CITY OF GREATER GEELONG

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 24 April 2012

Held at the
Council Conference and Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 7.00pm

COUNCIL:

Cr. J. Mitchell *(Austin)* **- *Mayor***	(Communications / Sport and Recreation / Democracy & Governance / Central Geelong Looking Forward)
Cr. B.H. Abley *(Brownbill)*	(Arts and Culture)
Cr. J. Doull *(Coryule)*	(Environment and Sustainability / Climate Change)
Cr. J. Farrell *(Beangala)*	(Education and Youth / Community Safety)
Cr. K. Fisher *(Corio)*	(Community Development)
Cr. C. Granger *(Windermere)*	(Heritage)
Cr. B. Harwood *(Kardinia)*	(Finance / Tourism / Major Events / Strategic Development)
Cr. E Kontelj *(Cowie)*	(Aboriginal Affairs / Multicultural Affairs)
Cr. Dr. S. Kontelj *(Kildare)*	(Major Projects)
Cr. R. Macdonald *(Cheetham)*	(Economic Development / Planning)
Cr. R. Nelson *(Deakin)*	(Rural and Regional Affairs)
Cr. A. Richards *(Buckley)*	(Transport / Infrastructure / Parks and Gardens)

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CLOSE OF MEETI NG

MINUTES OF THE ORDINARY MEETING OF THE GREATER GEELONG CITY COUNCIL HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE CITY HALL, LITTLE MALOP STREET TUESDAY, 24 APRIL 2012 COMMENCING AT 7.00 P.M.

PRESENT: Cr J Mitchell (Chair), Crs B Abley, J Doull, J Farrell, K Fisher, C Granger, B Harwood, E Kontelj, S Kontelj*(7.25pm), R Macdonald, R Nelson, A Richards*(7.14pm)

Also present: S Griffin (Chief Executive Officer), J Wall (General Manager Corporate Services), P Bettess (General Manager Economic Development, Planning and Tourism), D Frost (General Manager Projects, Recreation and Central Geelong), G Van Driel (General Manager City Services), J McMahon (General Manager Community Services), J Brown (Manager Administration and Governance), R Bourke (Governance Co ordinator), D Chiller (Co ordinator Communication and Marketing)

OPENING: The Mayor declared the meeting open at 7.00pm

ACKNOWLEDGEMENTS:

The Mayor acknowledged that we are here today on the land of the Wathaurong People and we pay our respects to Aboriginal elders past and present.

The Mayor also acknowledged Anzac Day on 25 April 2012 as a time to reflect on the contribution made by our service men and women, past and present, who have displayed great courage, discipline and self-sacrifice in choosing a life of service to their country

APOLOGIES: Nil.

LEAVE OF ABSENCE:

Cr Granger moved, Cr Fisher seconded -

That Leave of Absence be granted to Cr Andy Richards between 27 April and 1 May, inclusive.

Carried.

CONFIRMATION OF MINUTES:

Cr Abley moved, Cr Fisher seconded -

That the Minutes of the Ordinary Meeting held on 10 April 2012 be confirmed and signed.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST: Nil.

QUESTION TIME: Nil.

PETITIONS:

Cr Abley presented a petition from residents of West Geelong in relation to the proposed Use and Development of the Land CP87/2012 at 132-134 Aberdeen Street, Geelong West for an 80 seat Tavern complete with music and external smoking areas, together with a Drive Through Bottle shop, General Liquor Licence and the partial waiver of car parking requirements – requiring only ten on-site car parking spaces.

PRESENTATION:

Cr Granger presented the Mayor with a Heritage Award for the City's restoration of the steps at the front of City Hall.

1. AMENDMENT C245 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY 14 – ADOPTION OF AMENDMENT

Portfolio: **Planning – Cr Macdonald**
Source: **Economic Development, Planning and Tourism – Planning Implementation**
General Manager: **Peter Bettess**
Index Reference: **Subject: Council Reports 2012**
Application: C245

Summary

- This is a report for Council to consider submissions received to Amendment C245.
- Amendment C245 is initiated by Council's Planning Strategy Unit and seeks to make changes to the Design and Development Overlay Schedule 14 (DDO14) across the municipality.
- The Amendment implements the findings of a review of DDO14 known as 'Review of Design and Development Overlay 14 – Dwelling over 7.5 metres'.
- The Amendment seeks to retain DDO14 permanently in areas that have been identified as having access to significant views within the municipality, and deleting it from the remainder. DDO14 is proposed to be retained in parts of:
  - Bell Post Hill
  - Clifton Springs
  - Drysdale
  - Hamlyn Heights
  - Herne Hill
  - Manifold Heights
  - Newtown
  - Herne Hill
  - Highton
  - Wandana Heights
  - Leopold
  - Indented Head
  - Ocean Grove
  - Portarlington
  - St Leonard's
- The Amendment also seeks to reintroduce DDO14 to some properties in The Avenue and Tuckfield Street in Ocean Grove.
- Council resolved on 23 August 2011 to seek Ministerial Authorisation to prepare and exhibit the amendment. Ministerial Authorisation A02069 was received on 16 September 2011.
- The Amendment was exhibited between 27 October and 12 December 2011.
- The amendment affects over 90,000 properties and the main form of public notification involved an article in Council's quarterly newsletter "Community News" and notices in local newspapers.
- Two community 'drop in' information sessions were held in Geelong and Drysdale, during the public consultation period, with a total of 20 people attending.
- Four submissions were received to the Amendment - three from local residents and one from a planning consultant representing a developer.
- Two submissions objected to the removal of DDO14, one submission objected to the re-introduction of DDO14 to their Ocean Grove property, and the other supported the removal of the planning control from Leopold.
- After further discussions with the three objecting submitters they have withdrawn their submissions by correspondence.
- Amendment C245 complies with State and Local Planning Policy. It will ensure the strategic application of DDO14 to protect areas with access to views and view sharing across various parts of the municipality.

1. AMENDMENT C245 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY 14 – ADOPTION OF AMENDMENT (CONT'D)

- It is recommended that Amendment C245 be adopted as outlined in Appendix 1-1 and forwarded to the Minister for Planning seeking approval.

Cr Macdonald moved, Cr Granger seconded -

That Council:

a) adopt Amendment C245 in the form as outlined in Appendix 1-1 to this report; and

b) submit the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval.

Carried.

Report

Background

Amendment C245 is a Council initiated amendment that seeks to implement a study undertaken by the Planning Strategy Unit called *"Review of Design and Development Overlay 14 - Dwellings over 7.5m".*

The Amendment proposes to permanently retain DDO14 in areas that have been identified as having access to views – including parts of:

- Bell Post Hill
- Clifton Springs
- Drysdale
- Hamlyn Heights
- Herne Hill
- Manifold Heights
- Newtown
- Herne Hill
- Highton
- Wandana Heights
- Leopold
- Indented Head
- Ocean Grove
- Portarlington
- St Leonards

The Amendment seeks to remove the control from the remainder of properties in the municipality affected by DDO14 and re-introduce it to a number of properties at 114-158 The Avenue (south side of street only) and 84 and 86 Tuckfield Street, Ocean Grove.

The Amendment also seeks to change Schedule 14, tailoring the objectives and decision guidelines to focus on view sharing, and updates the Municipal Strategic Statement to reflect the changes outlined in the amendment.

Appendix 1-2 shows the consolidated DDO14 map changes for the municipality.

History of DDO14

DDO14 has been a planning control in the municipality for over 20 years. The origins of the control stem from the desire to protect the views and character in the coastal areas of the former Shire of Barrabool and Borough of Queenscliff. It has contributed to the low-rise character of the city's residential areas and influenced community expectations in relation to neighbourhood character, view sharing and the opportunity to participate in the planning permit process.

When the control was removed with the introduction of the new format Planning Schemes in 2000, community backlash saw the control re-introduced as an interim control a few months later.

1. AMENDMENT C245 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY 14 – ADOPTION OF AMENDMENT (CONT'D)

The current interim control has been extended 4 times since 2000 and is due to expire on 31 December 2012. In each case, the interim control has been extended on the basis that Council was completing further strategic work (Neighbourhood Character Study and Housing Diversity Strategy) which would inform a more strategic application of the DDO14 instead of its current broad application across the municipality.

Clause 21.06-6 of the Greater Geelong Planning Scheme also acknowledges the need for this review, stating '*review the application of the Design and Development Overlay Schedule 14 to consider its retention on a permanent basis in coastal areas and areas with access to significant views'*. This 'further work' clause was included through the Municipal Strategic Statement Review (Amendment C129), approved in 2010.

As part of the most recent time extension of the interim DDO14, the Minister indicated that Council should seek authorisation for an amendment to implement the recommendations of the DDO14 review by 31 December 2011, publicly exhibit the amendment as soon as possible and submit an adopted amendment no later than 30 November 2012.

This review has been completed and is implemented by this amendment.

It is important to acknowledge that the townships of Anakie, Batesford and Ceres did not form part of the initial "*Review of Design and Development Overlay 14 – Dwellings over 7.5 metres in height" (November 2010).* Council officers have undertaken a separate review of the DDO14 control for these Townships and will implement the findings through Amendment C239.

Discussion

Public Exhibition and Submissions

Ministerial Authorisation (No: A02069) for this Amendment was received from the Minister for Planning on 16 September 2011. Exhibition of Amendment C254 took place between 27 October and 12 December 2011 with notices placed in local newspapers and in the Government Gazette. Notice of Amendment was sent to the relevant Ministers under the Planning and Environment Act 1987.

As this amendment affects over 90,000 properties, the main form of public notification involved an article in Council's quarterly newsletter "Community News" – which is hand delivered to every household in the municipality. Public notices in the local newspapers also formed part of the notification process.

Two community 'drop in' information sessions were held in Geelong and Drysdale, during the first half of the public consultation period. This provided affected residents with an opportunity to speak with Councils planners about how the amendment will affect them. Approximately 20 people attended.

1. AMENDMENT C245 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY 14 – ADOPTION OF AMENDMENT (CONT'D)

Council received four submissions to the amendment, which can be summarised as follows:

Submission	Name	Summary of Submission
1	Janine Davis	• Objects to the introduction of DDO14. • No property details provided. • She wishes to build an extension to her property in the future which will exceed 7.5m, to enjoy her views.
2	Judith Fischer	• Objects to the removal of DDO14. • Believes that the removal of this control will open the door for major development in Geelong. • Removal of DDO14 should not be supported for the Rippleside and St Helens area. • Views and neighbourhood character should be considered in tandem, as they protect the suburbs of Geelong. • DDO14 should be retained across the municipality. • Removal of DDO14 from South Geelong will allow developers to develop 'high density' developments.
3	Dennis and Julie Westhorpe	• Requested further information on the amendment • Wishes DDO14 to be retained in Rippleside 'for the same reasons as the other suburbs'.
4	Mesh Consultants for Leopold Developments Pty Ltd.	• Supports the removal of DDO14 for Leopold. • Represents the Leopold Developers at the Estuary Estate in Leopold. • The removal of DDO14 will allow for a broader housing mix. • Ensure that DDO14 is retained in areas where view sharing can be achieved. • The removal of DDO14 will maximise the efficiency of the planning process by reducing the amount of planning permits lodged with Council.

Individual meetings with the objectors took place during December 2011 and January 2012, to resolve concerns of the submitters. All three objectors have now withdrawn their objections in writing.

With all objecting submissions now satisfactorily addressed and withdrawn, it is appropriate for Council to adopt the amendment and submit it to the Minister for Planning seeking approval.

Environmental Implications

There are no environmental implications as a result of this review or proposed amendment.

1. AMENDMENT C245 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY 14 – ADOPTION OF AMENDMENT (CONT'D)

Financial Implications

It is not expected that the proposed will result in any financial implications for Council, other than those associated with the usual processing of a Planning Scheme Amendment.

Policy/Legal/Statutory Implications

The strategic application of DDO14 in the Greater Geelong Planning Scheme is consistent with State and Local Planning Policy Frameworks.

Amendment C245 has been carried out in accordance with the Planning and Environment Act 1987.

Officer Direct or Indirect Interest

No Council staff involved in the preparation of this report has a direct or indirect interest in the matter to which the report relates.

Risk Assessment

There is considered to be a limited risk in implementing the review recommendations.

Social Considerations

The current application of DDO14 to the majority of residential areas in Greater Geelong provides an opportunity for neighbouring properties to participate in the planning process, when a dwelling or an extension to a dwelling exceeds 7.5 metres in height. The modified DDO14, and its strategic application to areas identified as having access to significant views only, will mean that properties outside of these areas will no longer be subject to the planning process (if no other permit triggers apply).

The amendment seeks to protect shared view lines across the municipality. It will minimise detrimental impacts on neighbouring properties in regards to sharing of views and vistas of key attributes (Geelong City, Barrabool Hills, Corio Bay, Ocean etc).

Communication

The amendment was exhibited in accordance with the *Planning and Environment Act, 1987*. Submissions have been acknowledged and submitters will be notified of Council's determination and any decision of the Minister for Planning.

Appendix 1-1 – Amendment Documentation

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C245 INSTRUCTION SHEET

The planning authority for this amendment is City of Greater Geelong.

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 36 attached maps.

Overlay Maps

1. Planning Scheme Map Nos. 25, 32, 33, 36, 37, 41, 42, 43, 49, 52, 53, 57, 59, 60, 65, 66, 69, 81and 82 of DDO14 are amended in the manner shown on the attached maps marked Greater Geelong Planning Scheme, Amendment C245.

2. Delete Planning Scheme Map Nos. 18, 19, 26, 34, 38, 50, 51, 54, 55, 56, 67, 68, 80, 87 and 88 of DDO14 in the manner shown on the attached maps marked Geelong Planning Scheme, Amendment C245.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In Local Planning Policy Framework – replace Clause 21.06 with a new Clause 21.06 in the form of the attached document. The changes are as follows:

   - Subclause 21.06-4 has been amended.
   - Subclause 21.06-6 has been amended.

4. In Overlays – Clause 43.02 replace Schedule 14 with a new Schedule 14 in the form of the attached document. The changes are as follows:

   - Heading has been amended.
   - Subclause 1 has been amended.
   - Subclause 2 has been amended.
   - Subclause 3 has been amended.
   - Subclause 4 has been amended.
   - Subclause 5 has been deleted.

5. In General Provisions – Clause 61.03, replace the schedule with a new schedule in the form of the attached document.

End of document

21.06 SETTLEMENT AND HOUSING

10/03/2

21.06-1 Key issues and influences

28/01/2

Demographics

Between 2006 and 2031, it is estimated that the municipality will need to accommodate an additional 63,000 persons. This level of population growth will generate demand for approximately 41,000 new dwellings.

The region's population is ageing rapidly through the in-migration of retiring persons and the ageing-in-place of existing residents. The municipality is a popular retirement destination, particularly the coastal towns on the Bellarine Peninsula.

Although the population is ageing, it is vitally important that the City continues to provide an environment that attracts and supports children, young people and families.

Housing

The majority of new housing development in the municipality will continue to be in the form of detached dwellings on conventionally sized blocks; however the demand for smaller dwelling types is expected to escalate. This trend will be driven by significant growth in smaller households (primarily singles, childless couples and sole parents), as well as emerging preferences for lower maintenance dwellings that are close to urban services.

The ageing of the population will contribute substantially to the increase in demand for low maintenance dwellings and retirement accommodation. This accommodation will need to be close to urban services.

There is a need to maintain competition and diversity in the housing market.

Settlement

There is an environmental, economic and social imperative to reduce urban sprawl and improve accessibility to urban services, principally by consolidating urban development around places of activity and public transport infrastructure.

Urban consolidation and changing housing needs are having a significant impact on the character of the City's existing urban areas, particularly those established suburban areas which are characterised by detached housing in a garden setting.

Outward urban growth needs to be carefully managed and directed to designated locations that offer the greatest net benefit to the Geelong community, can be appropriately serviced and which have the capacity to accommodate sustainable development.

All development should contribute positively to the quality of the urban environment so that it may be enjoyed and respected by the existing and future community.

Whilst rural living areas provide for greater consumer choice in the housing market, they can be inefficient to service and generally contrary to the objective of maintaining a farmed rural landscape in the City's rural areas. There is consequently a need to restrict rural living to specific locations and to ensure that consumers meet their equitable share of the cost of servicing such locations.

The municipality's rural living nodes will continue to rely on established townships and urban Geelong for commercial and community facilities.

Identity

The City of Greater Geelong is within the traditional territory of the Wathaurong Aboriginal clan groups.

Recognition, respect and protection of Greater Geelong's Indigenous and European cultural heritage is of critical importance to the City's identity moving forward.

21.06-2 Urban growth

28/01/20

Objectives

- To limit urban sprawl by directing urban growth to designated urban growth areas.
- To improve housing affordability through the maintenance of appropriate urban land supplies, the promotion of competition in the housing market and the development of a diverse range of well located housing stock.

Strategies

- Direct the majority of new greenfield residential development to the designated primary urban growth areas at Armstrong Creek, Ocean Grove, Drysdale/Clifton Springs, Lara and Leopold.
- Maintain the non-urban break between Geelong and Werribee and, in particular, prevent further expansion of the Little River township boundary.
- Maintain the Geelong Ring Road as the western boundary of urban Geelong.
- Ensure that land use and development does not compromise the capacity or potential future development of areas designated for future urban growth, as shown on the relevant Structure Plan or Urban Growth Plan.
- Require a minimum residential density of 15 dwellings per hectare in all new urban growth areas.
- Ensure development occurs within designated settlement boundaries.
- Where possible use natural boundaries to define the edges of urban areas.
- Provide for infill urban growth in the Fyansford area.
- Prevent further subdivision and medium density housing in Breamlea.
- Limit rural living development to existing zoned land in the existing nodes at Lara, Drysdale/Clifton Springs, Wallington, Lovely Banks and Batesford.
- Ensure new residential neighbourhoods provide a mix of housing suited to the needs of a diverse range of household types.

21.06-3 Urban consolidation

-/-/-

Objectives

- To provide for the consolidation of existing urban areas in a managed way.
- To encourage an appropriate range of development densities.
- To improve accessibility to urban services.

Strategies

- Manage urban consolidation and housing change across the municipality, by:
  - Accommodating medium and high density housing in Key Development Areas (as designated in the Incorporated Document 'Key Development and Increased Housing Diversity Areas July 2009').
  - Maximising opportunities for housing within Increased Housing Diversity Areas (as designated in the Incorporated Document 'Key Development and Increased Housing Diversity Areas July 2009') by accommodating;

- high density housing in the activity centres consistent with their primary commercial and retail role; and
- medium density housing in residential areas with more intensive development being located closest to the core of activity centres.

- appropriate medium density housing in Residential 1 zoned areas.
- incremental change in Residential 3 zoned areas.

- Encourage medium density housing in mixed use zones.
- Require retirement accommodation to be located within urban areas, preferably within close proximity to existing or proposed activity centres and public transport facilities.

21.06-4 Neighbourhood character

-/-/2-

Objectives

- To manage the impact of urban change on existing neighbourhoods.
- To ensure that new development responds to the existing neighbourhood character.
- To protect areas with a significant garden character.
- To protect areas with views to significant landscape features.

Strategies

- Ensure that development is responsive to the established character of the area.
- Support medium density housing in the Residential 3 Zone in accordance with the schedule to the zone.
- Acknowledge that neighbourhood character in the Increased Housing Diversity Areas and in Residential 2 Zones will adapt and evolve over time, particularly within and on the edges of activity centres, where land use and development will intensify.
- Allow for appropriate transition between residential zones.
- Ensure that development on the edges of Residential 1 and Residential 2 Zones is responsive to and respectful of the neighbourhood character in any adjoining Residential 3 Zone.
- Support the redevelopment of dwellings owned by the Office of Housing, as part of urban renewal initiatives.
- Retain existing vegetation wherever possible, particularly vegetation that contributes to the municipality's tree canopy.
- Avoid gated communities.
- Maintain the character of the Rural Living and Low Density Residential Zoned areas.
- Ensure that dwellings and extensions to dwellings over 7.5 metres have regard to the design objectives and decision guidelines of Schedule 14 to the Design and Development Overlay.

21.06-5 Heritage and identity

28/01/20

Objectives

- To ensure that urban development enhances Geelong's sense of place and identity.
- To conserve and enhance individual places and areas of pre and post contact cultural heritage significance.

Strategies

- Protect places of Aboriginal cultural heritage significance.
- Retain culturally significant heritage places and areas recognised as being of State, regional, local and contributory significance.
- Ensure that the use and development of a heritage place contributes to its heritage significance and longevity.
- Encourage the design of new development in heritage areas to provide for a contemporary interpretation that relates to the location, bulk, form and materials of existing and/or neighbouring significant buildings

21.06-6 Implementation

-/-/-

- These strategies will be implemented by:

Using policy and the exercise of discretion

Ensure all advertising signage complies with the City of Greater Geelong Advertising Sign Guidelines.

Use the Heritage Policies at Clause 22.

Use the Discretionary Uses in Rural Living and Low Density Residential Areas at Clause 22.04.

Use the Discretionary Uses in Residential Areas at Clause 22.01.

Prevent residential development from occurring outside of the settlement boundaries set out in any Framework Plan, Structure Plan or Urban Growth Plan for an area.

Assess applications against the Residential Character Study: Character Precinct Brochures.

Ensure new development in heritage areas is in accordance with the Incorporated Document City of Greater Geelong Heritage Design Guidelines.

Where appropriate, require the preparation of Conservation Management Plans for heritage places.

Applying zones and overlays

Apply an appropriate zone to identified Key Development Areas.

Further work

Conduct a Heritage Review in the Ashby precinct in Geelong West.

Implement the Newtown Heritage Study Review 2008.

Review the application of appropriate zones/overlays, consistent with the principles of the Housing Diversity Strategy, surrounding the neighbourhood centres of Pakington Street Newtown, Pakington Street Geelong West, Aberdeen Street Newtown and Shannon Avenue Manifold Heights.

Prepare structure plans for Increased Housing Diversity Areas to inform preparation of a more comprehensive set of provisions to realise the policy objectives for these areas.

Review the residential areas around Central Geelong to determine Residential 2 opportunities.

Review *Residential Character Study: Character Precinct Brochures,* Planisphere for City of Greater Geelong, September 2001.

~~Review the application after the Design and Development Overlay Schedule 14 to consider its retention on a permanent basis in coastal areas and areas with access ti significant views.~~

As a priority commence an investigation into the future residential and industrial land use needs for Geelong, as a basis for future growth area planning, that would include:

- the assessment of the environmental, resource, landscape, development pattern, access, servicing, land use, economic and social constraints and opportunities associated with possible growth areas around Geelong;

- the identification of a preferred growth area or areas; and
- the preparation of detailed growth area plans.

Work with the Director of Housing to progress and implement the Norlane Housing Regeneration Development Areas within the Norlane-Corio Urban Renewal Feasibility Study.

References

City of Greater Geelong Housing Strategy Background and Issues Report, Swinburne University, 2005.

City of Greater Geelong Housing Diversity Strategy, alphaPlan, David Lock Associates and the City of Greater Geelong, 2007.

- *City of Greater Geelong Rural Land Use Strategy*, City of Greater Geelong, 2007.
- *City Plan,* 2007-2011.

Aboriginal Cultural Heritage Management and Protection Development Planning Protocol – 2000.

Geelong Verandah Study, Authentic Heritage Services P/L and Wendy Jacobs, 2006.

Residential Character Study: Character Precinct Brochures, Planisphere for City of Greater Geelong, September 2001.

The Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter), Australia ICOMOS, 1988.

City of Greater Geelong Urban Furniture Style Manual, Taylor and Cullity Pty Ltd for City of Greater Geelong, 1996.

--/--/20--
C245

SCHEDULE 14 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO14**

DWELLINGS OVER 7.5 METRES IN AREAS WITH ACCESS TO VIEWS

1.0 Design objectives

--/--/20--
C245

To ensure that the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features such as the coast (ocean and foreshore), Corio Bay, Barwon River, Central Geelong, Barrabool Hills and the You Yangs.

2.0 Buildings and works

--/--/20--
C245

A permit is not required for buildings and works other than to construct a dwelling which is more than 7.5 metres above natural ground level (excluding any television antenna, chimney or flue) or extend a dwelling where the extension is more than 7.5 metres above natural ground level (excluding any television antenna, chimney or flue).

3.0 Subdivision

--/--/20--
C245

A permit is not required to subdivide land.

