.2.1 Support proposals that provide for economic infrastructure upgrades (natural gas) 18.2.2 Continue to work collaboratively with MRGoC on basin plan submissions	2014-17 2013-17	Regional funding applications lodged MRGoC regular meetings with State and Federal Ministers	DDP DI DDP DI	DI DDP DI DDP	Y Y	Funding opportunities coming from the MDBP have been limited. No funding rounds have been released and Council has been unable to make any funding applications. <b>COMPLETED</b> Council has participated in the MRGoC meeting and has been involved in delegations to meet with State and Federal elected representatives including Ministers. <b>COMPLETED</b>
EG	Existing Business Support	18.3 Review of Special rates and Levies to support marketing activities	18.3.1 Review effectiveness of existing Special Marketing Rate and determine whether to continue 18.3.2 Review and update Deed between Council and Swan Hill Inc 18.3.3 Undertake Statutory Process to establish a Special Marketing Rate	2013-14 2013-14 2013-14	Council decision on continuation of Special Marketing Rate determined Deed reviewed and agreed by Council and Swan Hill Inc Statutory Process Complete	DDP DDP DDP	EDM EDM EDM	Y Y	Special Marketing Rate declined at the April 2014 Council meeting. <b>COMPLETED</b> Deed has been reviewed and is in draft format requiring sign off by EMT. <b>COMPLETED</b>

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officer/s	Complete Y/N	Comments as at 30 June 2014
EG			18.3.4 New Special Marketing Rate in place	2013-14	Special marketing Rate included on Rate Notices	DCS	C-SRM	Y	Special Rate declared on 15 April 2014 for the period of 1 July 2014 to 30 June 2019. COMPLETED
EG	Existing Business Support	18.4 Develop and implement a Workforce Development Strategy	18.4.1 Develop Steering Committee to manage strategy development 18.4.2 Appoint consultancy to facilitate strategy development	2013-14	Committee established Consultant appointed	DDP	EDM	Y	Steering committee established in early 2013. COMPLETED Workforce Planning Australia appointed in March 2013. COMPLETED
EG			18.4.3 Undertake strategy development	2013-14	Strategy completed	DDP	EDM	Y	Swan Hill Region Workforce Development Strategy adopted by Council November 2013. COMPLETED
EG	19. Infrastructure	19.1 Commence implementation of Swan Hill and Robinsons Riverfront Plans	19.1.1 Identify individual projects within Master Plan. 19.1.2 Allocate resources and schedule implementation of Master Plan. 19.1.3 Update Major Projects plan in accordance with Implementation Plan. 19.1.4 Develop detailed designs and costing for projects.	2013-14	Implementation program developed.	EMT	EMT		Funding for Swan Hill Riverfront projects applied for.
EG			19.1.5 Identify funding opportunities and submit applications in accordance with Implementation Plan and Major Projects Plan	2013-17	Funding identified	EMT	EMT		Steering committee has been developed and priority projects to be reported to Council. This will occur during Major Projects Plan review.
EG			19.1.6 Consider funding allocations through Council's annual budgeting process	2013-17	Completion of annual budgeting process	EMT	EMT		Four projects currently underway.
EG	Infrastructure	19.2 Actively pursue suitable alternative opportunities arising from decommissioned irrigation infrastructure	19.2.1 Swan Hill modernisation plan approved by Federal Funding body 19.2.2 Identify parcels of land suitable for development as public space or residential development 19.2.3 If continuous length of land is available, complete a Masterplan for its complete development. 19.2.4 Engage with community on best use for community owned land	2013-14	Notification from GMW connections program and Federal Govt.	DI	DI	Y	Notification received. Continued negotiations with GMW Connections Program. Project to be completed by 2017. COMPLETED
EG			19.2.5 Identified projects designed and included in Major Projects Plan	2015-16	Projects included in plan	DI	DI		Currently awaiting implementation plan from GMW
EG			19.2.6 Modernisation undertaken, Channel decommissioned.	2016-17	Channel removed in Swan Hill and along Karmie Street, works completed on Tyrindyer Flats	DI	DI		As above
EG			19.2.7 Gain ownership of the available land for future development	2016-17	Titles obtained / acquired	DI	DI		All works to be completed by 2017
EG	Infrastructure	19.3 Actively pursue opportunities for regional focused infrastructure	19.3.1 Secure support from regional bodies (MRG&C, MW municipalities, Murray Tourism Board, RMF, Cent Murray Transport Forum etc). 19.3.2 Identify regional projects within Northern Loddon Mallee Strategic Plan 19.3.3 Create partnerships within region	2013-17	Written confirmation of support from various groups Projects procced as key initiatives of the plan	DI	DI		Completed study into freight intermodal opportunities for the region via the Central Murray Regional Transport Forum.
EG			19.3.4 Identify funding sources	2013-17	Sources identified	DI	DI		Regional rail improvements study commissioned by the Central Murray Regional Transport Forum.
EG			19.3.5 Utilise shared services agreements for infrastructure improvements	2016-17	Agreements in place	DI	DI		Intermodal study is joint project with Central Murray Regional Transport Forum Councils, DTPLI, RMS and RDV
EG			19.3.6 Complete business cases to justify regional investment	2016-17	Value adding opportunities identified and prioritised	DI	DI		Funds for Rail study received from DoT and RDV.
EG	Infrastructure	19.4 Implement outcomes of the review of the Swan Hill Regional Livestock exchange	19.4.1 Council endorsement of Functional Design Plan for the Livestock Exchange	2013-14	Endorsement of Plan	DI	DI	Y	Functional Design plan completed and received by Council- Feb 2013. COMPLETED

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officer/s	Complete Y/N	Comments as at 30 June 2014
			19.4.2 Subdivision and sale of surplus land	2013-14	Land sold	DI	DI		Cultural Heritage Management Plan statutory obligations assessment complete. Soil contamination plan completed and actions to be programmed
			19.4.3 Identify and Apply for funding	2013-14	application submitted	DI	DI		Commenced works to subdivide valuable land to assist in funding the redevelopment of the facility.
			19.4.4 Secure funding	2013-15	funding secured	DI	DI		
			19.4.5 Prioritise Investment	2014-17	Priority projects commenced	DI	DI		
			19.4.6 Functional Design Plan Review of progress to date	2016-17	Review and re-prioritisation completed	DI	DI		Currently negotiating with livestock agents on utilities to assist in housing more regular sales.
EG	Infrastructure	19.5 Investigate the possibilities for railhead and rail freight centres in the municipality	19.5.1 Develop project scope (consultants brief)	2013-14	project scope and brief approved	DI	DI	Y	Central Murray Regional Transport Forum intermodal opportunity study completed.
EG			19.5.2 Apply for funding	2013-14	application submitted	DI	DI	Y	Funding received from RDV and DoT.
EG			19.5.3 Secure funding	2013-15	funding secured	DI	DI	Y	As above.
EG			19.5.4 Conduct a demand assessment (both current and future) that identifies types and specifications of freight	2014-16	demand assessment completed	DI	DI	Y	COMPLETED
EG			19.5.5 Conduct assessment of appropriate locations including associated road assets including coatings	2015-17	sites identified	DI	DI	Y	SMART study to identify investment opportunities has been completed.
EG			19.5.6 Monitor opportunities for the potential of new Municipal Offices in Swan Hill and Robinvale as part of mixed use development	2013-17	Possible co-location and/or acquisition of land discussed with Council.	EMT	EMT		As above.
EG	Infrastructure	19.7 Implement staged redevelopment of the Pioneer Settlement	19.7.1 Identify funding source and apply for funding for stage 1, 2 works	2013-14	application submitted	DDP	GM		Funding opportunities being sourced.
EG			19.7.2 Secure funding	2013-14	funding secured	DDP	GM		As above.
EG			19.7.3 Tender and construct stage 1, 2 works (which includes new steam work shop, men's shed and workshops)	2013-14	Building completed	DDP	GM		Construction plans completed, awaiting funding prior to tendering. Note: buildings could be constructed in modules. Men's Shed has been completed by stabilising and filling out an existing building on site.
EG			19.7.4 Identify funding source and apply for funding for New Evening Product (Replacement of old sound & Light show)	2013-15	application submitted	DDP	GM		Funding opportunities being sourced.
EG			19.7.5 Secure funding	2014-15	funding secured	DDP	GM		As above.
EG			19.7.6 Develop and install new Evening Product	2014-15	Installation complete	DDP	GM		
EG			19.7.7 Identify funding source and apply for funding for stage 2 works	2015-16	application submitted	DDP	GM		
EG			19.7.8 Secure funding	2016-17	funding secured	DDP	GM		
EG			19.7.9 Review Pioneer Settlement Master Plan and prioritise future works	2016-17	Council adopt reviewed plan.	DDP	GM		
EG	Infrastructure	19.8 Advance outcomes of Central Murray Regional Transport Study	19.8.1 Maintain membership of Forum group	2013-17	CEO and Councillor membership confirmed and commitment to provide technical expertise	DDP	DDP	Y	Council currently chairs and provides admin for forum.
EG			19.8.2 Prioritise projects according to regional industry need	2013-15	Agreement from regions transport sector on priorities	DDP	DDP	Y	Commissioned study into Inter-modal development.
EG			19.8.3 Working groups established to direct various projects	2013-15	Working groups established	DDP	DDP	Y	COMPLETED
EG			19.8.4 Lobby State(s) and Federal members for support of projects	2015-17	Support received	DDP	DDP	Y	Group established and meetings held in mid 2013.
EG			19.9 Pursue funding for a levee bank at Robinvale	2013-14	Plan completed	DDP	DDP	Y	Funds received from Dept of Transport and RDV for Inter-modal study.
EG			19.9.1 Complete Cultural Heritage Management Plan	2013-14	Plan completed	DI	DI	Y	COMPLETED