4.0 Application Requirements

--/--/20--
C245

A view impact analysis should be submitted when there is likely to be an impact on views to significant landscape features by the proposed development. Any view impact analysis should demonstrate how the design objectives to achieve a reasonable sharing of views has been met having regard to topography, siting, height and visual bulk and the extent of available views.

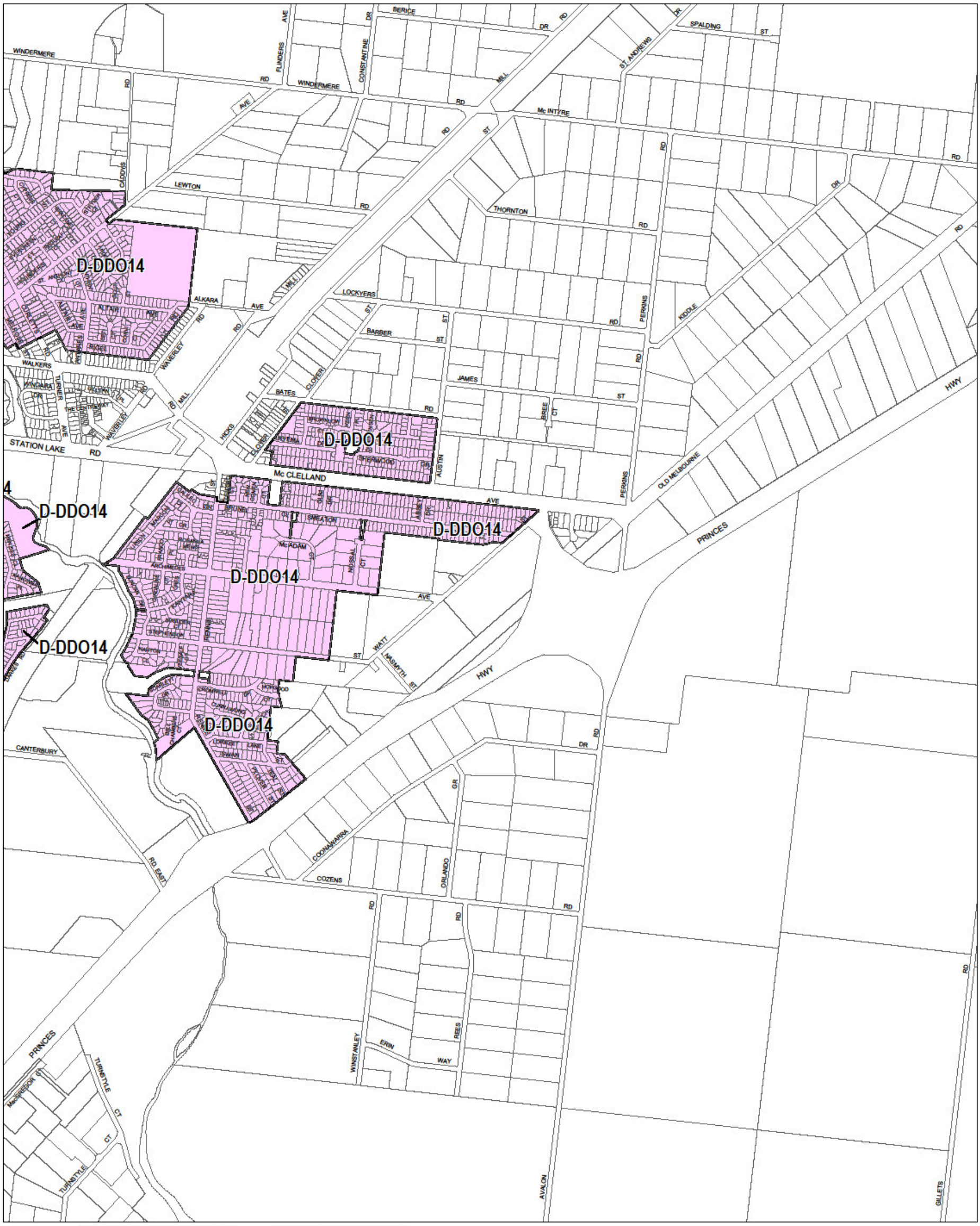
5.0 Decision Guidelines

--/--/20--
C245

Before deciding on an application, the responsible authority must consider where relevant:

- The design objectives of this schedule.
- The impact of the proposed buildings and works on the view from another property as result of the design, siting, height, size and bulk (including the roof).
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land and reduce the need for site excavation or filling.
- The opportunity for a reasonable sharing of views having regard to the extent of the available view(s) and the significance of the view(s) from the properties affected.

GREATER GEELONG PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Overlays
DDDO Area To Be Deleted From A Design And Development Overlay

200 0 200 400 600 800 1000 m
AUSTRALIAN MAP GRID ZONE 55

INDEX TO ADJOINING METRIC SERIES MAP

N

State Government Victoria

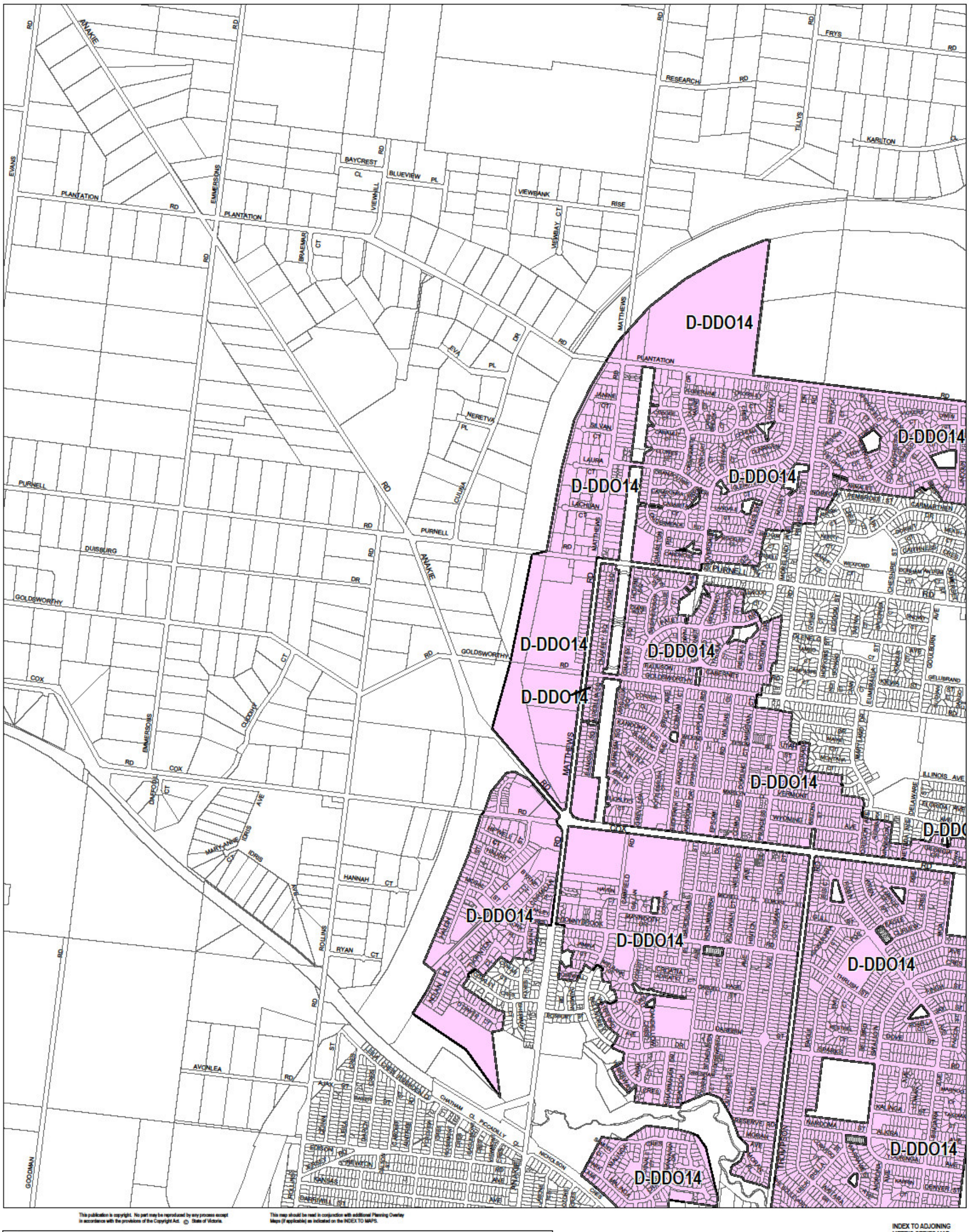
Printed: 1/9/2011

AMENDMENT C245

AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY 14

MAP No 19DDO14

GREATER GEELONG PLANNING SCHEME - LOCAL PROVISION



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Overlays
D-DDO Area To Be Deleted From A Design And Development Overlay

200 0 200 400 600 800 1000 m
AUSTRALIAN MAP GRID ZONE 55

INDEX TO ADJOINING METRIC SERIES MAP

N

State Government Victoria

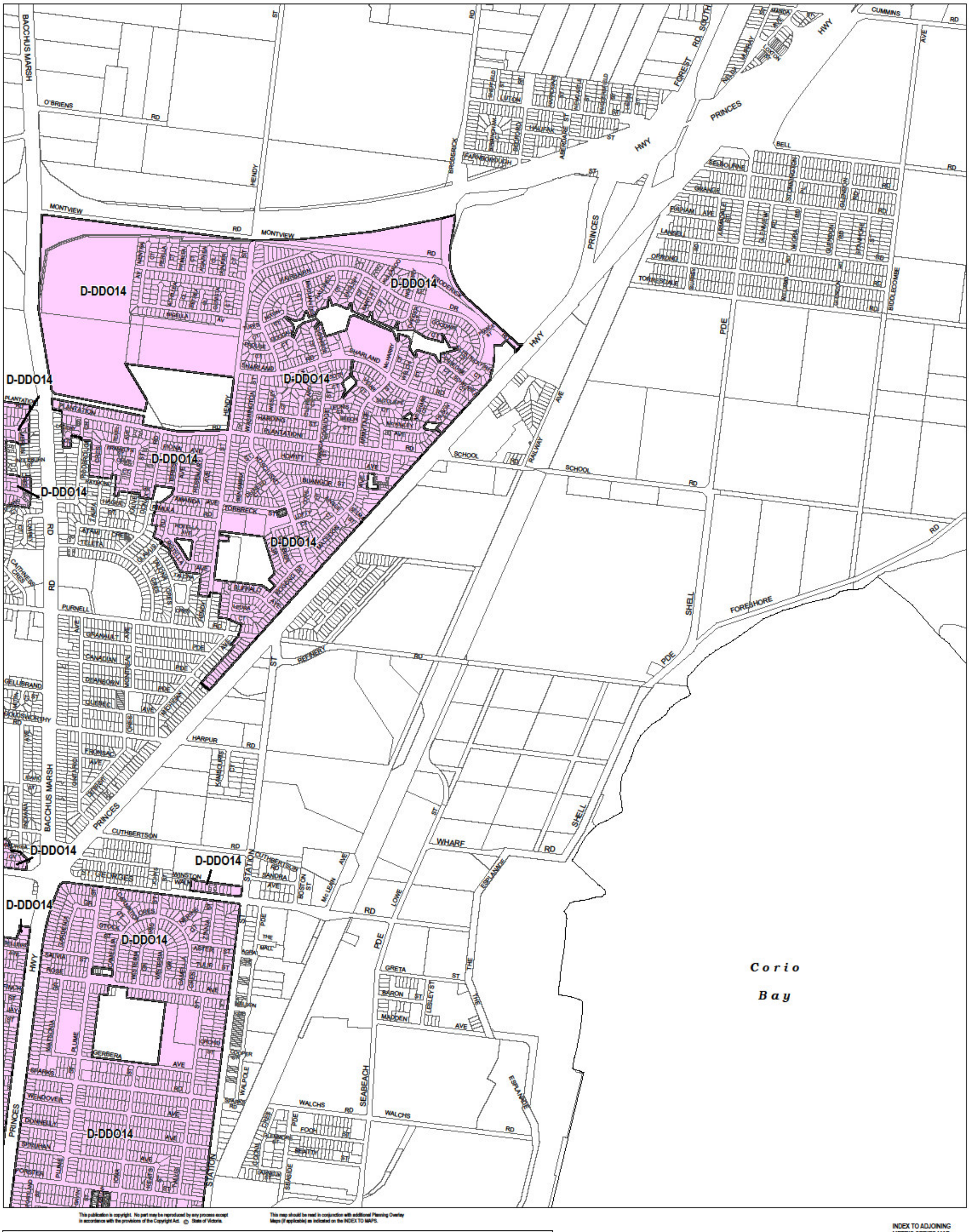
Printed: 1/9/2011

AMENDMENT C245

AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY 14

MAP No 25DDO14

GREATER GEELONG PLANNING SCHEME - LOCAL PROVISION



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Overlays
D-DDO Area To Be Deleted From A Design And Development Overlay

200 0 200 400 600 800 1000 m
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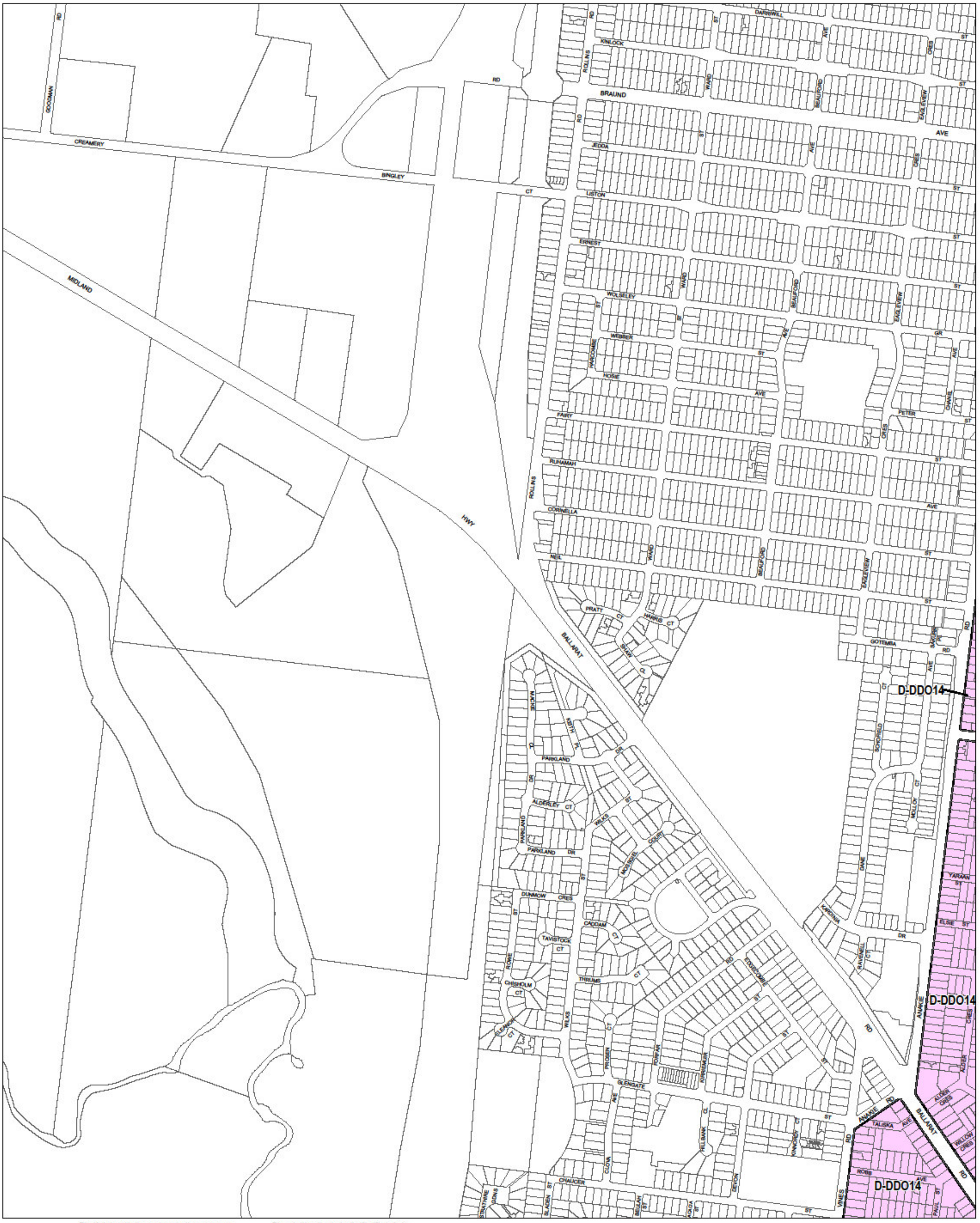
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AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY 14

MAP No 26DDO14

GREATER GEELONG PLANNING SCHEME - LOCAL PROVISION



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Overlays
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100 0 100 200 300 400 500 m
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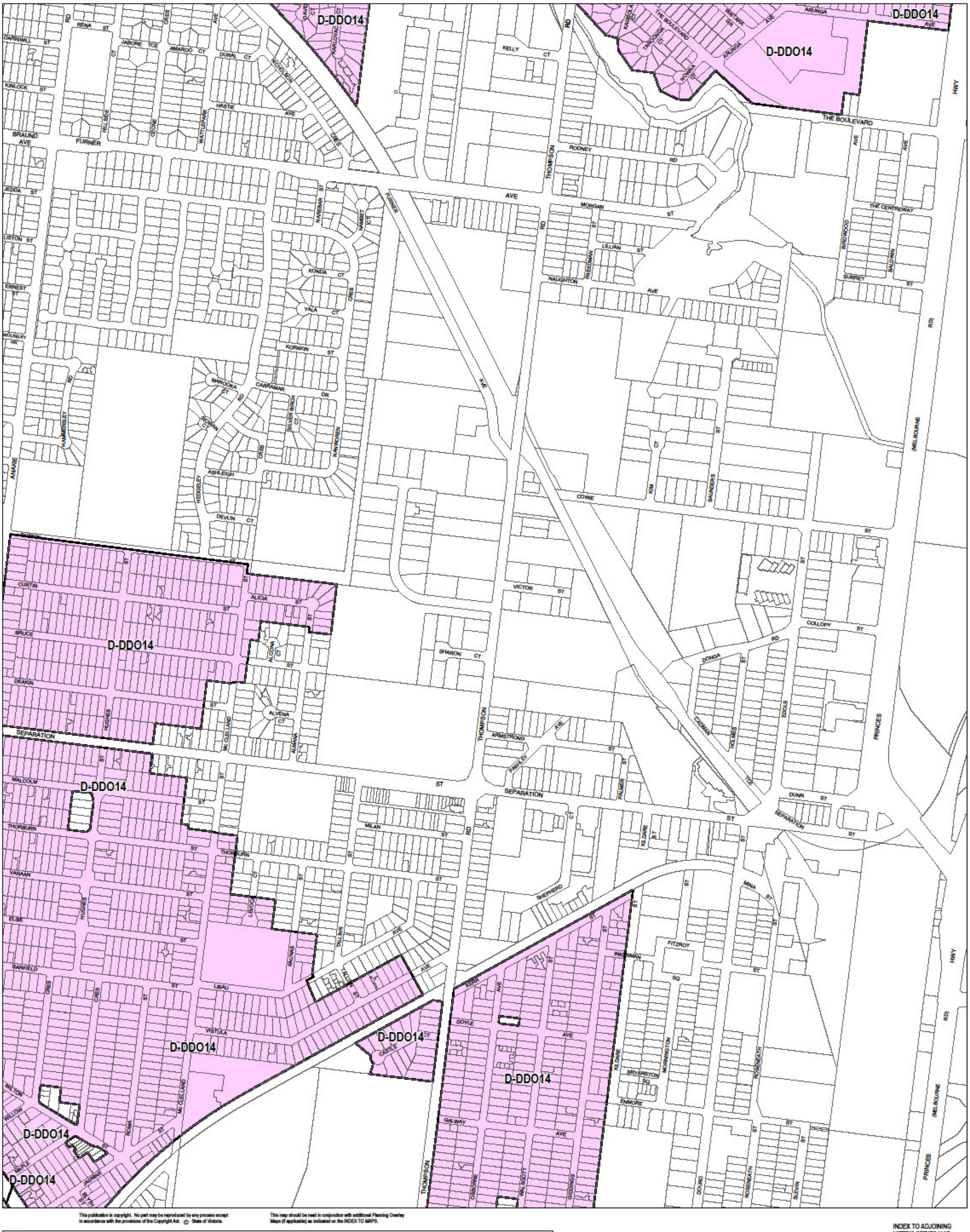
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100 0 100 200 300 400 500 m
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100 0 100 200 300 400 500 m

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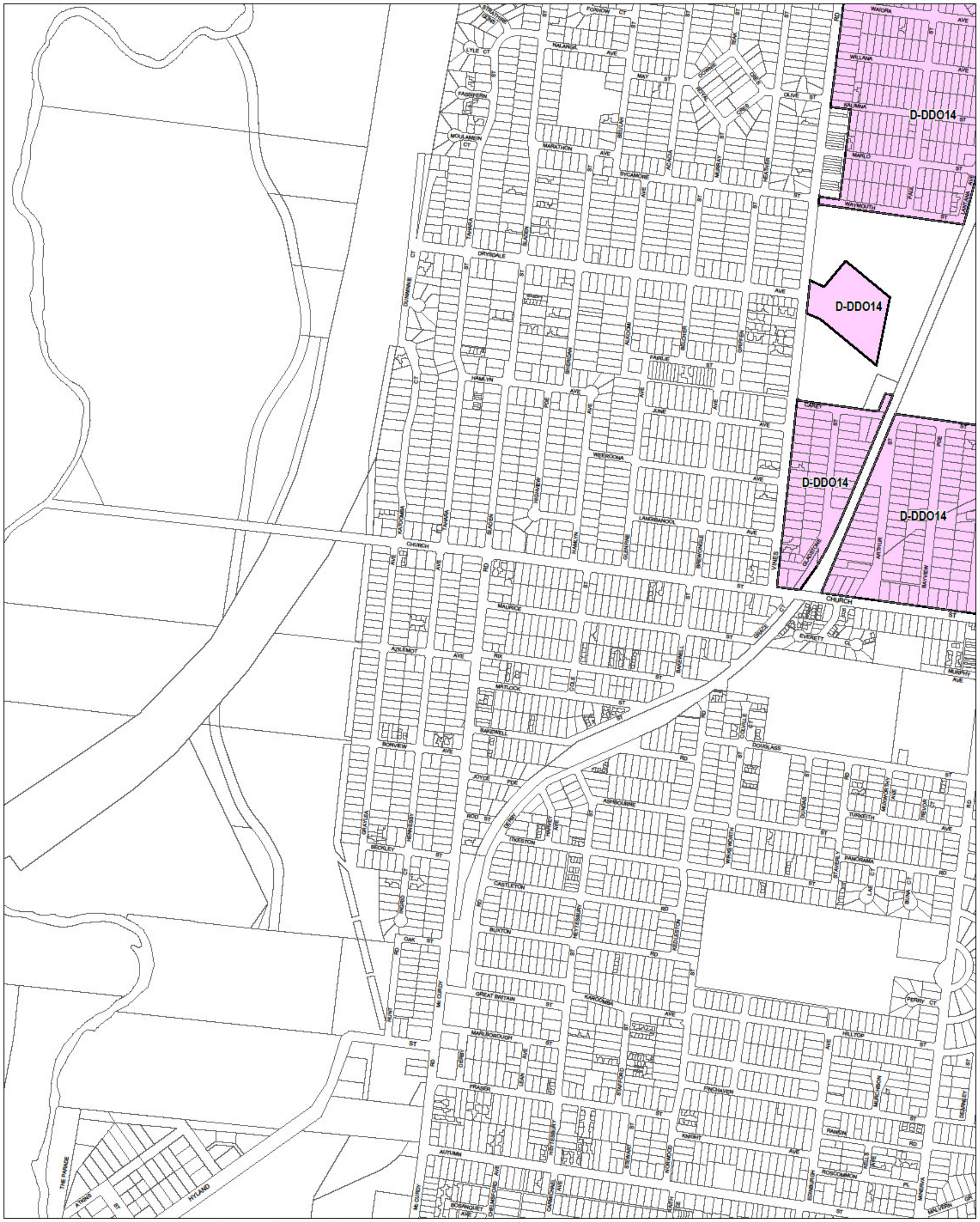
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100 0 100 200 300 400 500 m