Council Plan Worksheet

Area	Objective	Strategic Initiatives	Actions	When	How we will know we have achieved this	Directorate	Officers	Complete Y/N	Comments as at 30 June 2014
			19.9.2 Complete detailed design	2013-14	Design Completed	DI	DI	Y	Design complete and Cultural Heritage Management Plan completed <b>COMPLETED</b>
			19.9.3 Develop applications to Federal Departments	2014-15	Application lodged	DI	DI		Funding application to be developed during 2015
			19.9.4 Place project in Major projects Plan	2015-16	Project included	DI	DI	Y	Project in Major Projects Plan year 3 <b>COMPLETED</b>
<b>Environmental Management (8 Strategic Initiatives : 13 Actions)</b>									
EM	20. Contributing to good environmental outcomes for the Natural Environment	20.1 Active involvement in external discussions that effect the Murray River, its tributaries and lake systems	20.1.1 Maintain membership of Murray Darling Association	2013-17	Councillor nominated as representative	CEO EMT	CEO EMT		Membership of Murray Darling Association has been maintained. Cr Norton is Council's current representative. <b>ONGOING</b>
			20.1.2 Support regional submissions to Federal agencies via Murray River Group of Councils	2013-17	Submissions lodged and reported to Council	CEO EMT	CEO EMT		Examples include Loddon Mallee Regional Growth Plan, Loddon Mallee Regional Investment Prospectus and joint delegations in Canberra. <b>ONGOING</b>
EM	Contributing to good environmental outcomes for the Natural Environment	20.2 Within available external funding, complete the restoration of the Lake Boga foreshore to pre-flood condition or better	20.2.1 Determine feasible stabilisation works unfinished (if any) in 2012/13 financial year 20.2.2 Instruct contractor to complete works as soon as possible	2013-14 2013-14	Status of works assessment completed Works completed	DI	ESM ESM	Y Y	All restoration works that were funded have been completed. <b>COMPLETED</b> As above. <b>COMPLETED</b>
EM	Regulation and management of the built environment	21.1 Implementation of Waste Management Plan	21.1.1 Review current Waste Management Plan; 1. Update Data in line with current practices and waste service contracts 2. Conduct accreditation	2013-15	EMT approval of Review	DI	MPWM		Current Waste Management Plan reviewed with all data entry are updated.
EM			21.1.2 Implementation of Capital Works/Improvement Program; design & investigation approvals & Permits contracts & work programs conclusion.	2013-17	Capital Works/Improvements completed/ in place	DI	MPWM		Distributed in line with needs to ensure constant increment in garbage collection rate on rate payers. <b>ONGOING</b>
EM			21.1.3 Conduct Feasibility Study for the construction of Transfer station at Swan Hill (Lanefil)	2013-15	1. Feasibility Study Completed	DI	MPWM		The construction of a transfer station is not warranted at this time. Hence, it would increase public safety and reduce risk. Design done. The consultation is pending. Government Funding.
EM			21.1.4 Implementation of Progressive rehabilitation and aftercare program to Council's Landfill sites	2013-17	Ongoing Reporting on the completion of rehabilitation staging	DI	MPWM		Stage 1A capping has been completed. Stage 2A scheduled to commence by June 2014.
EM	Regulation and management of the built environment	21.2 Expand the Green waste collection Service	21.2.1 Conduct Investigation & Data collection; 1. Waste Volume / tonnage 2. Mulching Price 3. Distance between source of collection and final destination 4. Identify alternative methods/means of collecting the green waste from small communities.	2013-14	Data Review/Collection	DI	MPWM	Y	Green waste collection scheme has continued to grow. Approx 260 new customers since initial commencement. Investigated possibilities of expanding service to Robinvale and Lake Boga. It was determined more interest will need to be generated (eg promotion, information brochures) to increase numbers to make service viable. <b>COMPLETED.</b>
EM			21.2.2 Identify target locations and develop promotions, marketing, and education plan.	2014-15	Increased demand for the service	DI	MPWM		Investigation will be launched around extending the service to Robinvale and Lake Boga
EM	Promote and advocate sound environmental practices	22.1 Continue to lobby for a state-wide container deposit scheme	22.1.1 Contribute to Regulatory Impact Statements (RIS) via the MAV	2013-14	Submissions to the RIS via MAV	DI	DI	Y	This activity will be undertaken via the Central Murray Regional Waste Management Group. <b>COMPLETED</b>
			22.1.2 Continue to provide waste data as requested to assist scheme development	2013-15	Data provided as requested	DI	DI		
EM	Promote and advocate sound environmental practices	22.2 Complete Rural Land Use/Living Strategy that considers the potential impact of dewatered land and a changing climate	22.2.1 Scoping paper to be developed.	2013-14	Scoping paper approved by EMT and Councillors through Councilor Assembly	DDP	DDP	Y	Scoping paper complete. Workshop with Councillors on 8 July to commence study. <b>COMPLETED</b>

## **B.14.47 SOCIAL MEDIA POLICY & PROCEDURE**

**Responsible Officer:** Director Corporate Services  
**File Number:** 17-16-01  
**Attachments:** 1 Social Media Policy POLGOV017

**Declarations of Interest:** Officer

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

This report seeks a Council resolution to adopt the reviewed Social Media Policy.

### **Discussion**

The *Social Media Policy* has been in place for just over one year and is due for review.

Policy changes are being suggested as a result of the review. While the intent would not change, the wording has been simplified to clarify meaning.

Since the original policy was adopted, a Council Facebook page has been successfully established. Individual Council programs have continued their use of Facebook and Twitter, with ever-growing engagement levels.

### **Consultation**

Media and Events Unit, Executive Management Team

### **Financial Implications**

Social media continues to provide a cost-effective means of communication.

### **Social Implications**

The continued use of social media will improve community participation and understanding of Council programs and initiatives.

### **Economic Implications**

Nil

### **Environmental Implications**

Nil

### **Risk Management Implications**

The procedure provides guidance to employees and Councillors on appropriate use of social media, including content and comment management.

### **Council Plan Strategy Addressed**

*Developing open community relationships* - We seek to achieve greater community inclusiveness and understanding of Council's operations and decisions.

### **Options**

Nil

### **Recommendations**

**That Council:**

- 1. Adopt the Social Media Policy.**
- 2. Review the Social Media Policy in 2016.**

### **23/14 Motion**

**MOVED Cr Katis**

**That Council:**

- 1. Adopt the Social Media Policy.**
- 2. Review the Social Media Policy in 2016.**

**SECONDED Cr Cruickshank**

**The Motion was put and CARRIED**

Date Adopted February 2013  
 Date Reviewed-current as at  
 To be Reviewed February 2014

Fully compliant with Victorian  
 Charter of Human Rights and  
 Responsibilities Act 2006



**POLICY TITLE SOCIAL MEDIA**

**POLICY NUMBER POL/GOV017**

### **PURPOSE**

The purpose of this policy is to improve the effectiveness of Council's communication with the community.

### **SCOPE**

This policy applies to employees and Councillors.

### **POLICY**

Council is committed to actively using social media as a form of community engagement.

### **RELATED POLICIES/DOCUMENTS**

Website Directive – DIR/CORP225  
 IT Acceptable Use Directive – DIR/CORP218  
 Media Policy and Procedure – POL/GOV003D and PRO/GOV003D  
 Communications Strategy

### **RELATED LEGISLATION**

Copyright Act 1968 (Cth)  
 Defamation Act 2005 (Vic)  
 Local Government Act 1989 (Vic)  
 Information Privacy Act 2000 (Vic)  
 Privacy Act 1988 (Cth)

**Signed:** \_\_\_\_\_ **Mayor** **Date:** \_\_\_\_\_



## **B.14.48 FOOTPATHS IN ROAD RESERVE AND PARKS**

**Responsible Officer:** Director Infrastructure  
**File Number:** 84-08-00  
**Attachments:** 1 Policy INFRA506

**Declarations of Interest:** Officer

David Leahy - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

Council's *Footpaths in Road Reserves and Parks Policy* is due for review. The review process to date has resulted in no change to the intent of the policy.

### **Discussion**

Council has a range of policies that guide how the Council operates to deliver services and its dealings with the community. These policies are developed to ensure Council's position in relation to various issues and changing community circumstances.

The *Footpaths in Road Reserves and Parks Policy* provides clear guidelines as to the type and standard of footpaths to be constructed and maintained in streets and parks throughout the municipality. This policy reflects current practices and Council's Infrastructure Design Manual and therefore requires no change.

### **Consultation**

All members of Executive Leadership Team have reviewed the policy.

### **Financial Implications**

Annual financial commitment to maintain current network and new footpaths to be funded as part of overall projects.

### **Social Implications**

Providing safe pedestrian access to road reserves and parks improves the level of physical activity and connection to facilities within the community.

### **Economic Implications**

Nil

### **Environmental Implications**

A well designed and linked network can reduce the reliance on motor vehicles as the primary short journey transport option.

Footpaths will be designed to be compliant with relevant standards whilst also fitting in with the natural surrounding environment.

### **Risk Management Implications**

Compliance with relevant standards will reduce the potential for injury and liability claims.

### **Council Plan Strategy Addressed**

***Facilitate and provide services for health and wellbeing*** - We will provide or facilitate a range of services that maintain community health, and provide opportunities and infrastructure that contribute to the educational, recreational, cultural and leisure needs of our community.

### **Options**

Nil

### **Recommendation**

**That Council approve the “*Footpaths in Road Reserves and Parks Policy*”.**

### **24/14 Motion**

**MOVED Cr Cruickshank**

**That Council approve the “*Footpaths in Road Reserves and Parks Policy*”.**

**SECONDED Cr Kiley**

**The Motion was put and CARRIED**

Date Adopted	June 2001
Date Reviewed	May 2012
To be Reviewed	May 2014

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



**POLICY TITLE**      **FOOTPATHS IN ROAD RESERVES AND PARKS**

**POLICY NUMBER**    **POL/INFRA506**

## **PURPOSE**

This policy provides clear guidelines as to the type and standard of footpaths to be constructed and maintained in streets and parks throughout the Swan Hill Municipality.

## **SCOPE**

This policy applies to the construction of all new footpaths and the reconstruction of existing paths within the municipality.

## **POLICY**

All footpaths shall comply (where practicable) with AS1428.1 “Design for Access and Mobility”. If compliance with AS1428.1 is not practical due to land slope, tree location etc, then the footpath should comply with AS1657 “Fixed Platforms, Walkways, Stairways and Ladders”.

The standard width of footpath shall be 1.2m for most applications, and 2.0m or greater may be adopted in high pedestrian areas or shared bicycle paths. Council may further incorporate a kerb to property line construction. This shall only be adopted where pedestrian traffic makes it too difficult to maintain a grass nature strip e.g. commercial areas.

## **RELATED POLICIES/DOCUMENTS**

Special Rates and Charges Policy – POL/INFRA507  
Council’s Infrastructure Design Manual  
Footpath Asset Management Plan

## **RELATED LEGISLATION**

Road Management Act 2004  
Victorian Charter of Human Rights and Responsibilities Act 2006

**Signed:** \_\_\_\_\_ **Mayor**      **Date:** \_\_\_\_\_

#### **B.14.49 POLICY REVIEW – YOUTH ENGAGEMENT POLICY**

**Responsible Officer:** Director Community & Cultural Services  
**File Number:** 20-21-97  
**Attachments:** 1 Youth Engagement Policy 2014

**Declarations of Interest:** Officer

Bruce Myers - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

Council adopted its first Youth Policy in 2008, and following the completion of the Youth Engagement project in 2013-14, the Policy has now been reviewed and renamed to reflect the accepted principles of engagement with young people.

#### **Discussion**

Since April 2007, Council has coordinated a program for young people, which led to the development of a Youth Council, securing of FReeZA events funding, establishment of multi-agency partnerships and the development and adoption of Council's first Youth Policy. This subsequently led to the Youth Strategy and Action Plan.

Since that time, Council has been successful with numerous strategic projects aimed at improving outcomes for young people, such as the Better Youth Services Pilot, which led to other initiatives of State and Federal Government in the region.

During 2013-14, Council was successful in attaining the Youth Inclusion funding, which allowed for more detailed development of principles and initiatives to improve engagement with young people.

These principles have now been included in the renamed Policy document presented for adoption.

#### **Consultation**

Initial work on reviewing the original Youth Policy took place during the works associated with the Youth Inclusion project, and the consultation process undertaken provided valuable direction from Youth Council members and key officers within the organisation.

The document was further reviewed by the Executive Leadership Team and presented to a Councillor Assembly in July, and changes suggested have been included.

### **Financial Implications**

Not applicable.

### **Social Implications**

This Policy outlines Council's commitment to actively engage with young people, and value and support their contributions to the community. Positive social outcomes are intended and anticipated as a result.

### **Economic Implications**

Not applicable.

### **Environmental Implications**

Not applicable.

### **Risk Management Implications**

Not applicable.

### **Council Plan Strategy Addressed**

*Developing open community relationships* - We seek to achieve greater community inclusiveness and understanding of Council's operations and decisions.

### **Options**

Council may adopt the Policy as presented, or provide further changes.

### **Recommendation**

**That Council adopt the Youth Engagement Policy as presented.**

### **25/14 Motion**

**MOVED Cr Adamson**

**That Council adopt the Youth Engagement Policy as presented.**

**SECONDED Cr Cruickshank**

**The Motion was put and CARRIED**

Date Adopted	February 2008
Date Reviewed	August 2014
To be Reviewed	August 2015

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



**POLICY TITLE      YOUTH ENGAGEMENT POLICY**

**POLICY NUMBER    POL/COMM802**

## **DEFINITION**

Youth engagement is ensuring that young people have the ability to provide input on important issues and can work with Council and the community to develop practical solutions to issues that affect their lives now and into the future. Youth engagement provides the opportunities and support needed for young people to feel connected to their community and empowered to create positive change.