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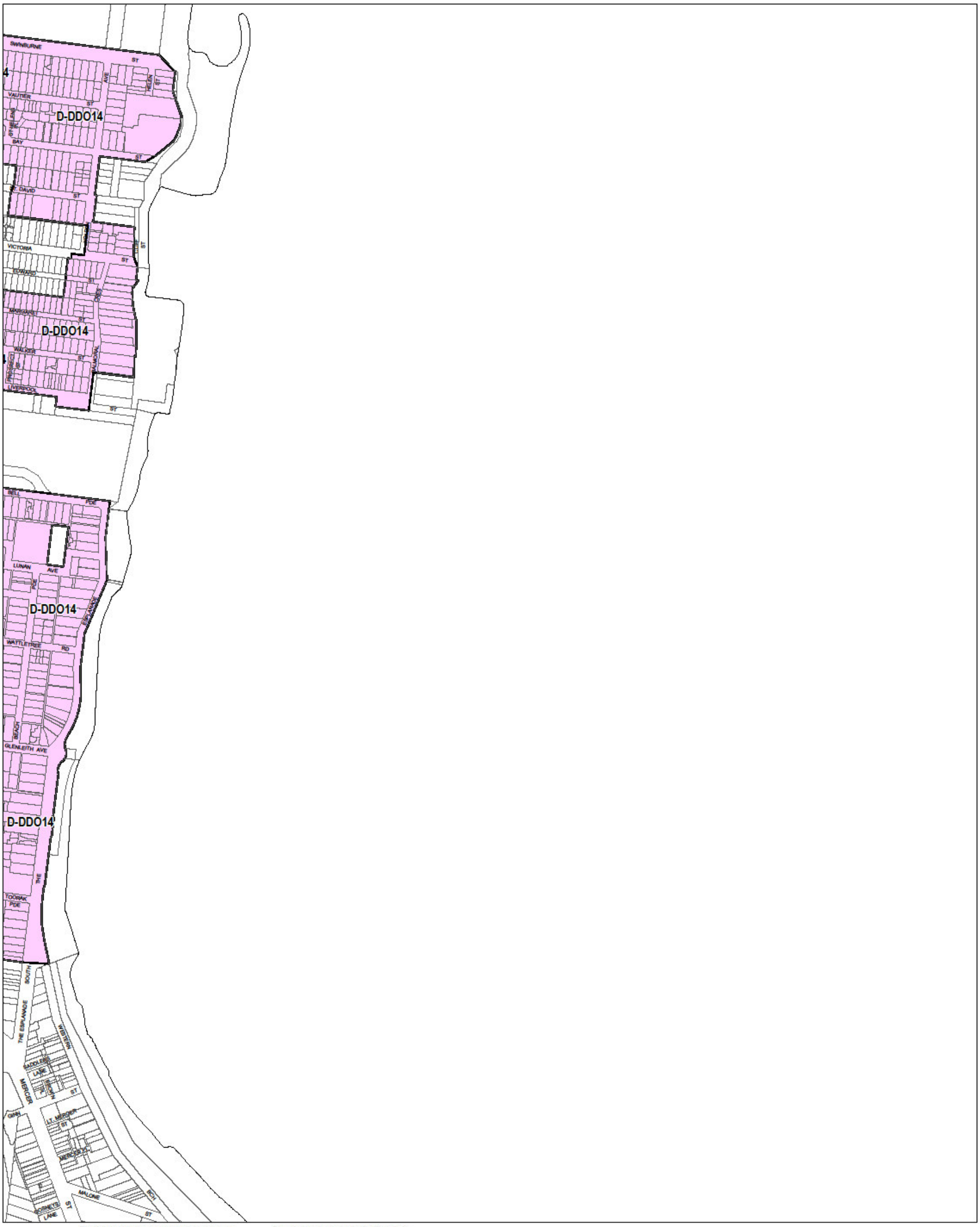
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200 0 200 400 600 800 1000 m

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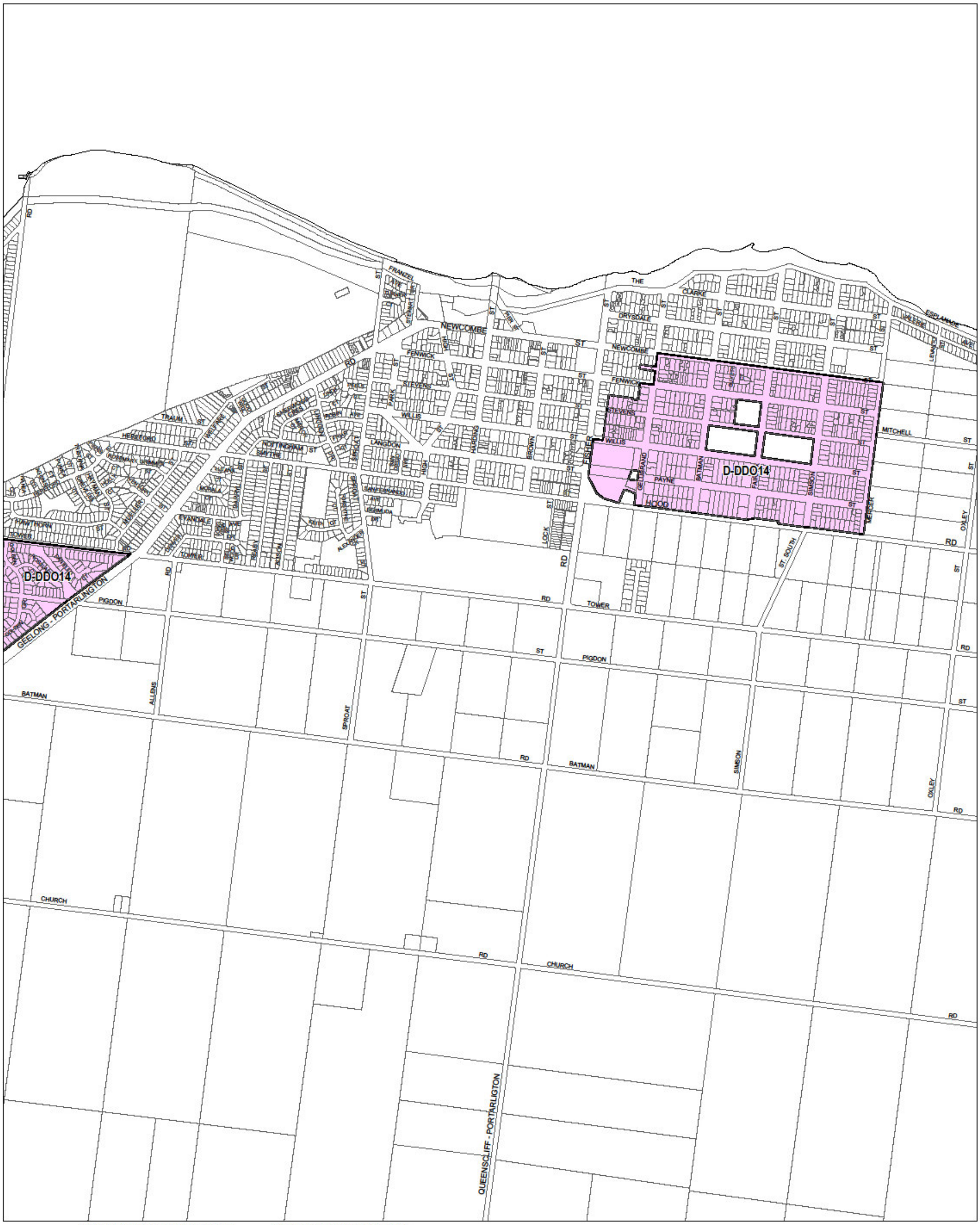
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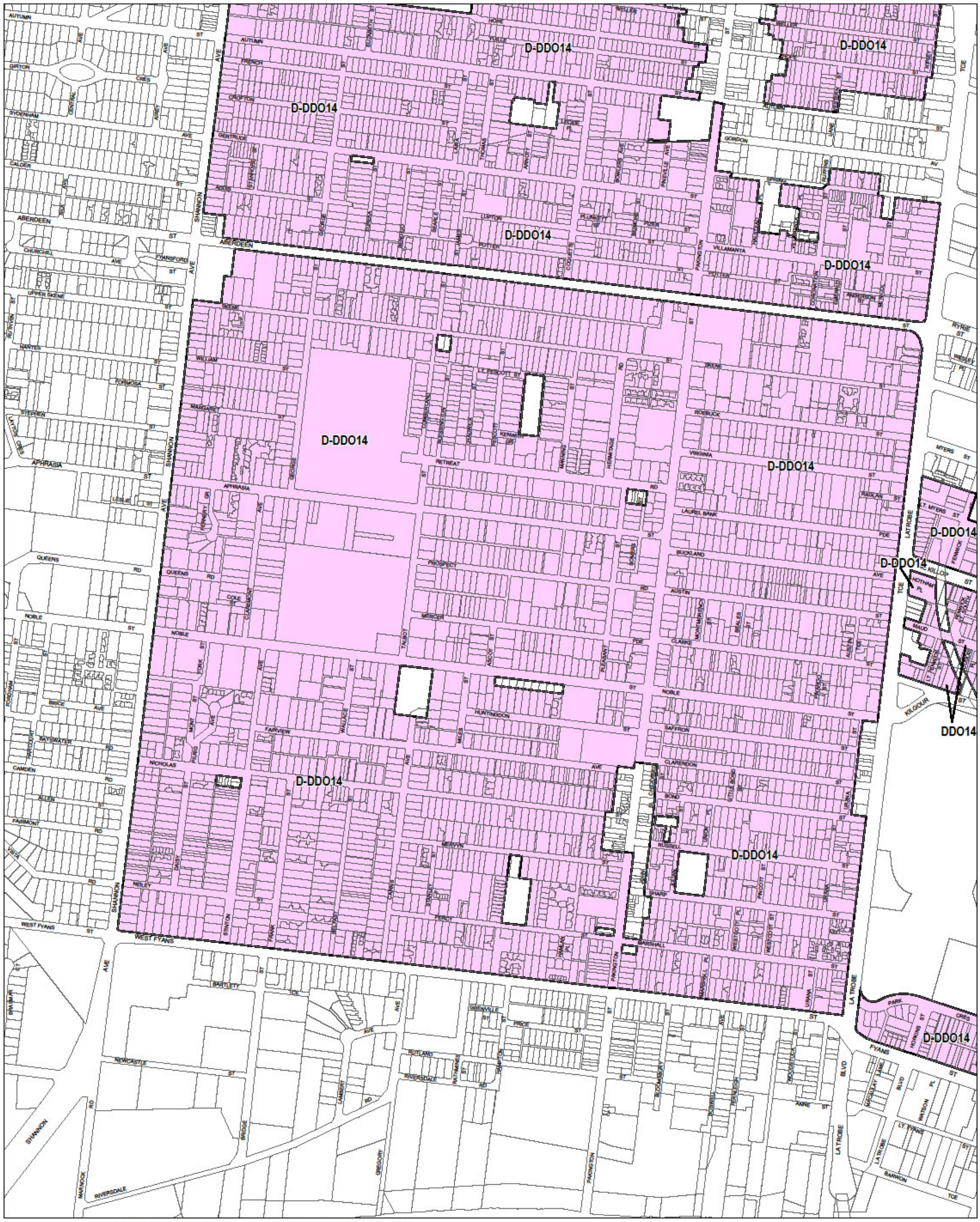
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100 0 100 200 300 400 500 m

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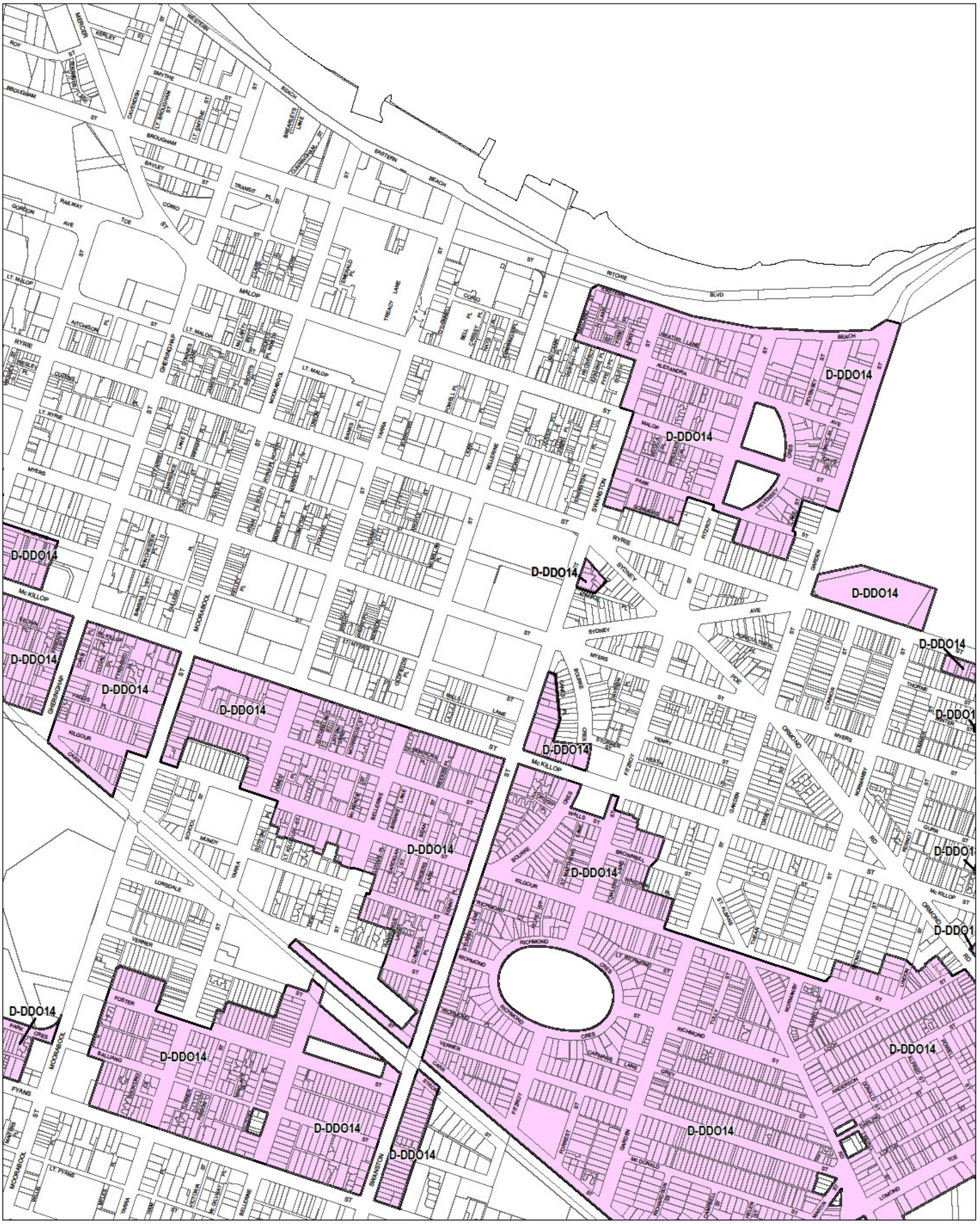
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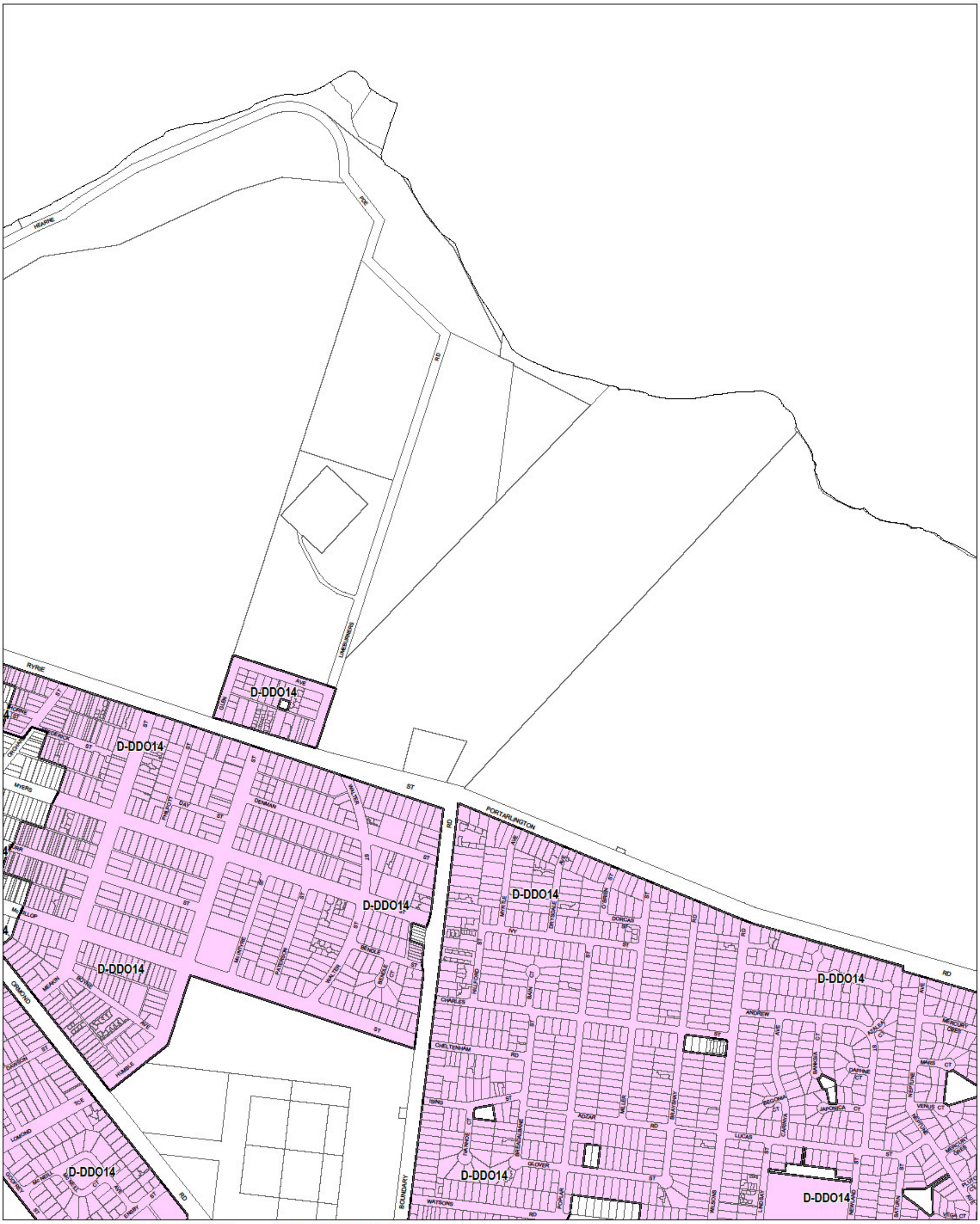
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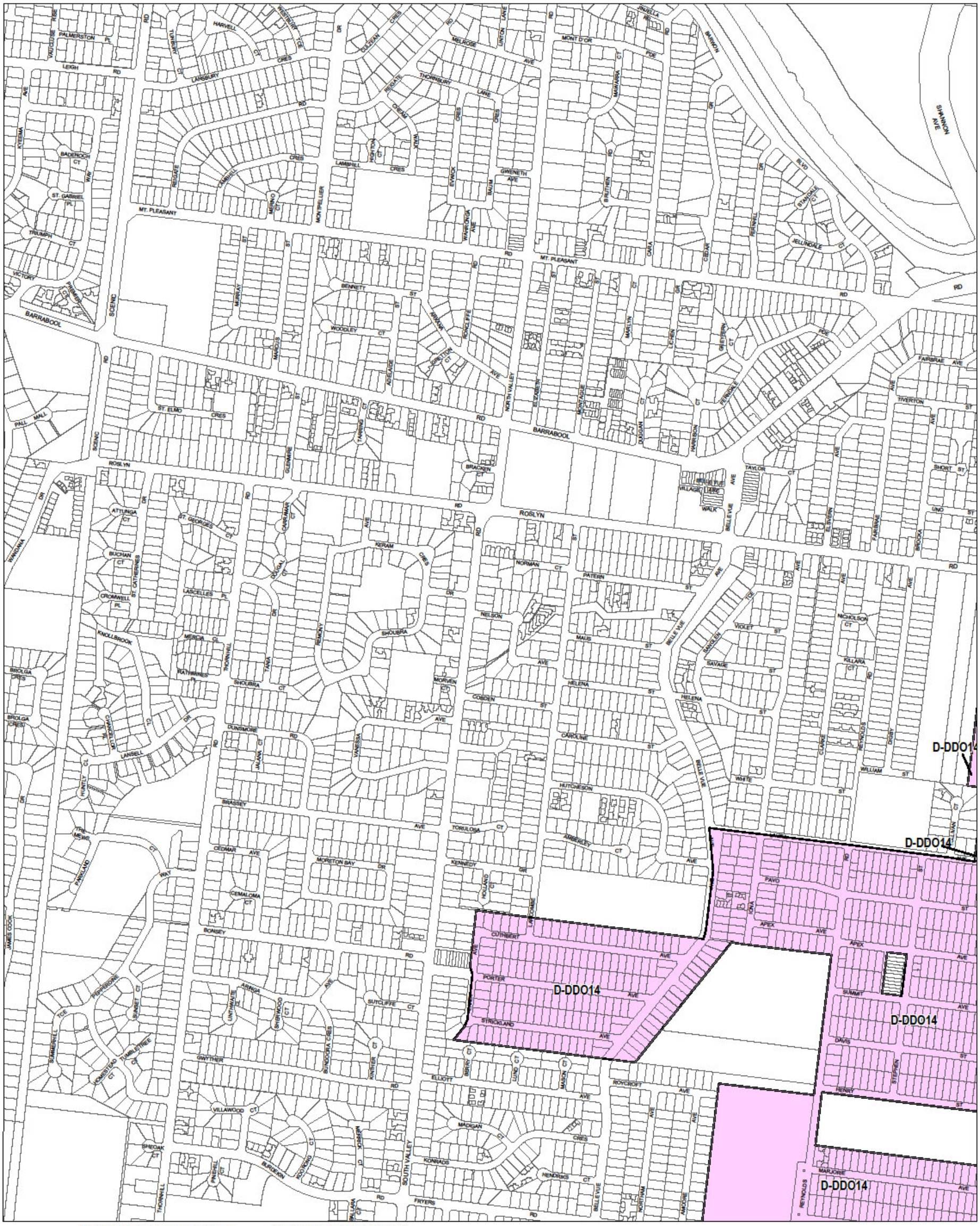
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100 0 100 200 300 400 500 m
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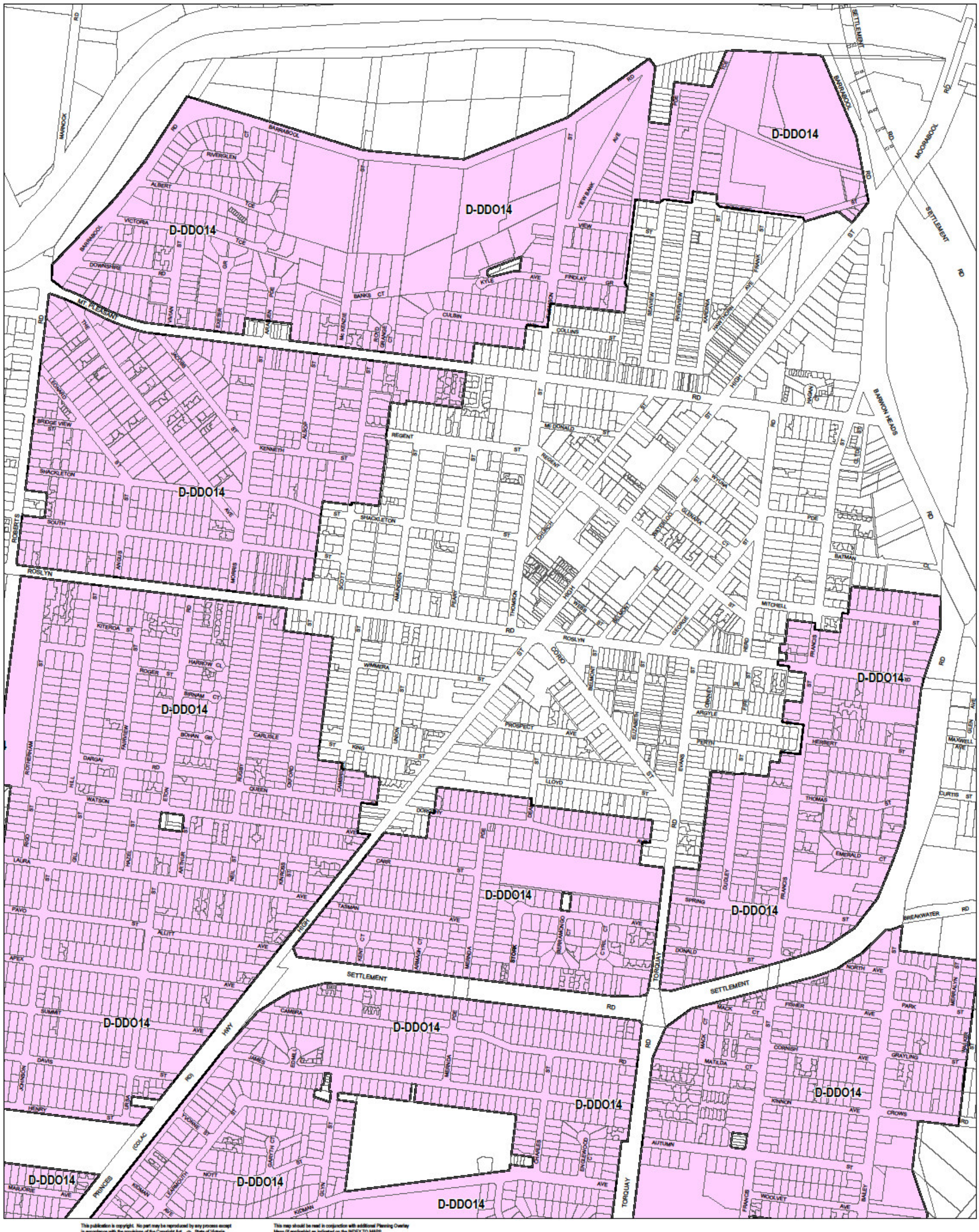
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100 0 100 200 300 400 500 m