Youth participation is the process of building partnerships between adults and young people to promote the role of young people in decision making on issues that affect them – within services, programs, and society more broadly (Youth Affairs Council VIC, 2004).

## **PURPOSE**

This policy confirms Swan Hill Rural City Council's commitment to actively engage with young people and value and support their contributions to the community. It will assist Council to respond to the needs of young people in our planning, policy, advocacy and service delivery.

## **SCOPE**

Youth engagement refers to all young people aged 12-25 years living in the municipality. This policy applies to all Council's services that impact on young people

## **POLICY**

Council will:

- Support the rights of local young people to live in a safe, caring, inclusive, non-discriminatory and just community.
- Be an active partner in improving health and well-being of young people in the municipality.
- Support young people to have a voice and participate in decision-making that affects their lives so that they are able to play an integral role and make a positive contribution to their community.
- Support young people to celebrate multiculturalism and diversity and their different interests are recognised, promoted and supported.
- Provide access to information, services and resources for young people and their families.
- Promote, support and provide opportunities for young people's leadership and participation in Council activities in their community.

Date Adopted	February 2008
Date Reviewed	August 2014
To be Reviewed	August 2015

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



- Utilise the Youth Engagement and Participation Guide as an organisational resource to assist staff to engage with young people and embed youth engagement principles and processes into the culture of Council.

### RELATED POLICIES/DOCUMENTS

Swan Hill Rural City Council Youth Engagement & Participation Guide 2014  
 Child and Youth Friendly Charter 2007  
 The Swan Hill Region Workforce Development Strategy 2013  
 Swan Hill Rural City Council's Youth Strategy 2009-2013  
 Better Youth Services Pilot Report 2010  
 Rural Youth Access Research- Swan Hill & Manangatang 2011  
 Public Participation Policy (2014)

### RELATED LEGISLATION

United Nations Convention on the Rights of the Child (1989)  
 Child, Youth Families Act (2001)  
 Health Records Act (2001)  
 Equal Opportunities Act (2010)  
 Working with Children Act (2005)  
 The Victorian Charter of Human Rights & Responsibility's Act (2006)  
 Information Privacy Act (2001)

**Signed:** \_\_\_\_\_ **Mayor** **Date:** \_\_\_\_\_

## **B.14.50 POLICY REVIEW – DIVERSITY POLICY**

**Responsible Officer:** Director Community & Cultural Services  
**File Number:** 20-06-00  
**Attachments:** 1 Diversity Policy POL/COMM807

**Declarations of Interest:** Officer

Bruce Myers - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

Council's *Diversity Policy* is due for review. The review process to date has resulted in no change to the intent of the policy.

### **Discussion**

Council has a range of policies that guide how the Council operates to deliver services and its dealings with the community. These policies are developed to ensure Council's position in relation to various issues and changing community circumstances.

The growing number of community members born outside Australia is continuing to change the visible face of the Swan Hill Rural City Council community.

Council articulated its intention to develop a *Diversity Plan* in 2013, in response to the changing multicultural face of the community. The *Diversity Policy* will assist those agencies assisting Council officers in developing a relevant and achievable action plan.

Council's key strategic indicator to identify and acquire external funding for the development has not been successful during 2013-14, but it is likely the key elements of diversity will be incorporated into Council's *Cultural Plan*.

Many of Council's services, and indeed many external agencies who provide community services, are now required to produce individual diversity plans, and it would be a logical step to utilise those plans to assist in future work.

### **Consultation**

During 2012, several local agencies specialising in working with our multicultural communities were engaged during the creation of the Diversity Policy.



During 2013 and 2014, the policy was used in discussions with potential funding partners, such as the Victorian Multicultural Commission, and other advocacy bodies including the Municipal Association of Victoria. Considerable work also took place with other local government authorities, mainly Greater Geelong, to ascertain a pathway for production of a plan.

All members of the Executive Leadership Team have reviewed the *Diversity Policy*, and Councillor feedback was included in early August.

Council may use this policy to ensure the key elements of diversity will be incorporated into Council's *Cultural Plan*, which is currently under development, and this process will involve considerable community engagement.

### **Financial Implications**

Nil

### **Social Implications**

This policy articulates Council's position in relation to diversity in all its forms. Council acknowledges the contribution that diversity brings to social and economic development opportunities within the municipality.

### **Economic Implications**

This policy articulates Council's position in relation to diversity in all its forms. Council acknowledges the contribution that diversity brings to social and economic development opportunities within the municipality.

### **Environmental Implications**

Nil

### **Risk Management Implications**

Nil

### **Council Plan Strategy Addressed**

***Supporting people who need extra assistance*** - We will continue to provide a range of community services in partnership with other organisations and levels of government.

### **Options**

Council may seek to make changes to the policy or adopt the policy as presented.

**Recommendation**

**That Council adopt the *Diversity Policy* as presented.**

**26/14 Motion**

**MOVED Cr Adamson**

**That Council adopt the *Diversity Policy* as presented.**

**SECONDED Cr Katis**

**The Motion was put and CARRIED**

Date Adopted September 2012  
 Date Reviewed-current as at August 2014  
 To be Reviewed August 2016

*Fully compliant with Victorian  
 Charter of Human Rights and  
 Responsibilities Act 2006*

**POLICY TITLE            DIVERSITY POLICY**

**POLICY NUMBER        POL/COMM807**

#### **PURPOSE**

This Policy articulates Swan Hill Rural City Council's position in relation to diversity in all its forms. Council acknowledges the contribution that diversity brings to social and economic development opportunities within the municipality.

#### **SCOPE**

This Policy applies to all Council programs providing services to communities within the Swan Hill Rural City Council.

#### **POLICY**

Council welcomes diversity in all its forms, in recognition and support of the diverse population of Swan Hill Rural City Council.

Council will strive to ensure equity and access in providing the services and infrastructure, taking into account the diversity of its community.

Council will advocate to other levels of government on behalf of the community to ensure that adequate, equitable and appropriate services and infrastructure are provided, taking into account the diverse needs of the community.

#### **DEFINITION**

Diversity relates to race, ethnicity, gender, sexual orientation, socio-economic status, age, physical and mental abilities, religious beliefs, political beliefs, other ideologies, within Australian law.

#### **RELATED POLICIES/DOCUMENTS**

Charter of Human Rights Policy  
 Communication Policy

#### **RELATED LEGISLATION**

Local Government Act  
 Racial Intolerance Act  
 Disability Discrimination Act  
 Victorian Equal Opportunity Act  
 Charter of Human Rights

**Signed:** \_\_\_\_\_

**Mayor**

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

### **B.14.51      AUTHORISATION OF PLANNING TEAM LEADER**

**Responsible Officer:**            Director Development and Planning  
**File Number:**                    72-36-54  
**Attachments:**                    1      Instrument of Appointment and Authorisation

**Declarations of Interest:**      Officer  
Brett Luxford - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

Many of the functions and powers of Council staff stem from their Appointments as Authorised Officers. Stefan Louw has recently commenced employment with Swan Hill Rural City Council as Planning Team Leader and requires the Authorisation of Council in order to fulfill his role.

#### **Discussion**

There is a basic distinction between a delegation and authorisation. A delegate acts on behalf of the Council, exercising the Council's powers. A person who is appointed as an Authorised Officer has the powers of that position.

Council's Chief Executive Officer has the power to authorise various members of Council staff under his instrument of delegation issued by Council. However, advice from Council's solicitors recommends the Appointment of Planning Officers as Authorised Officers by Council under section 147(4) of the *Planning and Environment Act 1987*.

#### **Consultation**

Nil

#### **Financial Implications**

Nil

#### **Social Implications**

Nil

#### **Economic Implications**

Nil

#### **Environmental Implications**

Nil

### **Risk Management Implications**

Council requires appropriately qualified and authorised personnel to assist in its statutory functions.

### **Council Plan Strategy Addressed**

***Responsible management of resources*** - We will continually improve the management of our finances, assets, systems and technology to achieve and maintain Best Value in our operations.