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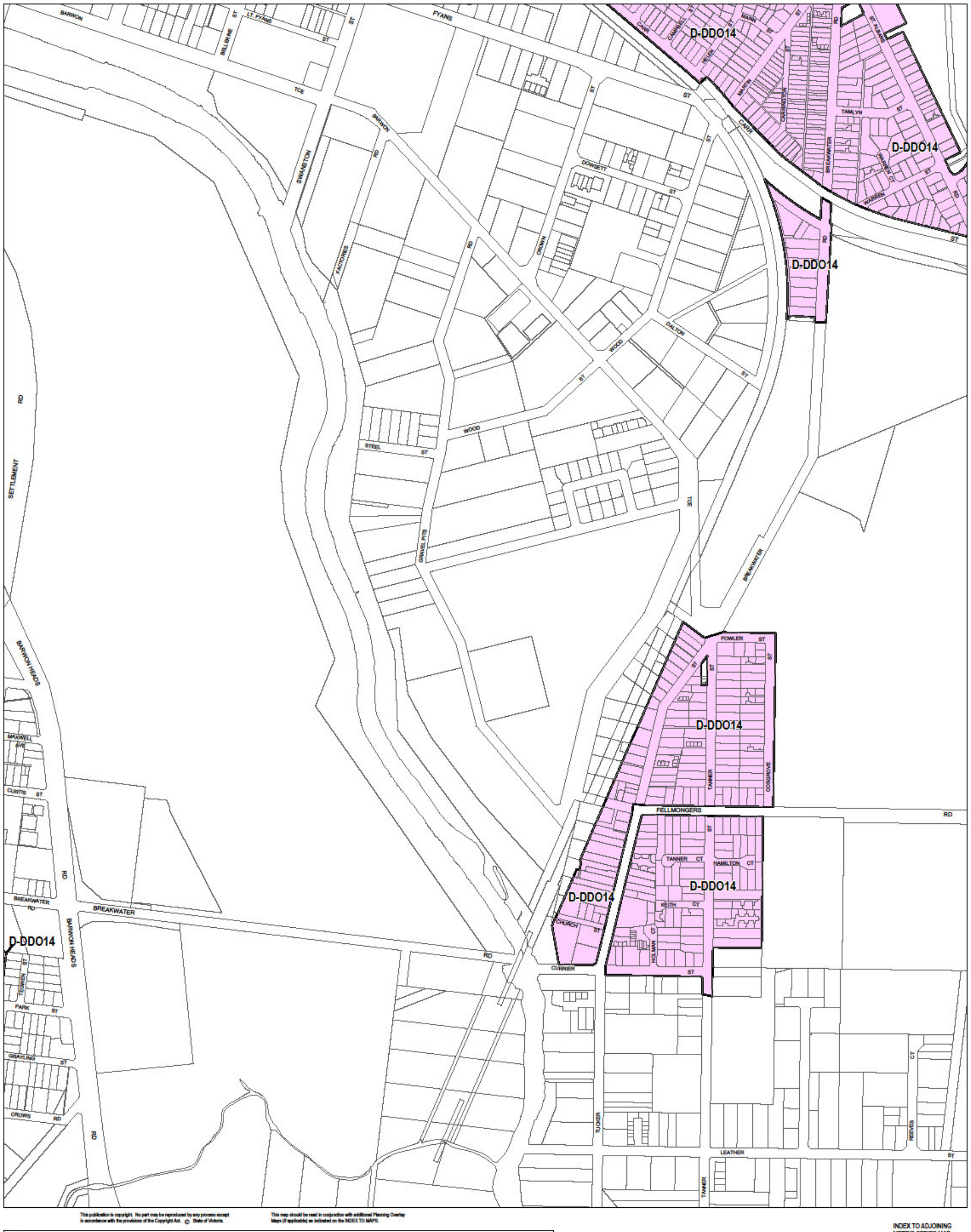
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100 0 100 200 300 400 500 m

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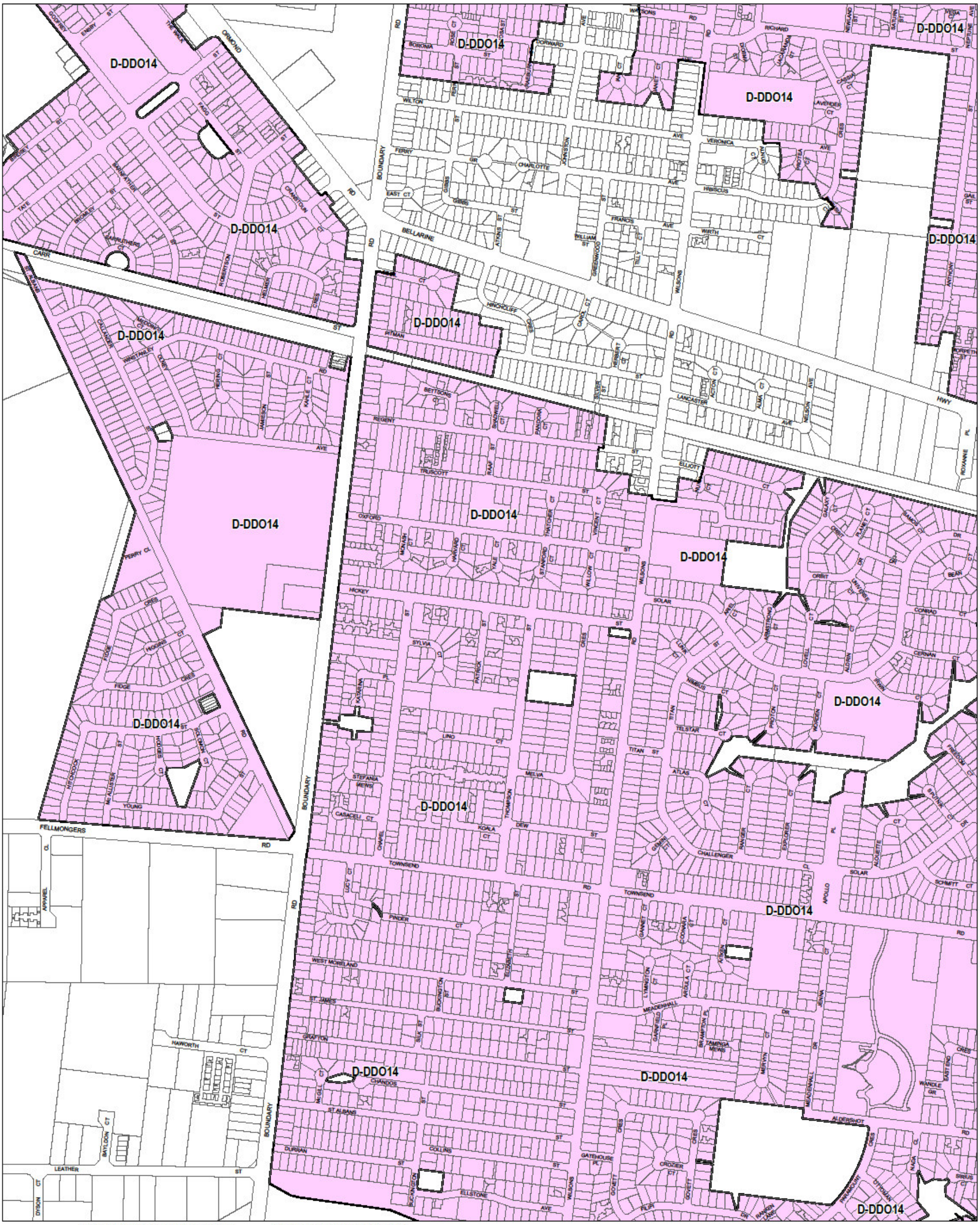
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100 0 100 200 300 400 500 m

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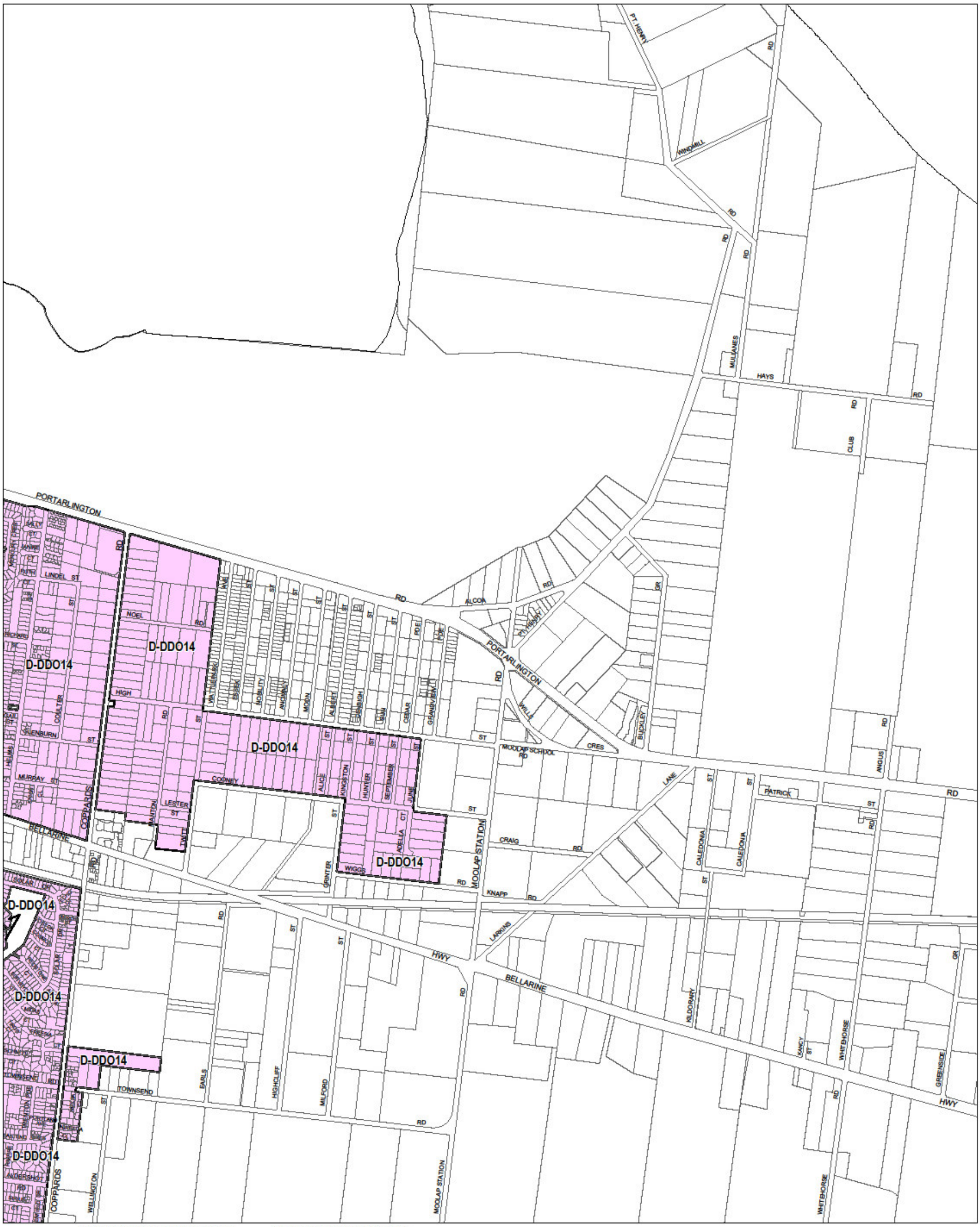
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AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY 14

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Overlays

5000 Area To Be Deleted From A Design And Development Overlay

200 0 200 400 600 800 1000 m

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AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY 14

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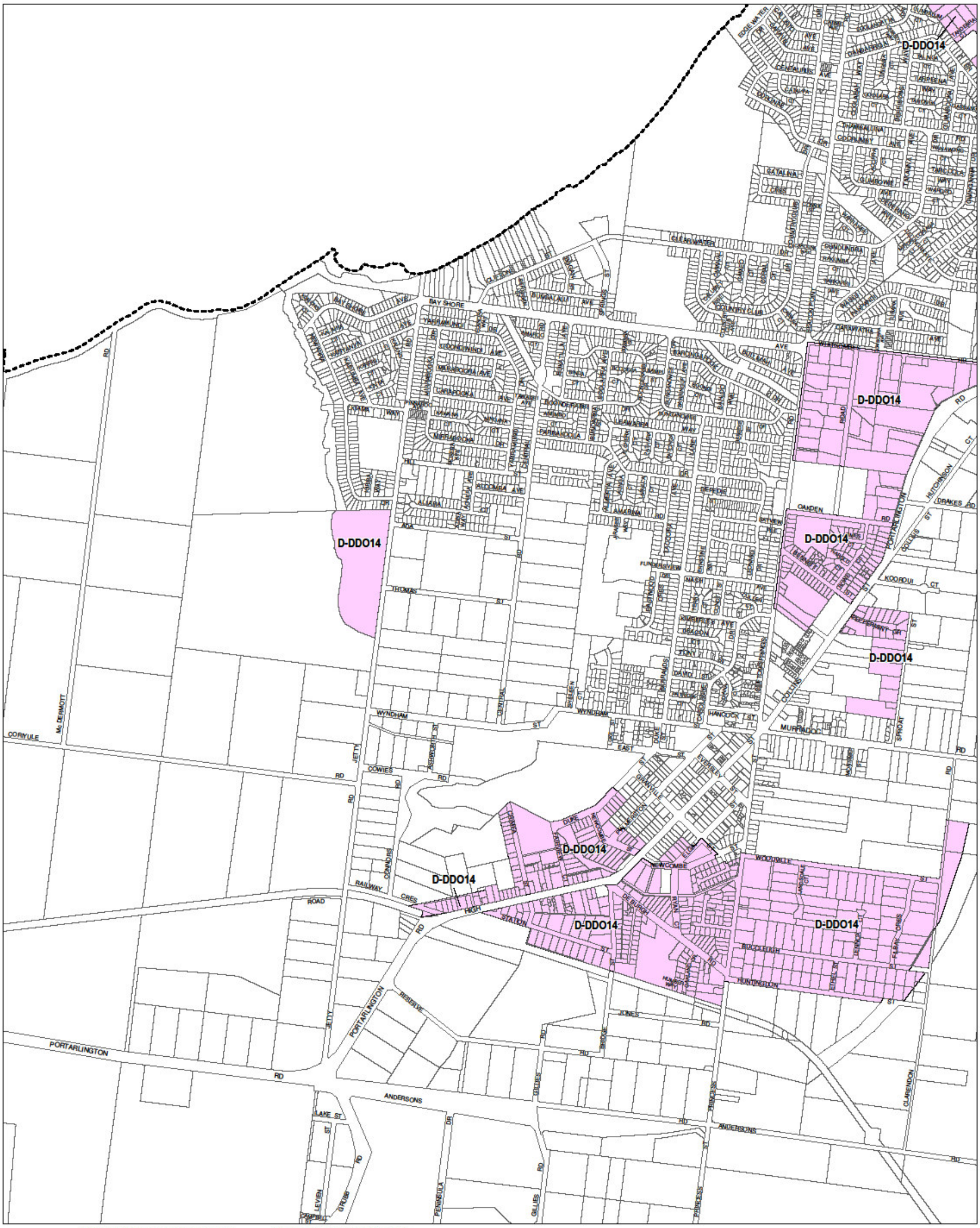
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MAP No 57DDO14

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D-DDO Area To Be Deleted From A Design And Development Overlay

D-DDO14 Area To Be Deleted From A Design And Development Overlay

200 0 200 400 600 800 1000 m

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D-DDO Area To Be Deleted From A Design And Development Overlay

D-DDO14 Area To Be Deleted From A Design And Development Overlay

200 0 200 400 600 800 1000 m

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Victoria

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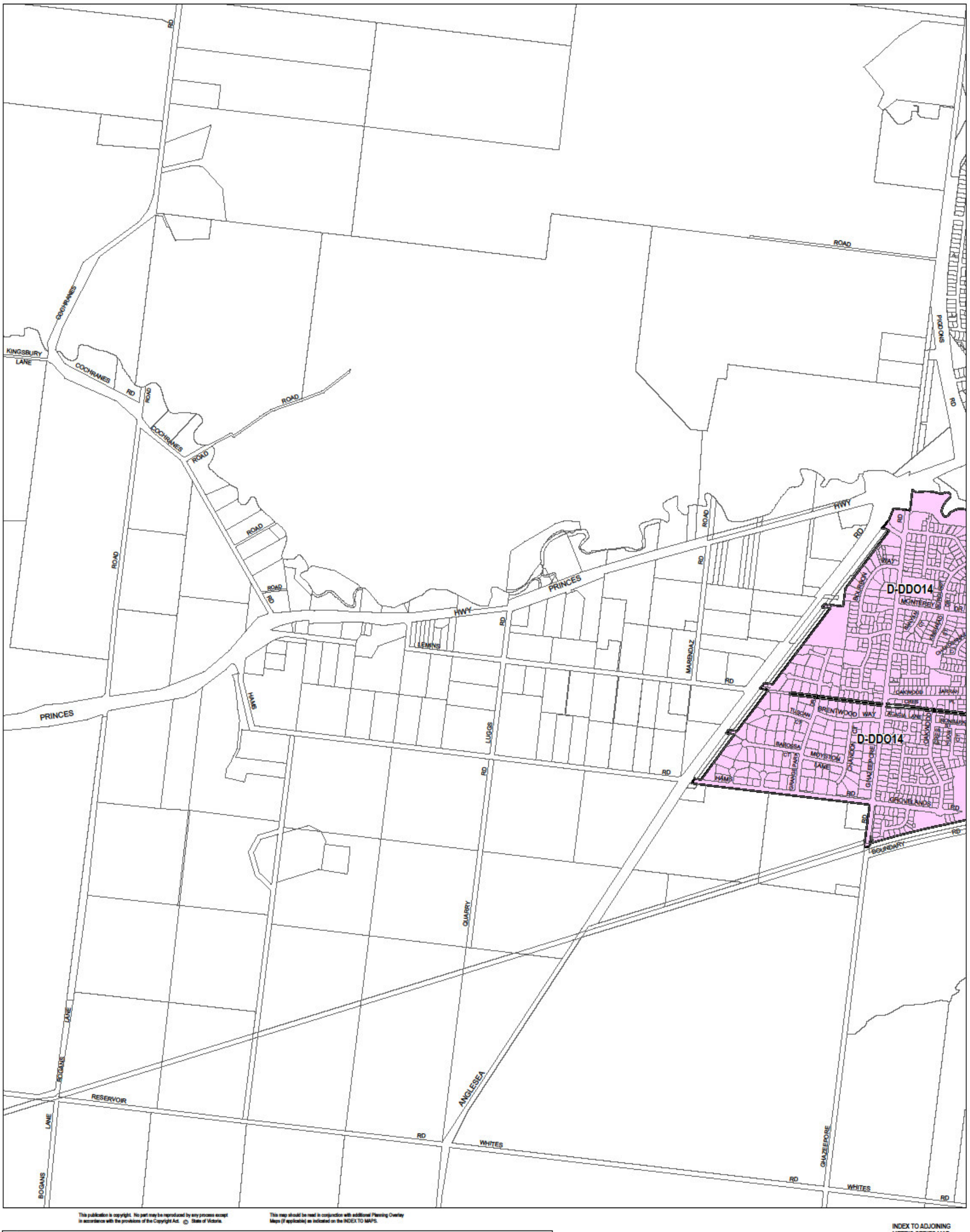
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200 0 200 400 600 800 1000 m

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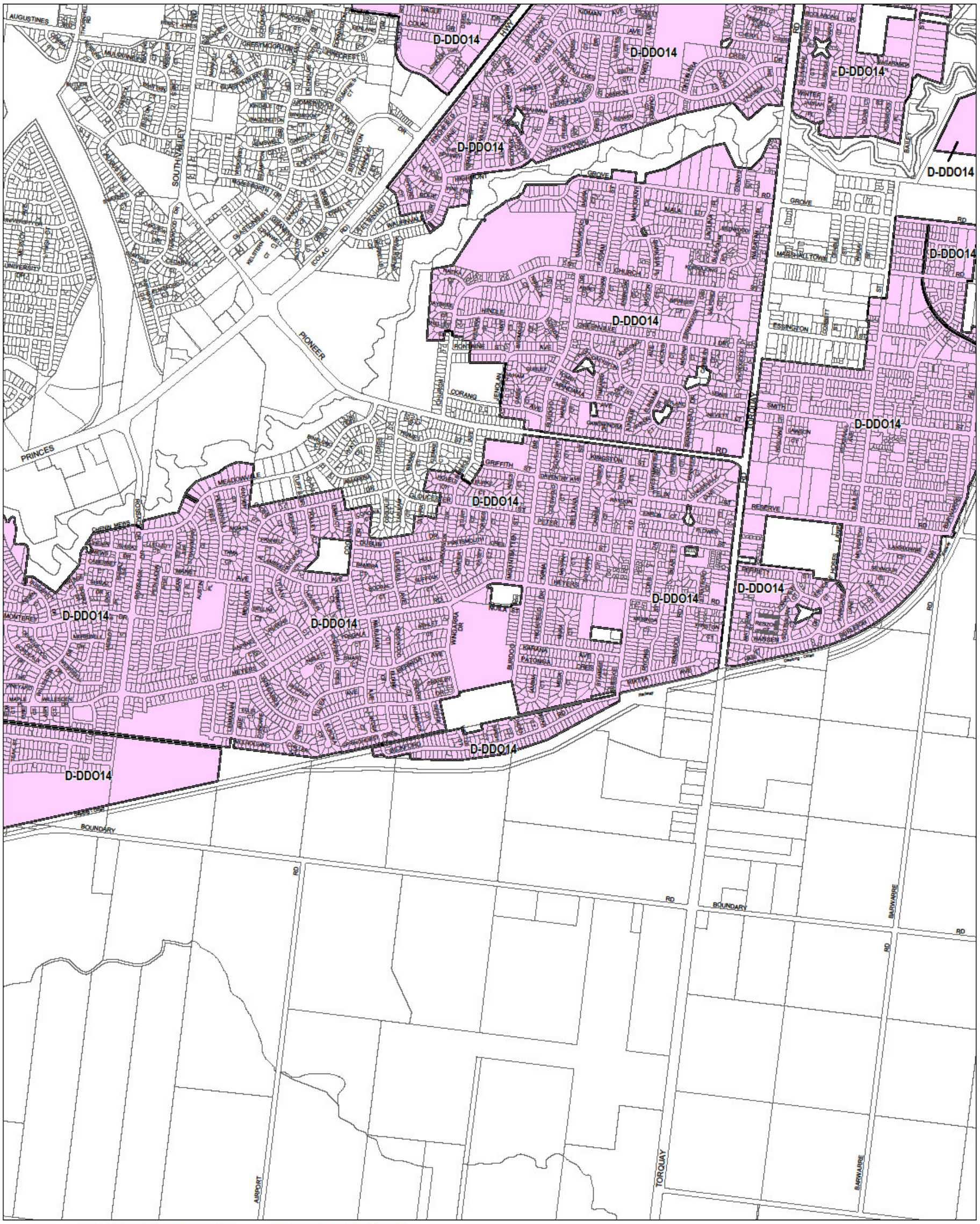
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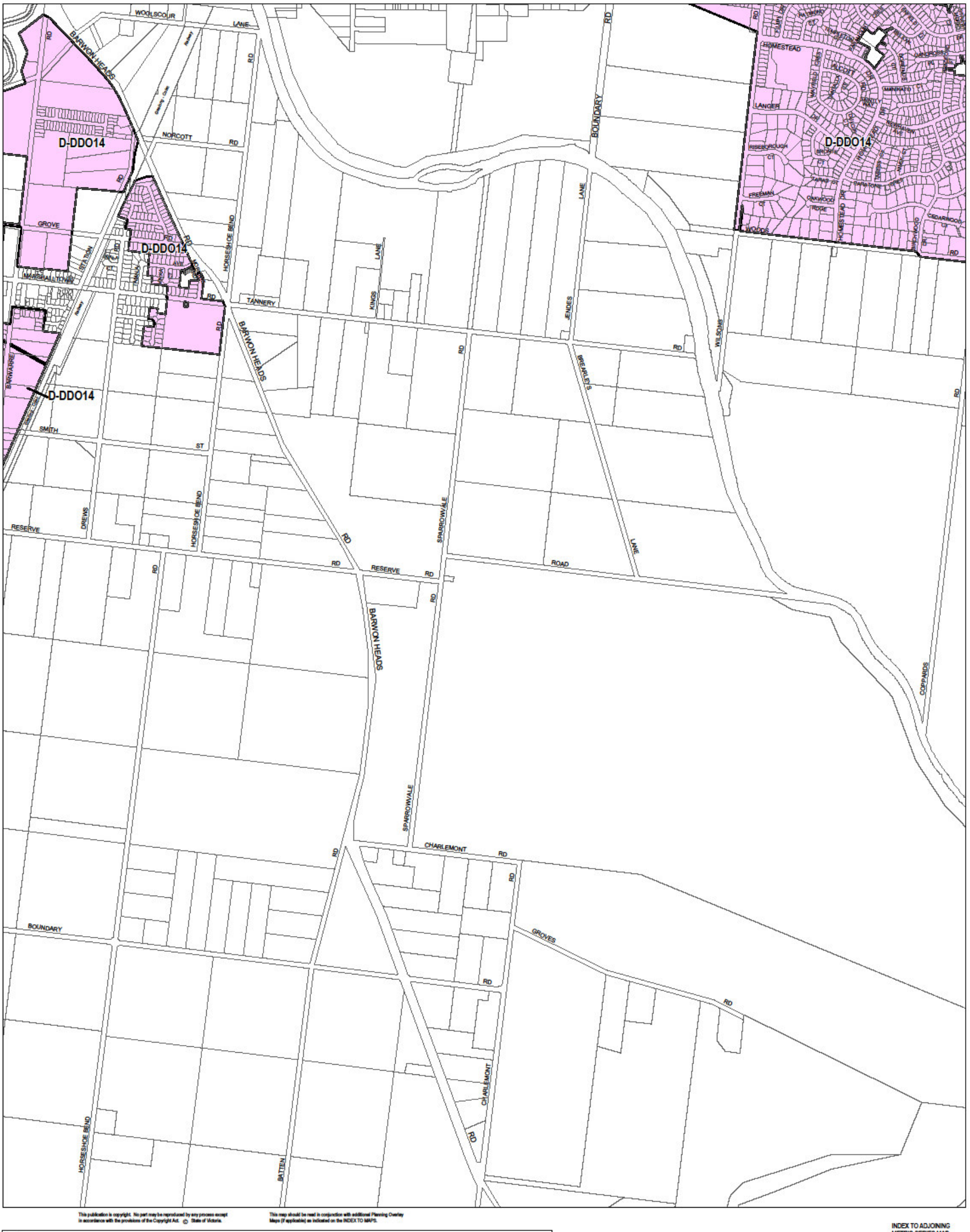
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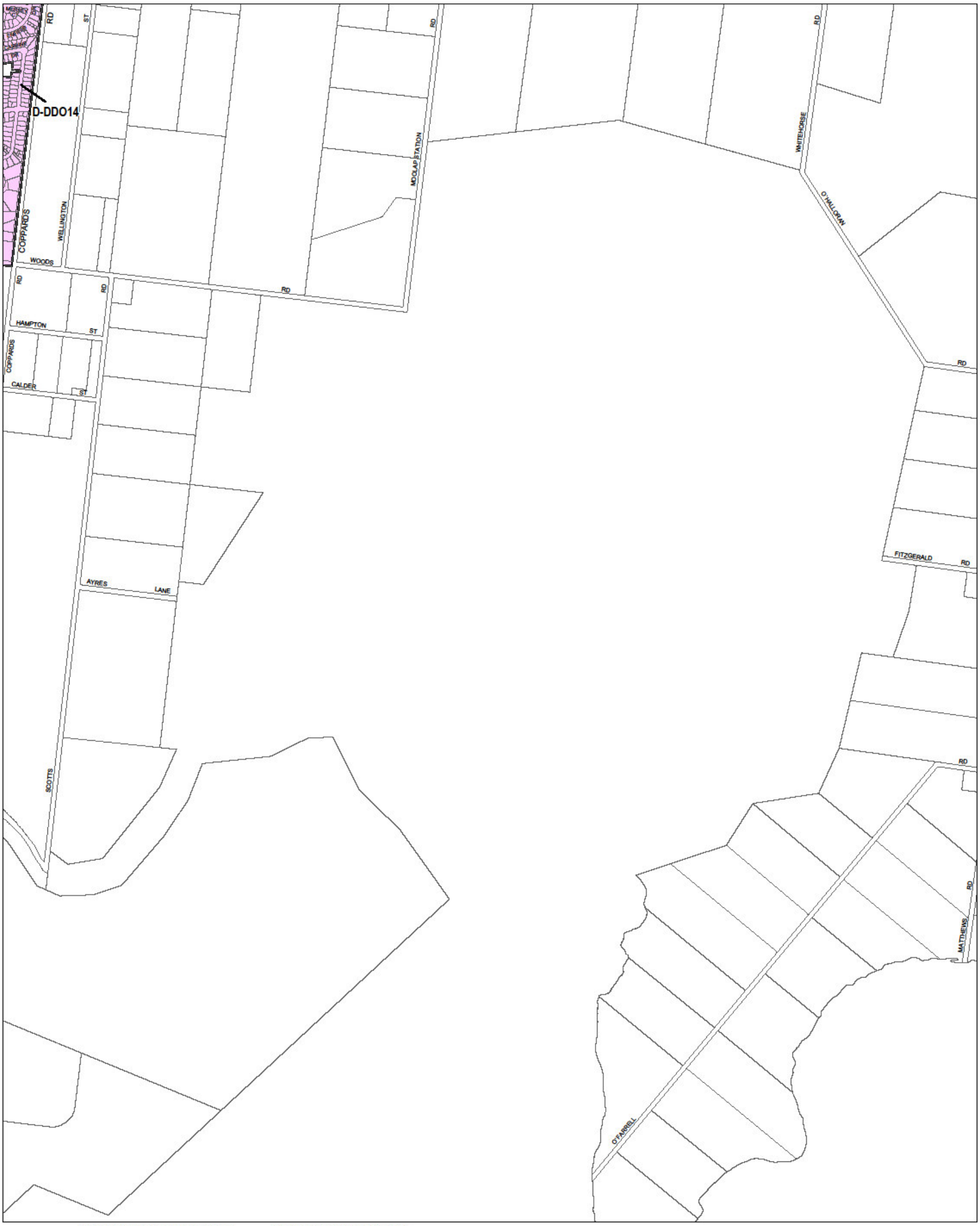
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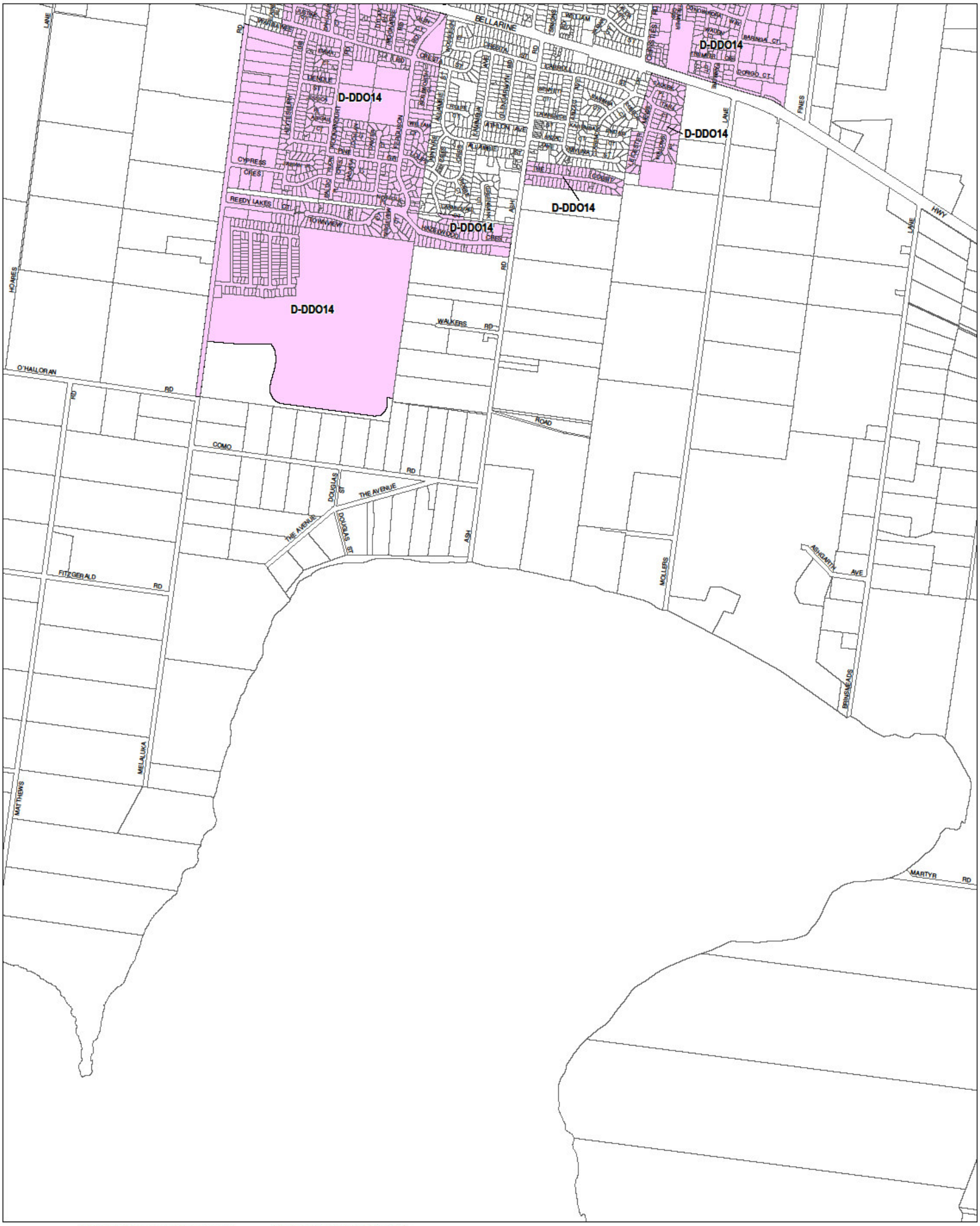
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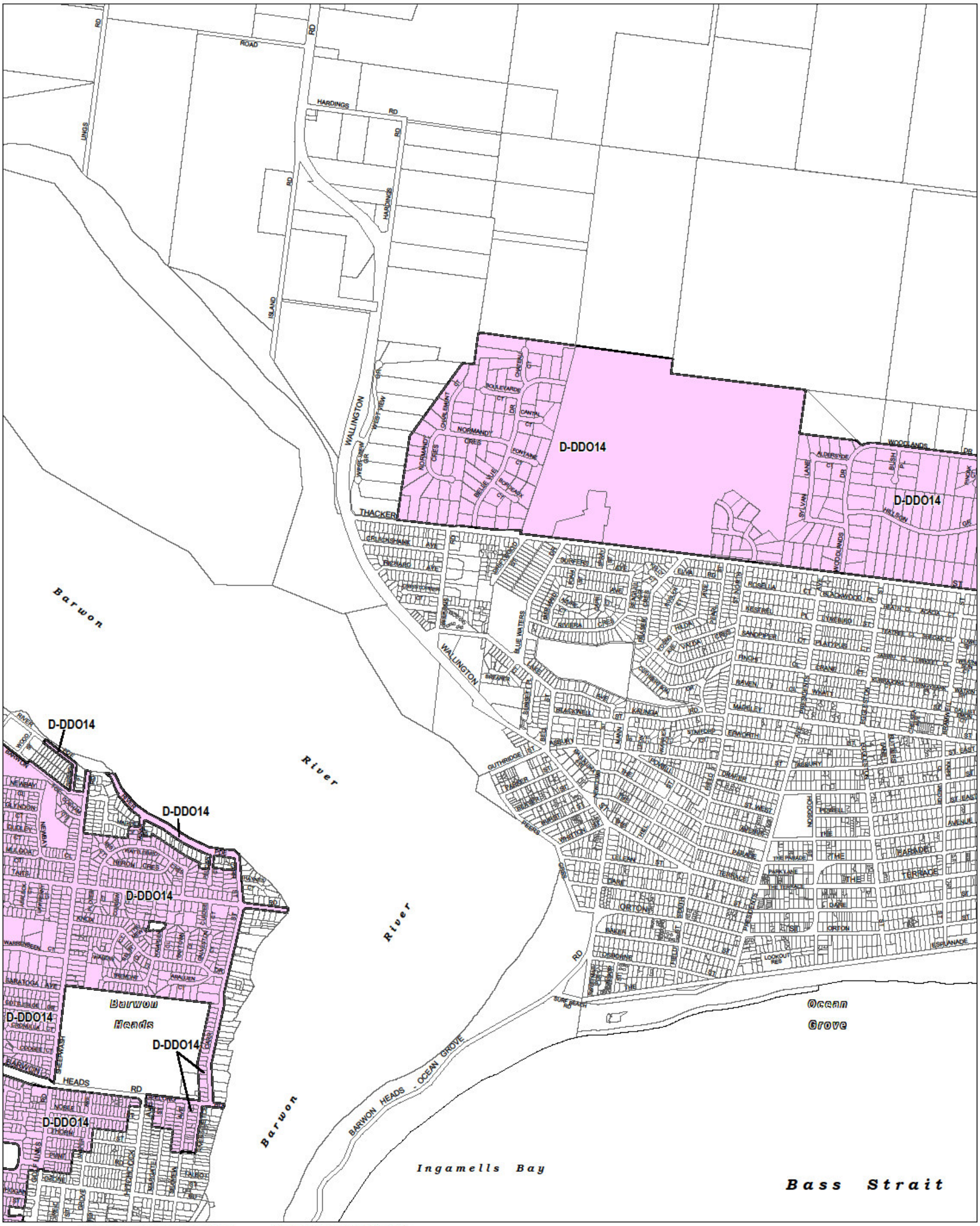
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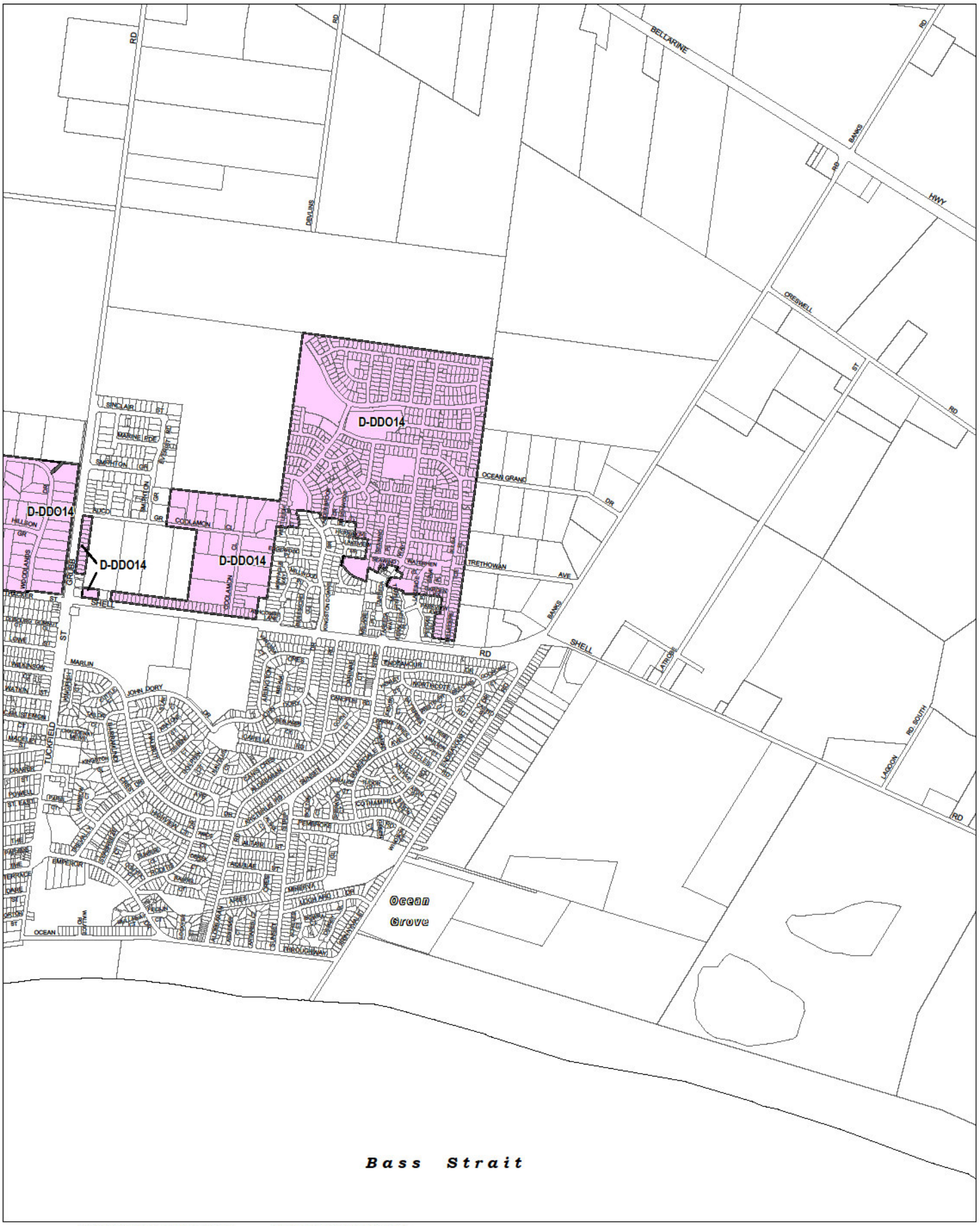
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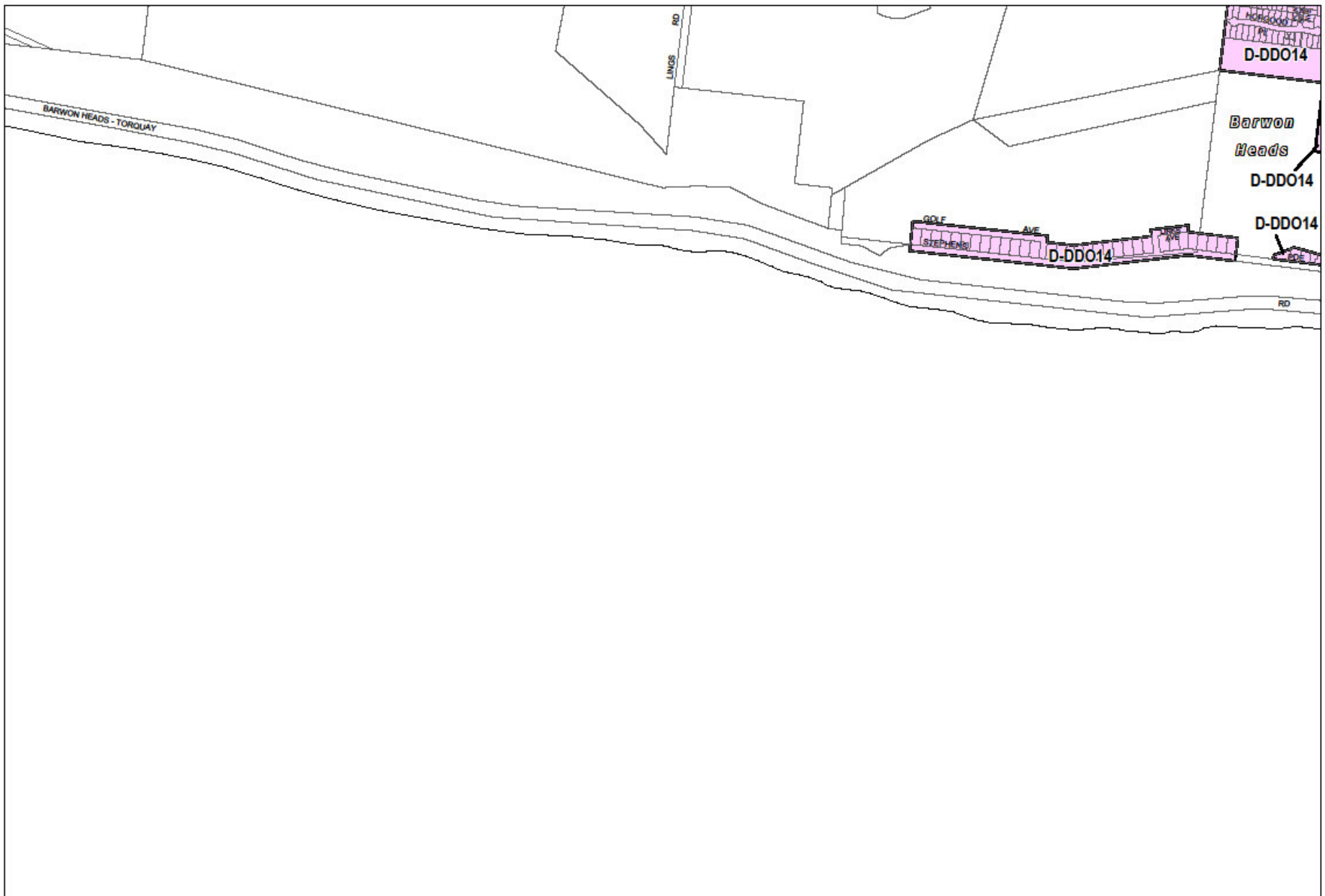
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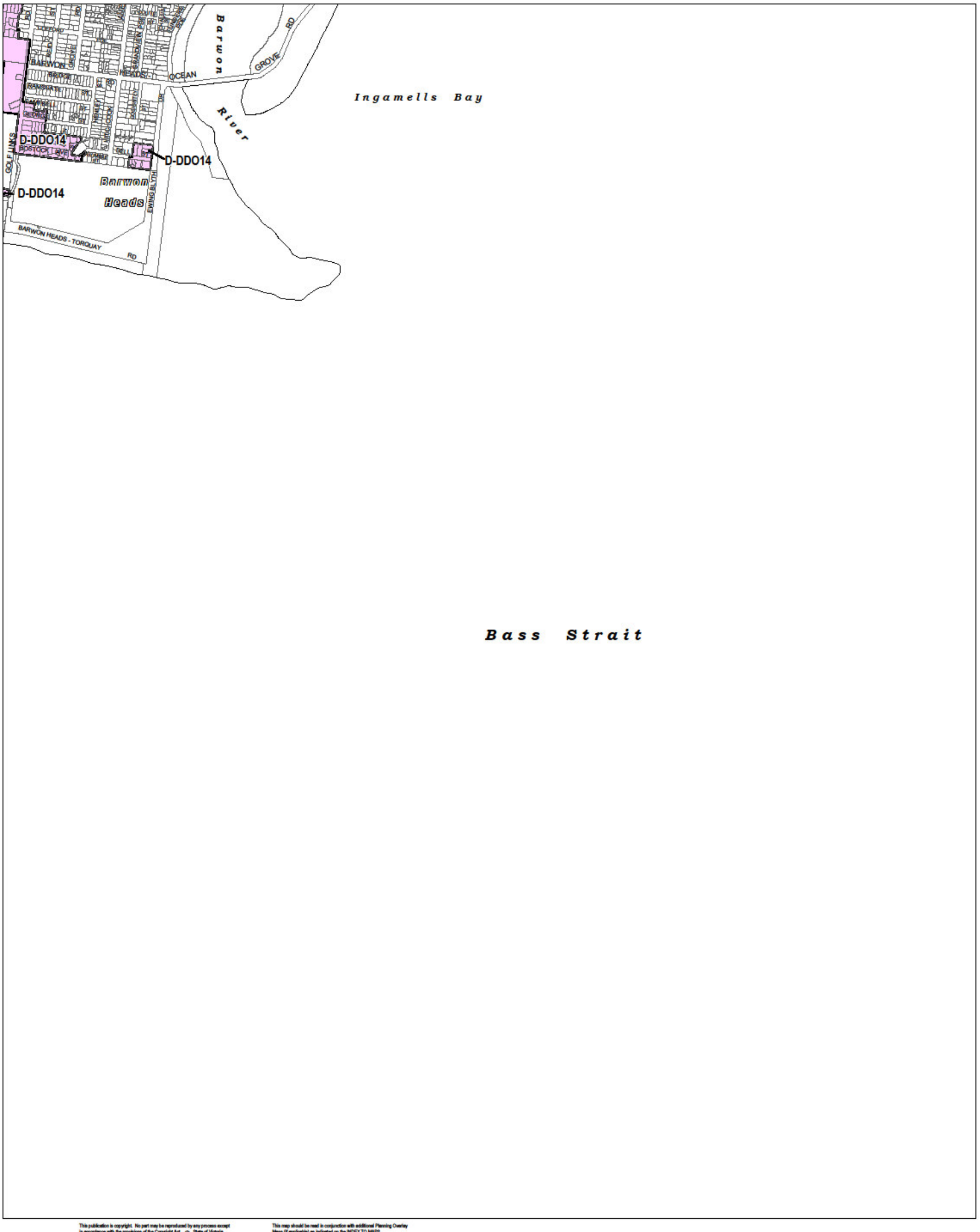
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N