### **Options**

Nil

### **Recommendations**

**That Council:**

- 1. Authorise the officer referred to in the attached instrument to be appointed and authorised as set out in the instrument.**
- 2. Resolve that the instrument takes effect upon its signing and sealing and remains in force until varied or revoked.**
- 3. Sign and seal the instrument as soon as possible.**

### **27/14 Motion**

#### **MOVED Cr Cruickshank**

**That Council:**

- 1. Authorise the officer referred to in the attached instrument to be appointed and authorised as set out in the instrument.**
- 2. Resolve that the instrument takes effect upon its signing and sealing and remains in force until varied or revoked.**
- 3. Sign and seal the instrument as soon as possible.**

#### **SECONDED Cr Kiley**

**The Motion was put and CARRIED**



### **B.14.52 PLANNING PERMIT APPLICATION FOR A RE-SUBDIVISION IN THE FARMING ZONE**

**Responsible Officer:** Director Development and Planning  
**File Number:** 2013/111  
**Attachments:** Nil

**Declarations of Interest:** Officer

Brett Luxford - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

This application seeks planning approval for a re-subdivision of the land consisting of 4 parcels located at 126 Royston Road, Tol Tol.

The subject site is currently occupied by two dwellings on two separate parcels of land. The subject land is currently being used for horticultural purposes and is located on the southern side of Royston Road. The proposal is to re-subdivide the current land titles to form new lots, where both of the dwelling lots are to be increased in size. Further information was requested to address Council's Natural Resource Management Policy particular Clause 21.06 of the planning scheme and revised plans were requested to clearly show vehicular access to each proposed lot. Following the further information request, the applicant has submitted additional information but has unfortunately failed to explain, in a planning context, why the dwelling lots have to be made larger and ultimately taking up more valuable farm land.

To aid the applicant in his application the planning department has proposed an alternative subdivision layout that would meet the relevant planning scheme criteria and would ultimately protect valuable agricultural land. The proposal put forward by the planning department will at the same time encourage agricultural production and growth, as the proposed lots would be large enough to allow dwellings to be constructed without the need for a planning permit, if such a need arose to support an agricultural activity.

A significant amount of time has passed since the alternative proposal was put to the applicant and no response was received. A letter was subsequently sent to the applicant on 12 June 2014 advising that if no response is received within 14 days that the planning department will proceed to determine the application based on the information submitted.

To date no further information has been received.

## **Discussion**

### Location and existing conditions

The subject site is located on the southern side of Royston Road surrounded by similar horticultural properties of various sizes. The subject land is located approximately 10km southwest of Robinvale with the Murray River further towards the east. There are also a number of small dwelling lots along Royston Road that could be considered as unique to this area.

The subject land, including 4 parcels, is irregular in shape with frontage to Royston Road to the north and Stoll Road to the south. As previously mentioned, there are two dwellings located on the subject land, one on each of the smaller parcels of land.

### Proposal

The applicant proposes to re-subdivide 4 existing parcels of land into 4 new parcels with the existing dwelling lots being increased in size. No agricultural justification has been provided in support of the proposal.

### Purpose of the zone

The subject site is located within the Farming Zone (FZ). The purpose of the Farming Zone is as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

A permit is required to subdivide land pursuant to Clause 35.07-3 of the Farming Zone.



### State Planning Policy Framework

#### *Clause 11.05-3 Rural productivity*

*Objective: 'To manage land use change and development in rural areas to promote agriculture and rural production'.*

The proposal in its current state does not promote agriculture and rural production as it proposes to reduce the existing agricultural productive land.

A key strategy of the above clause is to encourage consolidation of existing isolated small lots and to restructure old and inappropriate subdivisions to promote agriculture and rural production.

#### *Clause 11.06-8 Agricultural productivity*

*Objective: To support long-term agricultural productivity.*

The proposal to re-subdivide the subject land to create larger lots for existing dwellings, not being used for agricultural purposes, and reducing the productive agricultural land is not consistent with the above objective.

#### *Strategies*

- *Support change and transition to maintain the viability and productivity of agricultural land.*
- *Support rural economies to grow and diversify and protect key agricultural assets from incompatible uses.*
- *Support the ongoing viability of agriculture by identifying land for primary production and agriculture, including intensive agriculture.*

#### *Clause 14.01-1 Protection of agricultural land*

*Objective: To protect productive farmland which is of strategic significance in the local or regional context.*

The proposal does not protect productive agricultural land as the proposal will create larger lots for existing dwellings taking away more land from agricultural production. Lots for dwellings in the Farming Zone should be as small as possible to limit the loss of productive agricultural land.

In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:

- *The desirability and impacts of removing the land from primary production, given its agricultural productivity.*
- *The compatibility between the proposed or likely development and the existing uses of the surrounding land.*
- *Subdivision of productive agricultural land should not detract from the long-term productive capacity of the land.*
- *Where inappropriate subdivisions exist on productive agricultural land, priority should be given by planning authorities to their re-structure.*

In response to the above it is noted that:

- Agriculture is an important part of the municipality's economy and permanent removal of agricultural land for non-related agricultural purposes is strongly discouraged.
- Any proposed non-agricultural use and development may give rise to land use conflicts between the agriculture and non-agricultural use.

#### Local Planning Policy Framework (including the Municipal Strategic Statement)

##### *Clause 21.02 – Key issues*

##### *Key issues in relation to Natural Resource Management:*

- *The continued growth of the horticulture industry.*
- *The protection of horticultural land for agriculture.*
- *The need to support dry land agriculture.*
- *The significant potential for adding value to agricultural product including horticulture.*

Any proposal for subdivision within the Farming Zone must consider this Clause. The Clause details the importance of the agricultural sector within the municipality and provides a framework for decision making regarding subdivision and development.

In this instance the proposal does not address the key issues and does not support the ongoing agricultural industry in the municipality. There is the opportunity to re-subdivide the existing titles to protect valuable agricultural land and to decrease the size of the existing dwelling lots that is not being used for agricultural purposes. Such a proposal was presented to the applicant, but was not accepted.

### *Clause 21.06-1 Rural areas*

#### Overview:

*The agricultural sector is a significant source of economic activity in the municipality. Subdivision and rural housing in rural areas that is not associated with dedicated rural and agricultural activities can potentially undermine the viability of the rural sector through land use conflict, loss of productive agricultural land, use of infrastructure and water that could be used for agricultural production, and land values exceeding agricultural value. Housing for lifestyle purposes in rural areas has the potential to create demand for community and physical infrastructure that may be more appropriately located in dedicated rural living areas.*

#### Key issues

- *Recognising the importance of the agricultural sector to the local economy.*
- *Recognising the potential for subdivision and rural dwellings to undermine agriculture.*

#### Objective 1:

*To ensure that any subdivision of land is for the rural or agricultural use and development of land, rather than for rural lifestyle lots and developments.*

The proposal to increase the lots containing dwellings that are not being used for agricultural purposes is inconsistent with the above objective. However, the applicant has provided the following reasons for the proposed increase of proposed lot 1:

- *To increase the buffer zone between his house and farming activities;*
- *Including shedding, garden, a home orchard and other infrastructure to service the dwelling;*
- *Squaring up the lot boundaries to form a regular shape.*

The simple fact that the applicant wants to increase the buffer zone between the house and the adjacent farming activity is a testament that a dwelling that is not used for agricultural purposes in the Farming Zone creates amenity issues and should not be supported. However, this is an existing condition. The existing dwelling on proposed lot 1 is already approximately 30m from the existing boundary which is acceptable and complies with the planning scheme at Clause 21.06. A further 10m is not necessary. The squaring up of the existing title is also considered unnecessary, as further valuable agricultural land will be taken out of agricultural production. The battle axe shape would not necessarily constitute an inappropriate subdivision particularly if the purpose of the re-subdivision is to protect valuable agricultural land, and the existing horticultural activities.

The reasons put forward to increase the size of the other dwelling lot (proposed lot 2) are also considered inconsistent with the purpose of the zone and the above objective. Again, the dwelling lot should be made as small as possible and not increasing the size.