State Government Victoria

Printed: 1/9/2011

AMENDMENT C245

AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY 14

MAP No 88DDO14

GREATER GEELONG PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Overlays

DDO14 Design And Development Overlay - Schedule 14

200 0 200 400 600 800 1000 m

AUSTRALIAN MAP GRID ZONE 55

INDEX TO ADJOINING METRIC SERIES MAP

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State Government Victoria

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DDO14 Design And Development Overlay - Schedule 14

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AUSTRALIAN MAP GRID ZONE 55

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Overlays

D-DDO14 Area To Be Deleted From A Design And Development Overlay

200 0 200 400 600 800 1000 m

AUSTRALIAN MAP GRID ZONE 55

INDEX TO ADJOINING METRIC SERIES MAP

Printed: 15/9/2011

AMENDMENT C245

AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY 14

MAP No 41DDO14

Appendix 2 –Consolidated DDO14 Deletion Maps



LEGEND

- PROPOSED DDO14
- AREA PROPOSED TO BE DELETED FROM EXISTING DDO14
- PUBLIC OPEN SPACE
- INCREASED HOUSING DIVERSITY AREAS

0 100 200 400 600 800 M

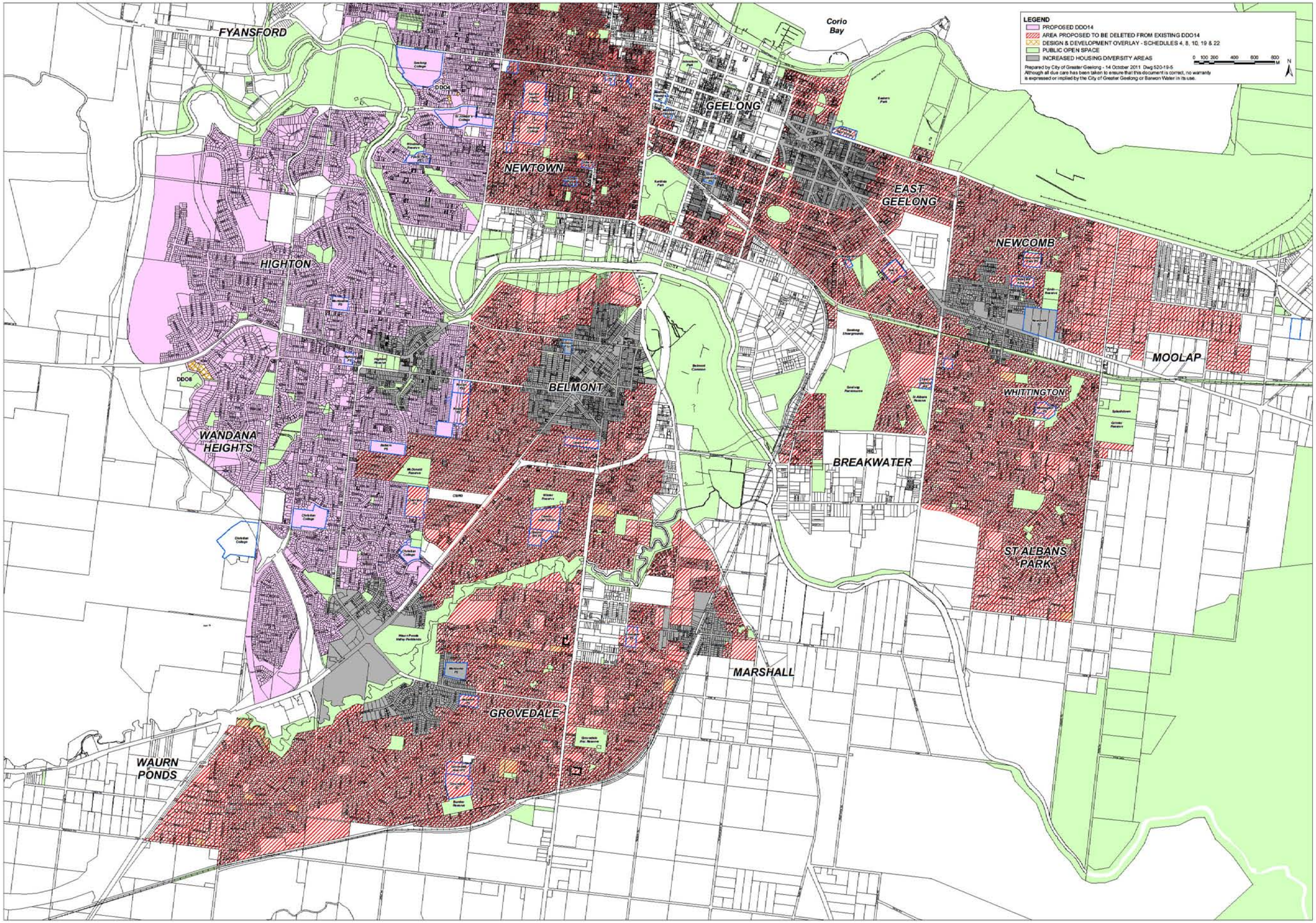
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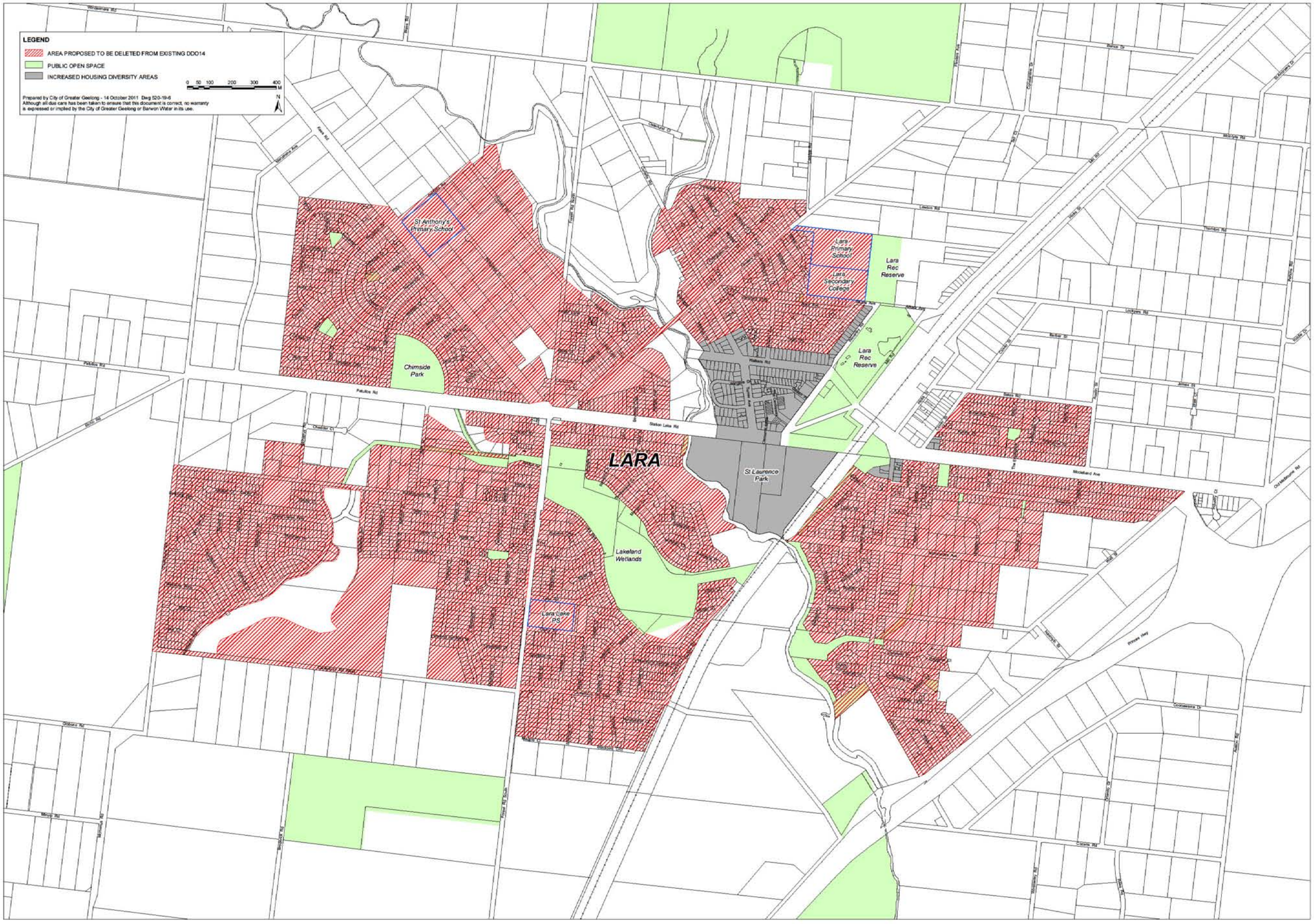
Prepared by City of Greater Geelong - 14 October 2011 Dwg 520-19-3
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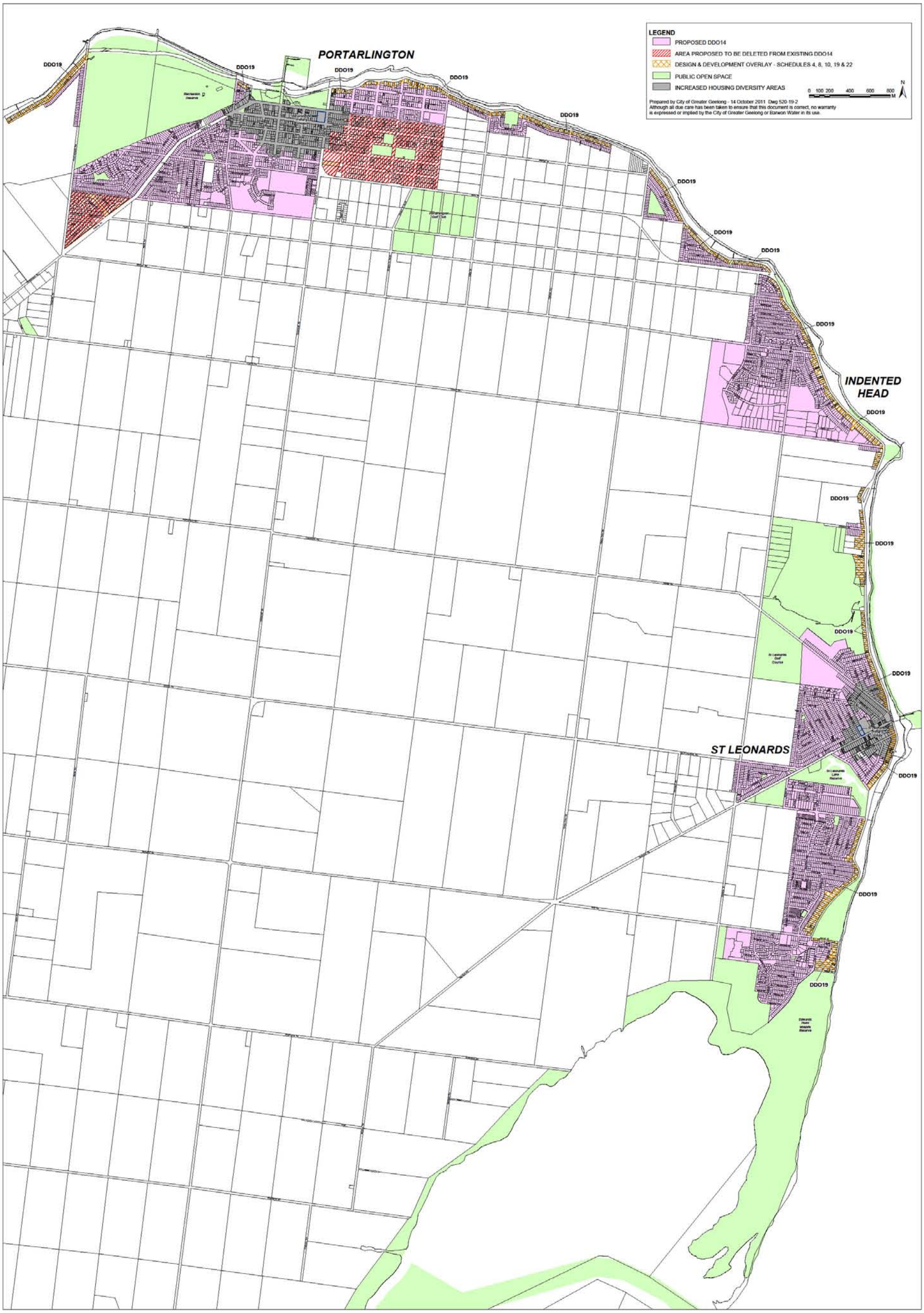
CLIFTON SPRINGS

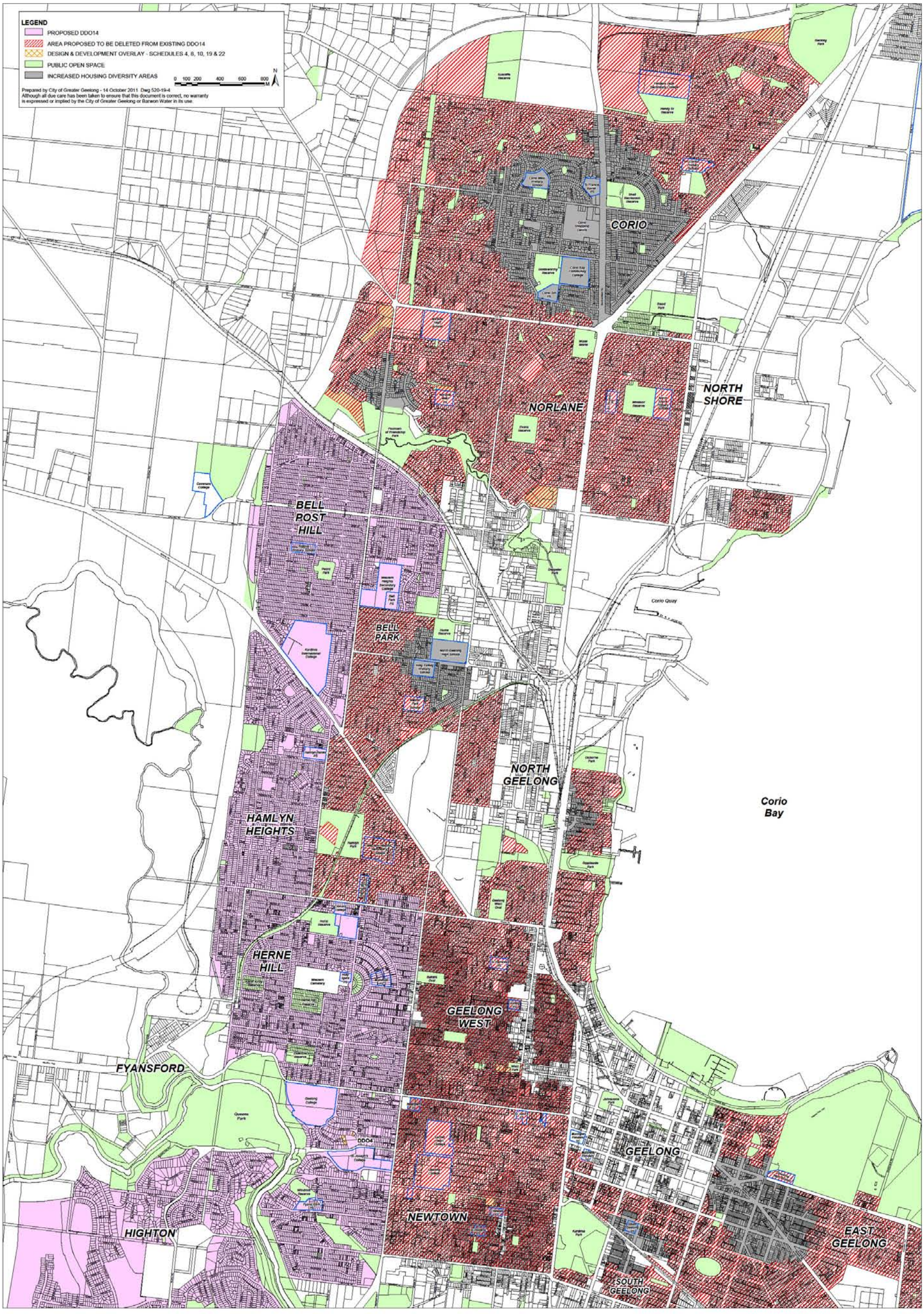
DRYSDALE

LEOPOLD


LEGEND
PROPOSED DDO14
AREA PROPOSED TO BE DELETED FROM EXISTING DDO14
DESIGN & DEVELOPMENT OVERLAY - SCHEDULES 4, 8, 10, 19 & 22
PUBLIC OPEN SPACE
INCREASED HOUSING DIVERSITY AREAS
0 100 200 400 600 800 M
N
Prepared by City of Greater Geelong - 14 October 2011 Dwg 520-19-5
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FYANSFORD
Corio Bay
GEELONG
NEWTOWN
EAST GEELONG
NEWCOMB
MOOLAP
HIGHTON
BELMONT
WHITTINGTON
WANDANA HEIGHTS
BREAKWATER
ST ALBANS PARK
MARSHALL
GROVEDALE
WAURN PONDS
DDO4
DDO8


LEGEND
AREA PROPOSED TO BE DELETED FROM EXISTING DDO14
PUBLIC OPEN SPACE
INCREASED HOUSING DIVERSITY AREAS
0 50 100 200 300 400 M
N
Prepared by City of Greater Geelong - 14 October 2011 Dwg 520-19-6
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LARA
St Anthony's Primary School
Chirnside Park
Lara Primary School
Lara Secondary College
Lara Rec Reserve
Lara Rec Reserve
St Laurence Park
Lakeland Wetlands
Lara Lake PS
Station Lake Rd
Pellatoa Rd
Lara Rd
Lewson Rd
Thornton Rd
Lockyers Rd
Micaldown Ave
Old Melbourne Rd
Princes Hwy
Gnotuk Rd
Ballan Rd
Ogilvies Rd
Morgan Rd
Boundary Rd
Hoon Rd South
Williams Rd
Bunker St
Mill St
Main St
Church St
Alfred Ave
Chandler Ct
Oakland Ct
Windermere Ave
Hoon Rd North
Bells Rd
Mount Rd
Wallace Rd
Bertram St
Kerrs Rd
Williams St
Kelvin St
Rowan St
Ross Ave
Hall St
Mill Rd
Bell St
Bruce St
Grogans Rd
Ash St
Jones St
Hall Rd
Lodge St
Apollo Rd
Mid Rd
Mid Dr
Mid Cres
Mid Way Rd
Bruce Dr
Blackburn Dr
Hoon Rd South
Kerrs Rd
Williams Rd
Bunker St
Mill St
Alfred Ave
Micaldown Ave
Princes Hwy
Gnotuk Rd
Ballan Rd
Lockyers Rd
Lewson Rd
Thornton Rd
Apollo Rd
Lodge St
Hall St
Jones St
Old Melbourne Rd
Bruce Dr
Mid Way Rd
Mid Dr
Mid Cres
Grogans Rd
Ash St
Rowan St
Kelvin St
Williams St
Bertram St
Wallace Rd
Boundary Rd
Morgan Rd
Mount Rd
Ogilvies Rd
Hoon Rd South
Kerrs Rd
Bells Rd
Pellatoa Rd
Station Lake Rd
Chandler Ct
Oakland Ct
Windermere Ave
Hoon Rd North
Lara Rd


LEGEND
PROPOSED DDO14
AREA PROPOSED TO BE DELETED FROM EXISTING DDO14
DESIGN & DEVELOPMENT OVERLAY - SCHEDULES 4, 8, 10, 19 & 22
PUBLIC OPEN SPACE
INCREASED HOUSING DIVERSITY AREAS
0 100 200 400 600 800 M
N
Prepared by City of Greater Geelong - 14 October 2011 Dwg 520-19-2
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PORTARLINGTON
INDENTED HEAD
ST LEONARDS
DDO19


LEGEND
PROPOSED DDO14
AREA PROPOSED TO BE DELETED FROM EXISTING DDO14
DESIGN & DEVELOPMENT OVERLAY - SCHEDULES 4, 8, 10, 19 & 22
PUBLIC OPEN SPACE
INCREASED HOUSING DIVERSITY AREAS
0 100 200 400 600 800 M
N
Prepared by City of Greater Geelong - 14 October 2011 Dwg 520-19-4
Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong or Barwon Water in its use.
CORIO
NORLANE
NORTH SHORE
BELL POST HILL
BELL PARK
NORTH GEELONG
HAMLYN HEIGHTS
HERNE HILL
GEELONG WEST
FYANSFORD
NEWTOWN
GEELONG
EAST GEELONG
SOUTH GEELONG
HIGHTON
Corio Bay
Corio Quay
DDO4

2. AMENDMENT C239 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY IN CERES, ANAKIE AND BATESFORD – ADOPTION OF AMENDMENT

Portfolio:	**Planning – Cr Macdonald**
Source:	**Economic Development, Planning Strategy & Tourism – City Development**
General Manager:	**Peter Bettess**
Index Reference:	**Subject: Council Reports 2012** **Application C239: Review of DDO14 for Anakie, Batesford and Ceres Township**

Summary

- This is a report for Council to consider submissions received to Amendment C239.
- Amendment C239 is initiated by Council's Planning Strategy Unit and seeks to change the application of Design and Development Overlay Schedule 14 (DDO14) in Ceres, Batesford and Anakie.
- Amendment C239 implements the findings of the addendum to *"Review of Design and Development Overlay 14 Dwellings over 7.5m in Height"* (November 2010) which assessed how DDO14 has been applied to Anakie, Batesford and Ceres.
- Through policy, permit and site analysis it was determined that DDO14 be retained at Ceres only, and deleted from Anakie and Batesford.
- The Amendment was exhibited between 2 February and 5 March 2012.
- One submission was received from the CFA, offering no objection.
- Amendment C239 complies with State and Local planning policy. It ensures that application of DDO14 is applied in a strategic manner protecting areas with access to views and view sharing only.
- It is recommended that Amendment C239 be adopted as outlined in Appendix 2-1.

Cr Macdonald moved, Cr Granger seconded -

That Council:

a) adopt Amendment C239 in the form outlined in Appendix 2-1 to this report; and

b) submit the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval.

Carried.

Report

Background

DDO14 has been an interim control in Greater Geelong Planning Scheme since 2000, and a planning control in the region for some 20 years. DDO14 triggers the need for a planning permit for the construction or extension to a dwelling which exceeds 7.5 metres in height. The interim control has been extended four times on the basis that Council was completing further strategic work, which would provide a more strategic approach to the application of the DDO14.

2. AMENDMENT C239 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY IN CERES, ANAKIE AND BATESFORD – ADOPTION OF AMENDMENT (CONT'D)

The further work was known as the *'Review of Design and Development Overlay 14 – Dwellings over 7.5m'* and was adopted by Council in December 2010. Preparation of the amendment documentation for Amendment C245 to implement the findings of the review identified a gap in the assessment that overlooked the townships of Anakie, Batesford and Ceres. A mini review addressed this oversight.

Amendment C239 is a Council initiated amendment. It complements Amendment C245 which rationalises the application of the DDO14 across the balance of the municipality and makes minor adjustments to the content of the DDO14.

C239 seeks to implement the outcomes of the addendum to the "*Review of Design and Development Overlay 14 Dwellings over 7.5m in Height*" (November 2010). The amendment proposes to delete DDO14 from the Anakie and Batesford townships. The DDO14 will be retained as a permanent planning control in the Ceres township.

Discussion

Ministerial Authorisation (No.2126) was received from the Minister for Planning on 25 November 2011.

Exhibition took place between 2 February and 5 March 2012 with notices placed in local newspapers and in the Government Gazette. Notice of the amendment was sent to the relevant Ministers and Authorities and all landowners/occupiers in the Township Zone within these towns.

Council received one submission from the Country Fire Authority offering no objection to the amendment.

As there are no objecting submissions Council is able to adopt the Amendment and forward it to the Minister for Planning seeking final approval.

Environmental Implications

There are no environmental implications arising from this amendment.

Financial Implications

There are no financial implications arising from this amendment.

Policy/Legal/Statutory Implications

The strategic application of DDO14 is consistent with State and Local planning frameworks.

The amendment has been prepared in accordance with the Planning and Environment Act 1987.

Officer Direct or Indirect Interest

No Council staff involved in the preparation of this report has a direct or indirect interest in the matters outlined in this report.

2. AMENDMENT C239 – CHANGES TO THE DESIGN AND DEVELOPMENT OVERLAY IN CERES, ANAKIE AND BATESFORD – ADOPTION OF AMENDMENT (CONT'D)

Risk Assessment

There is limited risk in adopting the amendment. The amendment will result in superfluous planning controls being removed from the townships of Anakie and Batesford.

Social Considerations

Current application of DDO14 to the 3 townships means that planning approval is required for a dwelling over 7.5 metres high. This provides the opportunity for neighbouring properties to participate in the planning process when a new dwelling or extension exceeds the trigger. The strategic application to areas identified as having access to significant views only, means that the properties outside these areas will no longer be subject to a planning permit (if no other permit triggers apply). The amendment balances social expectations in relation to participation and maximising efficiencies in the planning process.

The amendment also seeks to protect shared view lines in Ceres and the Barrabool Hills and minimise any detrimental impacts on neighbouring properties.

Communication

The amendment was exhibited for one month in accordance with the Planning and Environment Act 1987. Submittors will be notified of any decision of the Minister for Planning.

APPENDIX 2-1 – AMENDMENT TO BE ADOPTED

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C239

The planning authority for this amendment is Greater Geelong Planning Scheme
The Greater Geelong Planning Scheme is amended as follows:
Planning Scheme Maps
The Planning Scheme Maps are amended by a total of 2 attached maps:
Overlay Maps

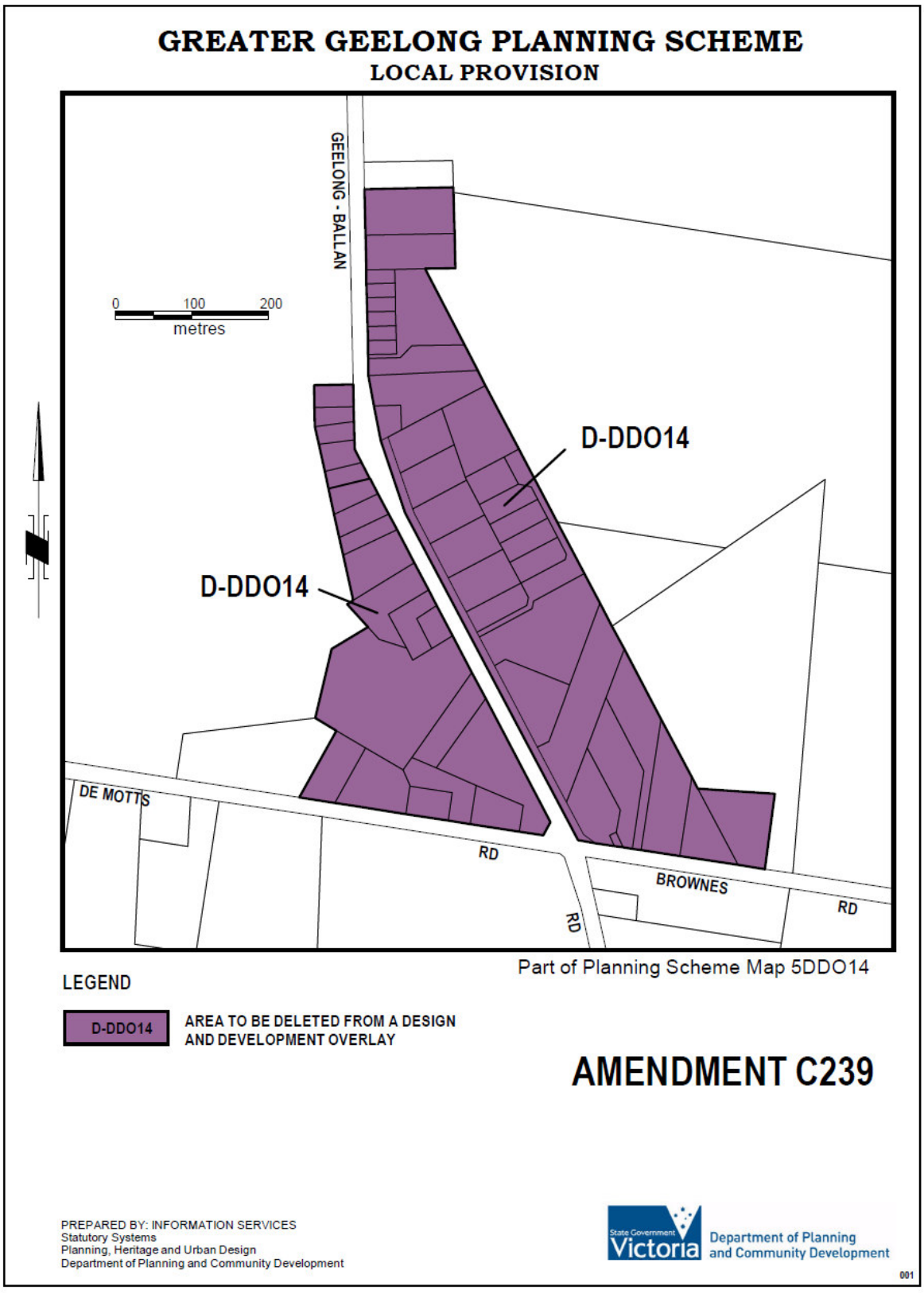
1. Delete Planning Scheme Map Nos. 5 and 24 of DDO14 in the manner shown on the attached maps marked Geelong Planning Scheme, Amendment C239.

2. Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

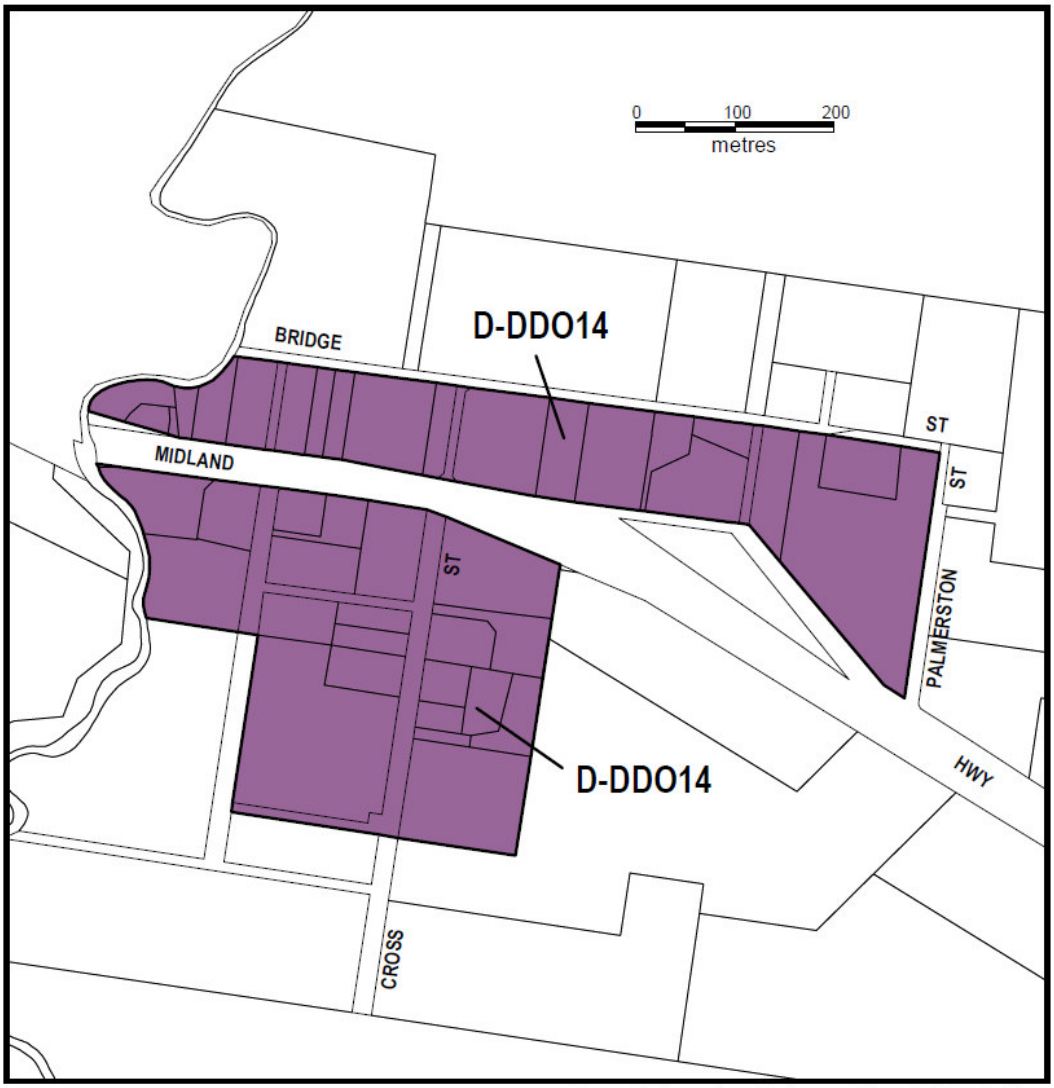
3. In General Provisions – Clause 61.03, replace the schedule with a new schedule in the form of the attached document.

End of document


GREATER GEELONG PLANNING SCHEME
LOCAL PROVISION
GEELONG - BALLAN
0 100 200
metres
D-DDO14
D-DDO14
DE MOTTS
RD
RD
BROWNES
RD
Part of Planning Scheme Map 5DDO14
LEGEND
D-DDO14
AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY
AMENDMENT C239
PREPARED BY: INFORMATION SERVICES
Statutory Systems
Planning, Heritage and Urban Design
Department of Planning and Community Development
State Government Victoria
Department of Planning and Community Development
001

GREATER GEELONG PLANNING SCHEME

LOCAL PROVISION



Part of Planning Scheme Map 24DDO14

LEGEND

D-DDO14 — AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY

AMENDMENT C239

PREPARED BY: INFORMATION SERVICES
Statutory Systems
Planning, Heritage and Urban Design
Department of Planning and Community Development

State Government Victoria — Department of Planning and Community Development

002

SCHEDULE TO CLAUSE 61.03

Maps comprising part of this scheme:

1, 1VPO, 1SLO, 1WMO

2, 2ESO, 2VPO, 2SLO, 2HO, 2WMO

3, 3ESO, 3VPO, 3HO, 3LSIO-FO, 3PAO

4, 4ESO, 4HO, 4PAO

5, 5ESO, 5VPO, 5SLO, 5HO, 5WMO

6, 6ESO, 6VPO, 6SLO, 6HO, 6LSIO-FO

7, 7ESO, 7VPO, 7SLO, 7HO, 7LSIO-FO, 7PAO, 7WMO

8, 8ESO, 8SLO, 8HO, 8PAO, 8WMO

9, 9ESO, 9HO, 9LSIO-FO

10, 10ESO, 10HO, 10LSIO-FO

11, 11ESO, 11LSIO-FO

12, 12ESO, 12SLO, 12LSIO-FO, 12VPO, 12WMO

13, 13ESO, 13SLO, 13HO, 13VPO, 13WMO

14, 14ESO, 14VPO, 14LSIO-FO

15, 15ESO, 15PAO, 15VPO, 15HO

16, 16ESO, 16LSIO-FO

17, 17ESO, 17HO, 17DDO, 17LSIO-FO, 17VPO

18, 18ESO, 18DDO, 18DPO, 18LSIO-FO, 18PAO, 18DDO14, 18SBO

19, 19ESO, 19VPO, 19HO, 19LSIO-FO, 19DDO14, 19DDO

20, 20ESO, 20VPO, 20DPO, 20LSIO-FO, 20DDO

21, 21ESO, 21DPO, 21DDO

22, 22ESO, 22PAO

23, 23ESO, 23LSIO-FO

24, 24ESO, 24HO, 24LSIO-FO

25, 25ESO, 25DPO, 25LSIO-FO, 25PAO, 25EAO, 25HO, 25DDO14, 25DDO

26, 26ESO, 26HO, 26SBO, 26PAO, 26EAO, 26DDO, 26DDO14

27, 27ESO, 27VPO, 27HO, 27LSIO-FO, 27EAO

28, 28ESO, 28DPO, 28DDO

29, 29ESO, 29DPO, 29DDO

30

31, 31ESO, 31HO, 31DPO, 31LSIO-FO, 31PAO, 31EAO

32, 32ESO, 32HO, 32PAO, 32DDO14

33, 33HO, 33DDO14, 33DPO, 33DDO

34, 34HO, 34DDO14, 34DDO

35, 35DDO

36, 36ESO, 36HO, 36DPO, 36LSIO-FO, 36PAO, 36EAO, 36DDO14

37, 37HO, 37DDO, 37EAO, 37DDO14, 37DPO, 37LSIO-FO

38, 38HO, 38EAO, 38DDO14, 38DDO

39

40, 40ESO, 40HO, 40DDO

41, 41HO, 41DDO14, 41SLO

42, 42ESO, 42HO, 42PAO, 42DDO14, 42DDO, 42SLO

43, 43ESO, 43VPO, 43HO, 43EAO, 43DDO14, 43DPO, 43DDO, 43SLO

44, 44VPO, 44HO, 44DDO14, 44DDO

45

46, 46LSIO-FO, 46HO

47, 47SLO, 47HO, 47DDO, 47LSIO-FO, 47PAO, 47EAO, 47DDO14, 47DPO, 47RXO

48, 48HO, 48DDO, 48DPO, 48LSIO-FO, 48EAO, 48DDO14

49, 49SLO, 49HO, 49DDO, 49LSIO-FO, 49PAO, 49DDO14, 49EAO, 49RXO

50, 50HO, 50DDO,50EAO, 50LSIO-FO, 50DDO14

51, 51ESO, 51HO, 51DDO, 51DDO14

52, 52HO, 52LSIO-FO, 52PAO, 52DDO14, 52DDO, 52DPO

53, 53ESO, 53HO, 53LSIO-FO, 53PAO, 53DDO14, 53DDO

54, 54ESO, 54HO, 54LSIO-FO, 54PAO, 54DDO, 54DDO14, 54EAO

55, 55HO, 55LSIO-FO, 55DDO, 55DDO14, 55SBO

56, 56ESO, 56HO, 56DDO, 56LSIO-FO, 56DDO14, 56SBO

57, 57VPO, 57HO, 57DPO, 57DDO14, 57DDO

58, 58VPO, 58HO, 58DDO

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60, 60HO, 60PAO, 60DDO14, 60SLO

61, 61VPO, 61SLO

62, 62ESO, 62VPO, 62HO, 62DDO14, 62DDO, 62DPO, 62SLO

63, 63DDO

64, 64VPO, 64SLO, 64PAO

65, 65VPO, 65SLO, 65HO, 65DDO, 65DPO, 65PAO, 65DDO14

66, 66VPO, 66HO, 66DPO, 66LSIO-FO, 66PAO, 66DDO14, 66ESO, 66DDO

67, 67VPO, 67HO, 67LSIO-FO, 67PAO, 67ESO, 67DDO14, 67SBO, 67DDO, 67DCPO

68, 68ESO, 68HO, 68LSIO-FO, 68DDO14, 68SLO

69, 69ESO, 69HO, 69LSIO-FO, 69DDO14, 69DPO, 69SLO

70, 70VPO, 70HO, 70LSIO-FO, 70PAO, 70SLO

71, 71ESO, 71VPO, 71HO, 71PAO, 71DPO, 71SLO

72, 72ESO, 72VPO, 72HO, 72SLO

73, 73ESO, 73VPO, 73SLO

74, 74ESO, 74DDO14, 74SLO

75, 75VPO

76, 76VPO, 76PAO

77, 77VPO, 77HO, 77LSIO-FO, 77ESO

78, 78ESO, 78VPO, 78LSIO-FO, 78PAO, 78HO

79, 79ESO, 79VPO, 79LSIO-FO, 79PAO, 79HO, 79SLO

80, 80ESO, 80LSIO-FO, 80SBO, 80PAO, 80HO, 80DDO14, 80SLO

81, 81ESO, 81VPO, 81SLO, 81HO, 81DDO, 81LSIO-FO, 81SBO, 81PAO, 81DDO14, 81WMO

82, 82ESO, 82VPO, 82SLO, 82HO, 82DDO, 82DPO, 82LSIO-FO, 82PAO 82DDO14, 82WMO

83, 83ESO, 83VPO, 83HO, 83DDO, 83LSIO-FO, 83PAO, 83DDO14, 83WMO, 83DPO, 83SLO

84, 84ESO, 84VPO, 84SLO

85, 85ESO, 85WMO, 85DDO

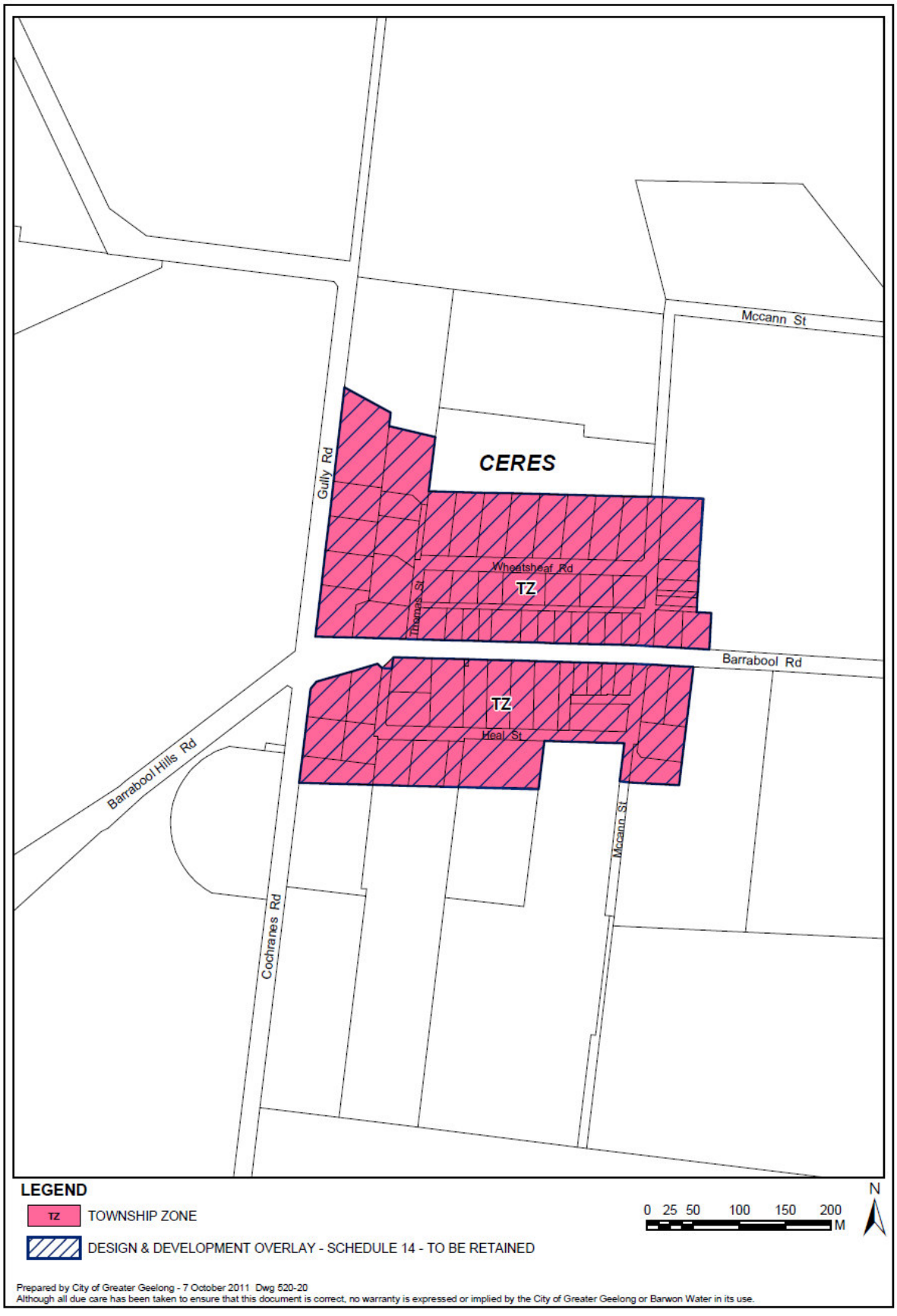
86, 86ESO, 86HO, 86LSIO-FO, 86WMO, 86DDO

87, 87ESO, 87HO, 87SLO, 87DDO14

88, 88ESO, 88HO, 88LSIO-FO, 88DDO14, 88DDO

89, 89ESO, 89DDO14, 89WMO, 89SLO

Attachment 2-1
DDO14 TO BE RETAINED (CERES)



3. DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT - WASTE POLICY REVIEW

Portfolio: **Environment & Sustainability – Cr Doull**
Source: **City Services – Infrastructure, Operations and Waste**
General Manager: **Gary Van Driel**
Index Reference: **Waste Management - Strategic Waste Management**

Summary

- As reported to Council in August last year the State Government carried out reviews of Sustainability Victoria and asked for Council's comment on regional waste management groups.
- It is worth noting that as a result of the Sustainability Victoria review this department will now have a 'stronger focus on waste management'.
- The Department of Sustainability and Environment (DSE) has now announced a review of the State Waste Policy and has sought comment from all stakeholders, including councils. To date workshops have been held across the State including Geelong on 26 March 2012, attended by councillors and officers.
- Written responses to the review will be received up until 3 May 2012.
- It is this policy that established the Victorian Towards Zero Waste Strategy in 2005, including waste reduction targets for local government of 65% by 2014.
- Council will recall that the primary focus of its response to the August calls for comment was that there 'is an urgent need for Sustainability Victoria to develop a state wide waste management strategic framework that will provide direction to Councils trying to achieve the Towards Zero Waste Strategy targets'.
- DSE has published a discussion paper that may be accessed at www.dse.vic.gov.au/. This paper raises thirty four questions it is seeking input to. Attachment A to this report provides a response to each of these questions.
- It is recommended that Attachment A be forwarded to the DSE as Council's response.