Any subdivision proposal in the Farming Zone must also have regard to the following strategies:

*Strategies:*

- *Strategy 1.1 - Discourage any proposed excision of land to create a separate lot for an existing house in irrigated horticultural areas.*
- *Strategy 1.2 - Consider any excision of land in dryland farming areas that is linked to and required for the ongoing rural and agricultural use of land.*
- *Strategy 1.3 - Require any proposed dwelling excision of land to occur via the realignment of existing titles.*
- *Strategy 1.4 - Discourage any proposed excision of land if the existing dwelling is to be excised is required to maintain the ongoing agricultural production and rural use of the land.*

*Policy guidelines:*

Any subdivision in the Farming Zone must have regard to the following local policy guidelines. The guideline referring to the residual lot to be the minimum subdivision size of the zone is not applicable given that this proposal is for a re-subdivision of existing lots, which is exempt from this requirement. However, the other guidelines are still applicable and should be considered, which are:

- *A maximum area of 2 hectares for the lot with the existing house located on it, or if existing buildings and dwelling infrastructure covers a large area, as near as practicable to this area.*
- *A minimum setback of 30 metres from the dwelling on the land to be excised from any agricultural activity or rural industry on any adjoining land.*

When considering an application for any subdivision in an irrigated horticultural area, consider the use of a Section 173 agreement that notes:

- *The area has intensive agricultural uses operating in it.*
- *The land and its occupants may experience off site rural activity effects, including noise, sprays and dust that may cause a loss of residential amenity.*
- *Existing agricultural and rural uses in the area have a 'right to farm' or right to legally continue the use.*

Clause 21.06-2 Agriculture and horticulture

Agriculture is an important industry in the municipality and its protection and enhancement is linked to the environmental and economic well-being of the community.

Agricultural production is the cornerstone of the municipality's and regional economy. The Swan Hill region has one of the most productive and diverse agricultural sectors in Australia. Considerable opportunities have been identified for expansion and growth of the horticultural industry.

*Key issues:*

- *The continued growth of the horticulture industry.*
- *Protection of horticultural land for agriculture.*

*Objective 4:*

*To realise and capitalise on agricultural/horticultural and food industry development opportunities.*

The following strategies need to be considered when determining subdivision applications in the Farming Zone, particularly on irrigated horticultural land.

*Strategies:*

- *Strategy 4.1 - Support the diversification of agriculture, the development of agroforestry and the processing of agricultural products grown within the municipality.*
- *Strategy 4.2 - Encourage development of high value irrigated agriculture and a mix of agricultural enterprises that optimises water use.*
- *Strategy 4.3 - Encourage the location of value-added industries in industrial areas within urban centres and where appropriate in rural areas subject to site management and design guidelines.*
- *Strategy 4.4 - Continue to develop and market the image of the municipality and the Murray Mallee region as 'clean and green agriculture' and producer of fine foods.*
- *Strategy 4.5 - Extend efficient irrigation systems to areas which have a demonstrated capacity to be able to manage additional water without lessening the value and long term productive capacity of land.*
- *Strategy 4.6 - Protect irrigation and road infrastructure in horticultural areas in the municipality.*

The proposed application lacks information to address the above objectives and strategies.

Farming Zone

The proposed subdivision does not meet the purpose of the Farming Zone as it is not consistent with the State and Local Planning Policies and it does not encourage the retention of agricultural land.

<b>Farming Zone – Decision Guidelines</b>	<b>Comments</b>
<b>General issues</b>	
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	Considered above. The application is not supported by the State and Local Planning Policies detailed in this report. The proposal is not considered an appropriate subdivision as it does not support the agricultural or horticultural industries of the municipality and reduces the amount of productive agricultural land.
Any Regional Catchment Strategy and associated plan applying to the land.	Not applicable to this application.
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The application was referred to all relevant external and internal agencies and no objections were received.
How the use or development relates to sustainable land management.	There is no evidence that the proposed subdivision relates to sustainable land management, given the reasons discussed earlier in the report.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The subject land is suitable to be re-subdivided. However, the proposed re-subdivision is not considered supportive of relevant State and Local Planning Policies.
<b>Agricultural issues</b>	
Whether the use or development will support and enhance agricultural production.	It is considered the re-subdivision will not support and enhance agricultural production on the land, for reasons set out earlier in this report. Mainly because the applicant has the opportunity to re-subdivide the land to maximise the agricultural potential, but unfortunately the current proposal does not show this.
Whether the use or development will remove land from agricultural	Yes. The proposed re-subdivision will remove more land from agricultural

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production.	production.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	It is not considered the proposal will limit adjoining agricultural uses.
The capacity of the site to sustain the agricultural use.	The subject land has the potential to sustain an agricultural use.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	Not applicable to this application.
Any integrated land management plan prepared for the site.	No such plan has been submitted as part of the proposal.
<b>Environmental issues</b>	
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	There is no expected negative impact on the physical features and resources of the area.
The impact of the use or development on the flora and fauna on the site and its surrounds.	Not applicable to this proposal, as the land is already cleared from native vegetation.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to re-vegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	See above.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	The applicant has not shown the location of existing effluent disposal areas and that it will be wholly within the proposed dwelling lot boundaries.

**Issues**

Notice of the application

Notice of the application was not given. There are no other issues associated with this application.

**Consultation**

Referrals

Comment was sought from Lower Murray Water, Powercor as well as Council's Building, Health and Engineering Services Departments.

Lower Murray Water and Powercor had no objections to the proposal subject to standard conditions.

The Building Department raised no objections subject to compliance with the Building Act and Regulations.

Engineering Services raised matters that are subject to the standard conditions for drainage, access etc.

Health Department raised no objections.

### Advertising

The proposed application was not advertised to surrounding land owners and occupiers as it was considered that the proposal would not cause material detriment.

## **Matters for Consideration**

### Aboriginal Cultural Heritage

The subject land is not located within a culturally sensitive area.

### Purpose of the zone

The purpose of the zone cannot be met by this re-subdivision as it proposes to take more land from agricultural production.

### The potential for impact on the amenity of the area

The impact on the amenity of the area is likely to be unchanged. The dwellings exist.

### State and Local Planning Policy Frameworks

The above frameworks do not support the proposed re-subdivision of the land as it is contrary to the main argument of protecting and enhancing agricultural land. The Natural Resource Management policy at Clause 21.06 strongly discourages this sort of subdivision that does not promote agriculture.

### Suitability of the site for the proposal

The subject site is zoned for farming purposes and the proposed re-subdivision is allowed under the zone. However, any subdivision in the Farming Zone must meet the purpose of the zone that is, amongst others, to protect productive agricultural land. The subject land is capable of being re-subdivided provided the relevant planning scheme requirements and State and Local Planning Policies are met.



### Compliance with the provisions of the planning scheme

The proposal is not considered to be compliant with the State and Local Planning Policies as previously addressed. However it is noted that the application is allowed under the re-subdivision provisions of the Farming Zone in the planning scheme.

### **Financial Implications**

Nil

### **Social Implications**

Nil

### **Economic Implications**

Agriculture is an important part of the municipality's economy, and permanent removal of agricultural land for residential purposes would therefore have a negative economic impact.

### **Environmental Implications**

Nil

### **Risk Management Implications**

Nil

### **Council Plan Strategy Addressed**

***Regulation and management of the built environment*** - We will ensure appropriate control and oversight of areas where we have a regulatory responsibility and provide services to ensure impacts of people in our municipality on the environment and are managed appropriately.

### **Options**

Council generally has two options when considering an application. These being:

1. Issue a Planning Permit, or
2. Issue a Refusal to Grant a Planning Permit.

## **Recommendations**

**That Council issue a Refusal to Grant a Planning Permit based on the following grounds:**

- **The proposed subdivision is contrary to the State and Local Planning Policies and in particular the following clause in the Swan Hill Planning Scheme:**
  - **Clause 11.05-3 – Rural Productivity**
  - **Clause 11.06-8 – Agricultural Productivity**
  - **Clause 14.01-1 – Protection of Agricultural Land**
  - **Clause 21.06 – Natural Resource Management**
- **The proposed subdivision is contrary to the purpose of the Farming Zone and does not constitute orderly planning of the area.**

## **28/14 Motion**

### **MOVED Cr Katis**

**That Council issue a Refusal to Grant a Planning Permit based on the following grounds:**

- **The proposed subdivision is contrary to the State and Local Planning Policies and in particular the following clause in the Swan Hill Planning Scheme:**
  - **Clause 11.05-3 – Rural Productivity**
  - **Clause 11.06-8 – Agricultural Productivity**
  - **Clause 14.01-1 – Protection of Agricultural Land**
  - **Clause 21.06 – Natural Resource Management**
- **The proposed subdivision is contrary to the purpose of the Farming Zone and does not constitute orderly planning of the area.**

### **SECONDED Cr Cruickshank**

**The Motion was put and CARRIED**

### **B.14.53 DRAFT ACTIVE TRANSPORT STRATEGY 2014-2034**

**Responsible Officer:** Director Development and Planning  
**File Number:** 42-52-206  
**Attachments:** 1 Placeholder for Active Transport Strategy

**Declarations of Interest:** Officer

Brett Luxford - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

The *Active Transport Strategy (ATS)* aims to make walking, cycling and using public transport easier for more trips across the municipality. The ATS is a 20 year strategy, with a four year implementation plan in line with the Council Plan review timeframe.

The Draft ATS was presented to Council's Ordinary Meeting of 10 June 2014. Council released the document for a 42 day public submission period.

Five submissions were received and have been considered. Overall the submissions supported the document, while providing additional information and suggestions. The information has been circulated to relevant staff and where possible have been incorporated into the latest version of the document (attached).

#### **Discussion**

Council was approached by Robinvale District Health Services (RDHS) aiming to highlight the need for a more collaborative approach to address high numbers of lifestyle diseases within the municipality. As a result Council partnered with RDHS and Swan Hill District Health in 2011 and were successful in receiving funding through the National Partnership Agreement on Preventive Health. This funding was to deliver community-based physical activity programs and develop improved policy environments including the (ATS).

The ATS will replace the current Swan Hill Strategic Bicycle Plan – Final Report (2007).

#### **Consultation**

Surveys, meetings and presentations were used to collect data from the community. All town Community Planning groups were provided the opportunity to provide information and 277 surveys were completed across the municipality. Over 400 residents provided information during the development of the Draft ATS.

### **Financial Implications**

The ATS Implementation Plan (2013-2017) is identified in existing budgets and staff roles unless the need for external funding is indicated.

Actions addressing improvements in current practices will be considered as part of future infrastructure renewal and upgrade works

### **Social Implications**

Active transport is the most economically accessible form of transport. An environment that deters walking and cycling can contribute greatly to inequity in our communities.

The implementation of an ATS will assist the community to increase levels of physical activity and reduce the rates of lifestyle related diseases such as obesity and type 2 diabetes. It will also increase opportunities for residents without independent access to cars (all children, many older people and the economically disadvantaged) which will increase quality of life and ability for more people to become more involved in the wider community.

### **Economic Implications**

A Sydney study found that investing in cycling gave an approximate return of \$4 on every dollar spent, compared with just \$2 for road projects.

Benefits include reduced wear on roads, reduced traffic congestion, improved liveability, improved tourism opportunities, increased productivity and reduced healthcare costs.

### **Environmental Implications**

The ATS will increase access to and promote sustainable transport options (walking, cycling and public transport).

### **Risk Management Implications**

Actions will be implemented as per Australian Standards and best practice guidelines (see Appendix 2 of ATS).

### **Council Plan Strategy Addressed**

***Facilitate and provide services for health and wellbeing*** - We will provide or facilitate a range of services that maintain community health, and provide opportunities and infrastructure that contribute to the educational, recreational, cultural and leisure needs of our community.

**Options**

Nil

**Recommendations**

**That Council adopt the Active Transport Strategy 2014-2034.**

**29/14 Motion**

**MOVED Cr Adamson**

**That Council adopt the Active Transport Strategy 2014-2034.**

**SECONDED Cr Katis**

**The Motion was put and CARRIED**

# **Attachment 1**

- Active Transport Strategy 2014-2034

## **B.14.54 PUBLIC PARTICIPATION POLICY**

**Responsible Officer:** Director Development and Planning  
**File Number:** 26-36-00  
**Attachments:** 1 Public Participation POL/GOV002

**Declarations of Interest:** Officer

Brett Luxford - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

The purpose of this report is to advise Council that as a result of a review of the 'Consultation Policy' and the 'Fostering Community and Council Engagement and Participation Policy' a new 'Public Participation Policy' has been developed and is presented for approval.

### **Discussion**

The *Consultation Policy* and the *Fostering Community and Council Engagement and Participation Policy* have been rewritten and combined into one policy and two procedures.

It was seen that the *Consultation Policy* and the *Fostering Community and Council Engagement and Participation Policy* were repetitive and covered similar issues. It was determined that the same intent and direction could be covered in one single policy.

The two procedures that ensure the policy is implemented and that our community are encouraged to get involved and have input into Council decision making are the *Public Participation Procedure* and the *Involving Communities in Council Decision Making Processes*.

All guiding principles from both policies have been included and the policy and procedures utilise the IAP2 Participation Spectrum. This will provide a guide to the levels of community engagement and consultation that can be undertaken.

This policy clearly documents Council's commitment to involving the community in Council's decision making processes.

### **Consultation**

This policy reflects Council's commitment to engaging with our community on various levels.

### **Financial Implications**

Nil

### **Social Implications**

Nil

### **Economic Implications**

Nil

### **Environmental Implications**

Nil

### **Risk Management Implications**

Nil

### **Council Plan Strategy Addressed**

***Councillor and Staff accountability*** - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

### **Options**

Council may approve the policy for adoption or seek to make changes.

### **Recommendation**

**That Council adopt the *Public Participation Policy*.**

### **30/14 Motion**

**MOVED Cr Cruickshank**

**That Council adopt the *Public Participation Policy*.**

**SECONDED Cr Kiley**

**The Motion was put and CARRIED**



Date Adopted	October 2002
Date Reviewed	July 2014
To be Reviewed	July 2017

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



**POLICY TITLE**            **PUBLIC PARTICIPATION POLICY**

**POLICY NUMBER**    **POL/GOV002**

## **PURPOSE**

The purpose of this policy is to provide clear guidelines for when public participation should be undertaken in Council decision making processes.

## **SCOPE**

This policy applies to all decisions of Council that have a significant impact on the built, social, economic and natural environment within Council's control which affect people within our municipality.

## **POLICY**

Public participation will be undertaken where required by legislation or when significant changes in the levels, standards or modes of delivery of services is being contemplated, or where a decision of Council significantly impacts on the built, social, economic and natural environment within our municipality. This includes where a consultation process is required by legislation.

The extent of public participation will depend on the importance of the issue under consideration, and the diversity and accessibility of the sector(s) of the community affected by the proposed decision.

Council will respond to changes in technology and to a community that is responsive to different mediums of engagement when seeking public participation in Council decision making processes.

Public participation should maximise the use of existing networks.

Public participation will, as far as practicable, ensure that the affected members of the community are:

- Clearly, accurately and appropriately informed.
- Offered appropriate opportunities for feedback.
- Treated with respect and their contribution valued.

The information gained from public participation shall be prepared, and presented to the decision-makers in a way that accounts for all views.

## **RELATED POLICIES/DOCUMENTS**

Involving Communities in Council's Decision Making Processes PRO/GOV002B

## **RELATED LEGISLATION**

Victorian Charter of Human Rights and Responsibilities Act 2006

Planning Scheme (MMS)

**Signed:** \_\_\_\_\_ **Mayor**                      **Date:** \_\_\_\_\_

## **SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION**

### **C.14.12 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS**

**Responsible Officer:** Chief Executive Officer  
**File Number:** 22-13-12  
**Attachments:** 1 Councillor Assemblies Attendance and Agenda

**Declarations of Interest:** Officer  
Dean Miller - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

The Local Government Act 1989 requires that the details of Councillor Assemblies be reported to Council meetings on a monthly basis.

#### **Discussion**

The State Government has amended the Local Government Act 1989 which requires Council to report on Councillor Assemblies.

Whilst Minutes do not have to be recorded, Agenda items and those in attendance must be, and a report presented to Council.

An assembly of Councillors is defined as a meeting that is planned or scheduled at which at least half of the Council and one Officer are in attendance, and where the matters being considered that are intended or likely to be the subject of a Council decision.

No formal decisions can be made at an assembly but rather direction can be given that is likely to lead to a formal decision of Council.

Details of the most recent assemblies of Council are attached.

#### **Consultation**

Nil

#### **Financial Implications**

Nil

#### **Social Implications**

Nil

**Economic Implications**

Nil

**Environmental Implications**

Nil

**Risk Management Implications**

Nil

**Council Plan Strategy Addressed**

***Councillor and Staff accountability*** - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

**Options**

Council must comply with the requirements of the Local Government Act 1989.

**Recommendations**

**That Council note the contents of the report.**

**31/14 Motion**

**MOVED Cr Adamson**

**That Council note the contents of the report.**

**SECONDED Cr Kiley**

**The Motion was put and CARRIED**

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**22 July 2014 at 2pm**  
**TOWN HALL (COUNCIL CHAMBERS), SWAN HILL**

**AGENDA ITEMS**

- Swan Hill Bridge – potential way forward
- Public Participation Policy
- Fruit Fly presentation from Swan Hill Summer Fruits
- Mediation (Barrels Nightclub and Logan & Hall)

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Jessie Kiley
- Cr Jim Crowe
- Cr Les McPhee
- Cr Gary Norton
- Cr Greg Cruickshank
- Cr Michael Adamson

Apologies

- John Katis

Officers

- Dean Miller, Chief Executive Officer
- David Lenton, Director Corporate Services
- Brett Luxford, Director Development and Planning
- David Leahy, Director Infrastructure
- Fiona Gormann, Community Development & Riverfront Coordinator
- Stefan Louw, Planning Team Leader

Other

- Michael Tripodi, Swan Hill Summer Fruits
- Mick Tempini, Swan Hill Summer Fruits
- Gino Salvo, Swan Hill Summer Fruits
- Andrew Gilchrist, Logan & Hall
- Gary Tomamichael, Logan & Hall
- Tony Phillips, Legal representation
- Steve Bartalotta, Barrels Nightclub

**CONFLICT OF INTEREST**

- Cr Les McPhee, Mediation (Barrels Nightclub)
- Cr Jim Crowe, Mediation (Barrels Nightclub)

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**29 July 2014 at 1:30pm**  
**TOWN HALL (COUNCIL CHAMBERS), SWAN HILL**

**AGENDA ITEMS**

- Council Workshop to review the Council Plan

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Jessie Kiley
- Cr John Katis
- Cr Greg Cruickshank
- Cr Gary Norton
- Cr Jim Crowe
- Cr Michael Adamson
- Cr Les McPhee

Officers

- Dean Miller, Chief Executive Officer
- David Lenton, Director Corporate Services
- Brett Luxford, Director Development and Planning
- David Leahy, Director Infrastructure
- Bruce Myers, Director Community & Cultural Services
- Joyline Rovere, Executive Support Officer

**CONFLICT OF INTEREST**

Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA  
5 August 2014 at 1pm  
VISITOR INFORMATION CENTRE, SWAN HILL**

**AGENDA ITEMS**

- Murray Basin Rail Project
- S5 & S6 Delegations
- Domestic Animal Management Plan
- Footpath Policy

**ADDITIONAL ITEMS DISCUSSED**

- 

**ATTENDANCE**

Councillors

- Cr Jessie Kiley
- Cr Les McPhee
- Cr John Katis
- Cr Greg Cruickshank
- Cr Gary Norton
- Cr Jim Crowe
- Cr Michael Adamson

Apologies

- Nil

Officers

- Dean Miller, Chief Executive Officer
- David Lenton, Director Corporate Services
- Brett Luxford, Director Development and Planning
- David Leahy, Director Infrastructure
- Bruce Myers, Director Community & Cultural Services
- Melanie Bennett, Public Health Services Team Leader

Other

- Bernie Cahir, Department of Transport

**CONFLICT OF INTEREST**

- Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA  
12 August 2014 at 2pm  
VISITOR INFORMATION CENTRE, SWAN HILL**

**AGENDA ITEMS**

- Youth Strategy Review
- Diversity Policy
- Community & Cultural Services update
- VicRoads Report – Traffic signals
- Planning permit application – Tol Tol

**ADDITIONAL ITEMS DISCUSSED**

- 

**ATTENDANCE**

Councillors

- Cr Jessie Kiley
- Cr Les McPhee
- Cr John Katis
- Cr Greg Cruickshank
- Cr Jim Crowe
- Cr Michael Adamson

Apologies

- Gary Norton

Officers

- Dean Miller, Chief Executive Officer
- Brett Luxford, Director Development and Planning
- David Leahy, Director Infrastructure
- Bruce Myers, Director Community & Cultural Services
- Jan McEwan, Family Youth & Child Services Manager
- Stefan Louw, Planning Team Leader

Other

- 

**CONFLICT OF INTEREST**

-

**SECTION D – NOTICES OF MOTION**

**SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA**

**SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS**

Cr Cruickshank

Retail Strategy Consultants meeting  
Central Murray Regional Waste Management Group meeting  
Chisholm Reserve and CBD Announcement  
Red Cross AGM  
Meeting with Michael Tripodi  
Central Murray Regional Transport Forum  
Farewell to Inspector Jamie Templeton  
State School Extravaganza

Cr Kiley

New Years Eve application evaluation  
Red Cross AGM  
Swan Hill Art Gallery Advisory Committee  
Swan Hill Bowls Clubs season opening  
Swan Hill Specialist School play  
Swan Hill Inc Board meeting  
Farmers Market Feasibility Study Community Consultation & meeting

Cr Katis

Meeting with Environmental Officer  
Meeting with Committee members on planning issues  
Councils Business Breakfast at Robinvale Golf Club  
Breakfast at Carina Processing Facility and tour of plant

Cr Adamson

Community safety meeting swan hill Police station  
Funding announcement at Chisholm park and the swan hill kiosk with Peter Ryan  
Rice Growers annual conference and 100 year celebration dinner.  
Basketball stadium meeting  
Farewell to Jamie Templeton, inspector swan Hill Police Station  
Business breakfast at Robinvale.  
100 year celebration of Manangatang P-12 school.

Cr Crowe

Woorinen Community Group



Cr McPhee

ABC radio interview  
Swan Hill Senior Citizens AGM  
Italian Social Club Festa Carmine Dinner Dance  
3SH radio interview  
Mayor/CEO meeting  
ABC radio interview  
Retail Strategy meeting with staff and consultants  
Friends of Pioneer Settlement AGM  
Christmas in July at Peter Walsh office  
Mayor/CEO meeting  
ABC radio interview  
Tour of Murray criterium in Swan Hill  
Chisholm Reserve and CBD Funding Announcement  
Swan Hill Red Cross AGM  
Meeting with Andrew Broad  
Mayor/CEO meeting  
State Schools Extravaganza  
ABC radio interview  
MRGS dinner and meeting  
MRGC meeting  
Principal for a day at Lake Boga Primary School  
Win TV interview  
Inspector Jamie Templeton farewell  
BPW Changeover dinner  
Meeting with RDV representatives  
Special School play, "Charlie and the Chocolate Factory"  
Vietnam Veterans Day celebration  
Diary meeting  
Robinvale visit & meet community

**SECTION G – IN CAMERA ITEMS**

There being no further business, Mayor Cr Les McPhee closed the meeting at 8:08pm.