Cr Doull moved, Cr Harwood seconded -

That Council submit Appendix 3-1 to the Department of Sustainability and Environment as its response to the request for comment on the review of the State waste policy.

Cr Richards entered the meeting room at 7.14pm
The Mayor vacated the Chair at 7.15pm
Deputy Mayor, Cr Cameron Granger assumed the Chair
Cr S Kontelj entered the meeting room at 7.25pm

Carried.

The Mayor re-entered the meeting room at 7.22 and resumed the Chair at 7.27pm

3. DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT - WASTE POLICY REVIEW (CONT'D)

Report

Background

In August last year Council responded to requests from the state government to provide feedback on a strategic review of Sustainability Victoria and for 'views and opinions' on regional waste management groups.

Council's response to each request focused on the 'urgent need for Sustainability Victoria to develop a state wide waste management strategic framework that will provide direction to Councils trying to achieve the Towards Zero Waste Strategy targets'.

It is worth noting that one of the outcomes of the Sustainability Victoria (SV) review is that SV will increase its focus on waste management issues:

'Much of SV's funding comes from landfill levies and it is therefore completely appropriate for the agency to have a stronger focus on waste and recycling.

Effective waste management plays a significant role in achieving broad sustainability outcomes. For example, diverting organic material from landfills helps reduce methane production – a potent greenhouse gas associated with climate change.

Key recommendations from the review include:

- *Re-establishing SV's state wide leadership in the area of waste strategy and program implementation in partnership with portfolio agencies.*
- *SV working with the EPA to consider programs that support business to improve energy efficiency where there is a positive return on investment.*
- *Invest in building capability and developing measures to evaluate triple bottom line outcomes including environmental, economic and social benefits.*
- *Develop a long term investment strategy for SV's programs funded from the Sustainability Fund to support waste and resource recovery.'*

State Government Media Release 27 February 2012

The Department of Sustainability and Environment (DSE) has now announced a review of the State Waste Policy and has sought comment from all stakeholders, including councils. To date workshops have been held across the state including Geelong on 26 March 2012, attended by councillors and officers.

Written responses to the review will be received up until 3 May 2012.

DSE has provided a review discussion paper that may be accessed in full at www.dse.vic.gov.au/ . For guidance this discussion paper makes the following statements:

'*The Waste Policy Review is an opportunity to focus on the long term issues and address them proactively before they become problems.'*

'The government plays an important facilitation role to help local government and industry deliver key services and balance the interests of the community.'

'We are now at an important policy juncture where we have to become even smarter about how we see and treat our waste'

3. DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT - WASTE POLICY REVIEW (CONT'D)

'We must give consideration to Victoria's waste management system, including the barriers that exist to promoting waste avoidance and successful waste recovery.'

'Clearly stated policy objectives will provide local governments with the certainty they need to plan and deliver essential infrastructure and services to their communities'.

'Given the capital cost and long working life of some infrastructure investments, good waste management planning provides investors in waste management infrastructure with a degree of certainty'.

The discussion paper also raises thirty four questions that the DSE seeks responses to.

Discussion

Attachment A provides suggested responses to each of the thirty four questions raised by the discussion paper and the call for a state wide waste management strategic framework continues to be the key theme in these responses.

It is recommended that Attachment A be submitted to the Department of Sustainability and Environment as Council's response to the State Government's call for input to the state waste policy review.

Environmental Implications

The State waste policy is a key strategic document for the management of waste in Victoria. Council's input to this document is therefore of considerable significance, particularly to ensure that the State Government is well aware of the issues facing this Council in delivery its waste services in line with its commitment to the environment.

The responses provided in Attachment A convey what Council believes is required to provide the best way forward for the management of waste in the State and to enable councils generally to continue to pursue a waste reduction agenda.

Financial Implications

There are no financial implications as a result of this report.

Policy/Legal/Statutory Implications

The purpose of this report is to inform the State Government of issues that should be considered in the review of its waste policy to ensure that the policy outcomes are fully supportive of the most effective delivery of waste management services to the Geelong community and that this policy will help facilitate the avoidance of waste and the reduction of waste going to landfill.

Officer Direct or Indirect Interest

No Council officers have any direct or indirect interest in this matter, in accordance with Section 80(C) of the Local Government Act.

Risk Assessment

There are no notable risks to Council in providing these responses.

3. DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT - WASTE POLICY REVIEW (CONT'D)

Social Considerations

There are no immediate social considerations in the responses provided in this report.

Ultimately the State Government waste policy should provide direction for waste management practices within Victoria that may have some social considerations, however, Council will be able to address these matters at a future time as part of the consideration of that aspect of the waste service delivery.

Communication

Other than the submission of Council's response to the DSE there are no communications issues as a result of this report.







Department of Sustainability and Environment

Waste Policy Review

Attachment A

Have your say

Thank you for your interest in providing feedback on waste and waste management in Victoria.

The Waste Policy Review will examine the strategic, legislative, institutional and investment settings that influence the nature and performance of waste management.

Your feedback will help us draft a new solid waste policy that will address Victoria's long term challenges in waste and take advantage of future opportunities and emerging technologies in resource recovery and waste management.

If you do not already have a copy of the Waste Policy Review discussion paper, you can obtain one from the DSE website at www.dse.vic.gov.au/waste. To request a hard copy contact wastepolicy@dse.vic.gov.au or call the DSE Customer Service Centre on 136 186.

Feedback guidelines

Your feedback should clearly specify the question/s you wish to address.

Ideally, and where possible, your feedback should include supporting information, evidence and data. This will help develop a new solid waste policy that is informed by a strong evidence base, reflecting the experience of government, industry and the Victorian community.

Written submissions should ideally be kept to no more than 20 pages using this template.

Submissions are due by: Thursday 3 May 2012

State Government Victoria







Waste Policy Review

Please write your feedback on the following pages and specify which question(s) you are addressing.

Waste management in Victoria

1. What is causing waste generation to grow?

   In this Council there is no clear evidence of any increase in waste generation other than as a result of growth. Council's materials recovery percentage has remained at around 58% since the introduction of the universal three bin system in 2003. A strong waste reduction culture was established within the Geelong community at this time and this has continued over the past nine years.

2. What are the impacts of increasing waste generation on the economy, environment and public health? Are we getting the best value out of waste?

   Increasing waste generation, while increasing the total waste disposal spend does not necessarily result in a negative financial impact on the community. If increased generation is a result of growth and is not an actual increase per capita then this increase may in fact result in a more cost efficient landfill operation. If however the increase is a per capita increase then the cost per resident will increase.

   The issue going forward is more about the best use of the waste disposal/processing dollar. While landfilling remains the most cost effective means of disposing of waste (other than the recovery of recyclables) it is in itself a costly exercise, particularly with the inclusion of the landfill levy and now with carbon pricing. Council operates a landfill with the current gate fee at $83 per tonne, of which only $36 is required to cover the actual operating and capital costs for the facility.

   The most preferred outcome is that there will be additional returns from the landfill levy to support waste operations and in particular reduce the gap between landfill disposal and more environmentally beneficial waste processing options.

3. How much effort should we put into waste avoidance, compared to waste recovery?

   Both waste avoidance and recovery are important aspects of any waste reduction policy, however, the significance of each can only be assessed by an analysis of which direction or more specifically which elements of each program will have the greatest impact. That is, what programs/initiatives will produce the greatest environmental and social outcomes for the least expenditure.

   These two opportunities should therefore be considered in the development of waste policy and the state wide waste management strategy, as referred to in the response to Question 18.

   Ultimately the waste policy should establish the outcomes we wish to achieve and the strategic framework should provide direction on how this may be achieved.







4. Should we do more to remove food, organics, plastic and paper from landfill? What would be the value of this?

   Plastics, paper and the other recyclable materials are reasonably well catered for under the current collection and processing systems. At this moment the collection and processing of these materials are market demand driven with a positive value on the product. This Council's focus is on identifying the recyclables remaining in the mixed waste stream and developing programs for the capture of this additional material. While the positive value for this material remains there are significant environmental and financial incentives to pursue its recovery.

   However, this is not the case for green and food organics and therefore a great deal of work is required in this area.

   For green organics the majority of councils have the collections systems in place but are struggling to consolidate processing and end product markets. While the basic collection infrastructure is in place for the collection of food organics direction is required for processing and end product markets.

   A strategic overview is also required to initially determine the role of each of these materials as end products. That is, should green organics be processed separately or has it a role to play to assist in the viability of food organics processing or does the reverse apply with food organics being separated for combining with green organics. Or does the solution lie in a combination of these options, subject to the individual characteristics of a particular area.

   In stark contrast to recyclables it is expected that the processing of organics will be at a cost and ultimately its acceptance will be largely dependent upon community affordability, a factor that may be impacted by the use of landfill levy funds to reduce the gap between landfilling and sustainable waste processing.

   The key message of this Council's response is that a state wide waste management strategic framework is urgently required to provide direction to Councils and regions to advance the organics processing aspect.

5. What are the barriers to removing these materials from landfill? How could they be overcome?

   Historically councils have progressively developed programs and upgraded collection systems to recover most materials from the residential waste stream. This has included two bin systems to separate recyclables from mixed waste and in more recent years the three bin system with an optional green organics or the universal system.

   Those councils that have adopted the universal three bin system now sit at around the 40 to 50% recovery rate, however, only those councils that have this system working to its maximum have been able to achieve the high fifties recovery rate and, with considerable effort to maximise the effectiveness of current systems, could reach the 2014 65% recovery target.

   The processing of green organics for which a sustainable solution or solutions must be found to ensure that the current status is maintained.

Therefore, in the first instance the processing and end markets for green organics must be addressed immediately to ensure that current waste reduction targets can be met, if not by 2014 then at some time in the near future. Coupled with this however should be consideration of processing and end markets for other organics in the mixed waste stream to assess if green organics actually has a role to play in the processing of these other organics

That is why this Council's response is focused primarily on the urgent need for the preparation of a state wide waste management strategic framework backed by considerable research, as detailed in the Question 18 response.

6. What impact will the carbon tax have on waste management in Victoria?

Carbon pricing will increase the focus on the separation and processing of organic waste. As outlined later in this response this will highlight the urgency to consolidate the processing of green organics, for which the majority of councils have established collection services but are still grappling with processing and end markets, and food organics for which the basic collection infrastructure is in place but requires direction on processing and end markets in order to refine the collection systems to enable these materials to be collected in a manner suitable for processing.

7. What information can you provide to the State Government about how these drivers affect waste management?

Council has observed that the recent increases in the landfill levy and the fact that one of its two landfills has been closed (therefore adding to the haulage cost) has resulted in a private sector waste collection organisation establishing a waste recovery facility.

These drivers are also creating business opportunities looking to reduce the cost of waste disposal and, subject to the impact of carbon pricing will increase the acceptance of organics processing and reduce the cost gap between disposal to landfill and processing.

Notably also is the formation of the Future Proofing Geelong program that seeks to secure a strong sustainable Geelong community into the future. Future Proofing Geelong is a partnership program supported by Council, EPA, Barwon Water, Deakin University, Geelong Manufacturing Council and Geelong Chamber of Commerce aimed at promoting and supporting new initiatives which seek to improve environmental outcomes for Geelong ; making it an economically productive, vibrant and liveable city.

8. Are there other drivers that should be considered by the review?

An underlying key driver for waste reduction is the communities desire to play a role in addressing climate change and in particular reducing waste going to landfill. Over the past decade most councils have established a community culture around waste reduction. The immediate real concern is to ensure that existing services, such as green organics collection and processing, continue and are sustainable within the community's affordability range. The processing of food organics is also important as the next phase in waste reduction with the potential to take recovery well beyond the current 65% target.







9. Which aspects of current policy have worked well and should be retained? Which aspects have not worked well? Are there gaps?

   The policy should provide targets for waste reduction but these must be realistic and achievable. Most critical is that support is provided to the service providers (ie: local government) through the provision of research and development in the first instance and establishment of a framework to achieve these targets.

Developing a new direction for waste management

10. What is your vision for waste management in Victoria? What are your needs and expectations for waste management in Victoria?

    This Council has a commitment to waste reduction and to addressing climate change. It has long standing policies and strategies on environmental management and has recently adopted a climate change adaptation strategy.

    In 2003 Council introduced a universal three bin recycling and waste collection system that has proven to most successful with a recovery rate of 58% and community support of up to 84%. Council's commitment to waste reduction was highlighted by the recent tender process that it engaged in with the Barwon Region and surrounding councils to identify and establish an organics processing facility. While this process did not have the desired outcome it did highlight the shortcomings of the current waste management space in Victoria, in particular the lack of state wide strategic direction, identification of suitable technologies and the lack of options within the state regulatory systems for environment and planning.

    This Council does have a vision for and a commitment to maximising the reduction of waste provided this can be done within the boundaries of community affordability.

11. What are the important ideas and outcomes that policy objectives need to include in the development of waste policy?

    The policy must be backed by a level of information to ensure that the direction outlined is achievable. The policy should therefore provide interim objectives with a commitment to the development of a well researched state wide strategic framework, following which the policy direction may be reviewed.

12. What ideas should be addressed by decision-making principles?

    Pricing frameworks must consider community affordability.

    Solutions must be equitable in terms of access to them and the cost across the community.

    Solutions must be financially and environmentally sustainable.

    Ultimately solutions should be market demand driven and will most likely require end market support until established. For example the recyclables market was unstable and







costly for many years but with the support of councils is now driven by a demand for the product with a positive return to councils.

13. Should the waste hierarchy, or a cost-benefit analysis of the environment, economic and health and well-being impacts, be used in decision-making?

    The waste hierarchy itself should be developed with an eye to cost-benefit and community affordability. These are aspects that would be addressed in the development of a state wide strategic framework.

    Alternatively, the waste hierarchy could be developed on the basis of environment and health and well being with an understanding that each community will decide what it can afford.

    The key issue is that the answers are likely to require wider than individual council or region solutions, therefore the need for a state wide approach.

14. What targets and performance measures could be used to measure and evaluate our success in achieving our policy objectives?

    The obvious measure of success is by percentage waste recovery. As indicated earlier the actual target must be realistic and based on a level of research that provides some surety that the target can be achieved. Most critical then will be the level of support provided to the actual service providers and the community in the development of waste reduction initiatives.

Achieving our vision for waste

15. Are there significant, ongoing market failures and barriers that require government to intervene in waste management activities? If so, what is the role of state government in responding to these failures?

    Yes. Refer to response 18a). This is suggesting that State Government has an opportunity to assist and facilitate while not necessarily intervening.

    As part of establishing a state wide waste management strategic framework end product markets must be developed.

16. Do current services and infrastructure to recover materials meet business, community and environmental needs? If not, what should improve?

    Local government is well advanced with the provision of residential collection services that separate waste streams for processing. Most councils have introduced best practice kerb side collection services, either as a universal service or in a form that can be converted to a universal service. Councils have also established community support for these services, in many cases as the result of significant effort and cost. However, the major failing in this system is a lack of processing facilities and end product markets for the organic material and it is not feasible nor is it most effective for each individual council or region to attempt to establish a processing facility without direction from a

state wide framework. It is this Council's position that the solution lies in an integrated state wide approach.

The immediate danger is that the excellent work done by local government in establishing these collection services will be undone should processing facilities not be established and councils are forced to return organic material (in particular green organics) to landfill.

It is also imperative that both residential waste and commercial and industrial waste be considered together as they are likely to be interdependent in any solution. The demarcation of roles between DSE and regions must be removed.

17. Is infrastructure to recover materials, while protecting the environment and health, adequate?

As mentioned above collection services/infrastructure is well established for the separation and recovery of residential waste materials and processing of recyclables by the private sector is well established. What are lacking are options for the processing and delivery to markets of the organic waste fraction.

As referred to in response to question 18 there is an urgent need to develop these options and to co ordinate the positions of the regulator bodies (EPA Victoria and DPCD) on location of processing facilities and the use of the end product.

18. How can the State Government provide the right policy environment to support good investments?

This Council's response to this question is central to its response to all questions.

In August 2011 Council responded to the Review of Sustainability Victoria and for comment on regional waste management groups with the following:

'The State Government should develop a strategic framework that includes:

- *a) A review of alternative waste treatments (AWT's) to identify preferred means of processing organic waste materials, including the roles of composting, waste to energy and others for whole of process (including end product market development);*
- *b) A review of the continuing role of landfills with an analysis to determine the break point between landfill and AWT's and whether or when the community can afford AWT's. This should include a review of the role of funds raised from the landfill levy in offsetting this community cost and reducing the break point gap;*
- *c) How to rationalize landfills and transition from landfill to AWT's;*
- *d) Transport and other logistics required to best utilize and integrate AWT's across the State, including metropolitan Melbourne;*
- *e) Means of addressing regulator (EPA and Planning) and community concerns;*
- *f) Identification of the roles of each stakeholder, particularly in addressing the concerns of the industry regulators;*
- *g) Identification of a preferred governance process for the establishment of AWT's; and provide for the*
- *h) Regular review of the TZW targets to ensure they remain realistic.'*

Council continues to support this position with an emphasis on how the whole of the State can participate in the pursuit of reducing waste, particularly organic waste, going to landfill. Therefore the integration of metropolitan solutions and/or investigation of solutions suitable to regional centres and rural communities must be included.

As also outlined in Council's earlier responses this Council, in partnership with the Barwon Regional Waste Management Group and its member councils have experienced the frustration of running a process for the selection of an organics processing facility only to be stifled by a lack of proven technology and regulator policy position. These issues must be addressed immediately if significant removal of organic waste is to be achieved in the future.

Council has contributed significant funds through the applied landfill levy and believes that it is imperative that the State Government develops a framework to return funding to Local Government to help support new solutions and infrastructure. Removal of organics from the waste stream will require substantial investment and it is only fair that State Government contributes to these projects.

19. What is the role for State Government in working with industry and local government to achieve efficient and effective investment?

    Refer Q 18 response.

    The development of the state wide strategic framework is required to provide a level of surety for the whole industry to move forward.

    This framework while not being specific should outline options for councils to consider both in terms of technology and partnerships with other councils and industrial and commercial sectors.

20. Is there a role for State Government in developing and creating markets for recycled products? If so, what is it?

    Refer Q18 response.

21. How can the productivity and growth of Victoria's waste management system be maximised?

    Refer Q18 response.

22. What market based instruments might Victoria use to get maximum value from waste generation and recovery?

    These should be identified as part of the development of the state wide strategic framework. Refer Q18 response.







23. What are the major opportunities to reform waste regulation to better protect the environment and reduce red tape?

    Refer Q18 e) and f) responses.

    The state regulatory bodies must work together in the development of the state wide strategic framework in order that the outcome provides clear direction on what can be done, where and in what form.

    For instance, currently there is a lack of opportunity within planning requirements to establish organics processing. Opportunities such as green organics processing in rural areas, where significant markets may exist, should be considered.

    Also EPA Victoria must establish its position to provide the opportunity for infrastructure developers to have surety of what is expected. It is most critical that once these regulatory positions are established that they have total support of the regulator as waste processing infrastructure development requires significant long term investment.

24. How can we prevent and improve our handling of illegal dumping?

    Effective community education and policing.

    Investigate the opportunities for the material types that are illegally dumped to be recovered and used at a reduced cost.

    Investigate the actual cause of illegal dumping and address these causes (eg: cost to the socially disadvantaged).

    It is interesting to note that recent disposal fee discounts on items such as tyres, mattresses and televisions have resulted in a significant increase in the legal disposal of these items, even though there is still a cost for disposal. This is about providing an opportunity to save some cost (ie: get a bargain).

    Continuing support for the National Packaging Covenant and Product Stewardship.

25. Should infrastructure planning for each waste sector be improved?

    Yes. Refer Q18 response.

26. What is the right balance between planning for local and for statewide needs and how can it be achieved?

    Refer Q18 response.

    It is this Council's position that in the first instance a state wide framework is required to research and identify the opportunities and maximise outcomes. Within the boundaries of this framework councils can make their decisions.

    Therefore it is not a matter of balance but more of process.

27. How can links between infrastructure planning and approvals processes be improved?

Refer Q18 response.

The development of a state wide strategic framework by DSE in conjunction with EPA, DPCD, regional waste management groups and local government so that at the end most issues have been addressed thereby significantly clearing the way for local decisions to be made.

28. Does the current Victorian land-use planning framework adequately facilitate the establishment of innovative waste processing technologies?

    No. This matter must be addressed in the development of the state wide strategic framework.

29. Has enough been done to clarify roles and responsibilities?

    No. Again this should be addressed in the development of the state wide strategic framework.

30. How can decision making by agencies be better coordinated?

    Through a state wide strategic framework.

31. What opportunities may arise from the national policy agenda? What problems might need to be managed?

    Continuing support for the National Packaging Covenant and Product Stewardship.

32. What additional information is needed about waste management?
33. How could the current waste knowledge management system be improved, and what might be the benefits? How can we ensure that the costs of gathering more data do not outweigh the benefits?
34. What types of information and facilitation could help businesses increase productivity through waste avoidance and recovery?

    The development of the state wide strategy must include the private sector as waste from commercial, industrial, construction and demolition will play a role in the solutions.

    The strategy will also serve to identify funding priorities and ensure maximum value of any facilitation.

General comments

35. Please list your top three issues around waste in Victoria.

    1. *Lack of strategic direction, particularly with respect to organics processing and end product markets, based on sound research and service provider and regulator by in*

and the alignment of funding programs to this strategic direction to ensure the most effective spend.

2. *The allocation of additional landfill levy funds to waste management projects. With the development of a state wide strategic framework clear direction should be established for investment of additional funding to provide positive incentive for local government to move to waste reduction systems and to reduce the community cost for such systems.*

   As mentioned earlier in this response most councils have already invested significant time and funds in introducing best practice collection systems that provide the opportunity to separate and process the various residential waste streams, for the processing of which a state based approach is required.

   This Council supports the expenditure of landfill levy funding for the development of a state wide strategic framework as the highest priority.

3. *Programs to assist councils to deal with hard waste, illegal dumping and non targeted chemicals.*

36. Any further comments that you would like to make.

All waste types must be considered in the development of processing facilities and therefore in any policy development and strategic planning. For this reason the roles of Sustainability Victoria for commercial and industrial waste and regional groups for municipal waste must be drawn together in the state wide strategy and then rationalised to provide the most effective means of delivering the outcomes.

It is suggested that the development of a state wide strategy should provide sufficient direction to enable the regional waste management groups, in association with local government and with the provision of adequate resources, to assume the role of program delivery in both municipal and commercial and industrial waste management.

4. PUBLIC TOILET UPGRADE STRATEGY & DESIGN GUIDELINES

Portfolio: **Infrastructure – Cr Richards**
Source: **Corporate Services**
General Manager: **Jeff Wall**
Index Reference: **Corporate Strategy**

Summary

- Council has recently centralised the management of its public toilet network with Corporate Strategy and Property Management department
- To guide future planning, design, provision and maintenance of public toilets, a Public Toilet Upgrade Strategy & Design Guidelines document has been drafted (refer Appendix 4-1).
- A list of all public toilets was previously provided with agenda papers.
- To complement the condition assessment, it is proposed to now further analyse functionality of existing toilets and to seek Community and Disability Advisory Committee views on the Public Toilet Upgrade Strategy and Design Guidelines.

Cr Richards moved, Cr Macdonald seconded -

That Council supports the public exhibition of the Draft Public Toilet Upgrade Strategy and Design Guidelines (Appendix 4-1).

Carried.

Report

Background

Council has a significant financial investment in public toilets, with over 115 toilet facilities in the municipality, with an estimated Capital Replacement Cost of $19.1m.

Our community has a keen interest in public toilet amenity with respect to location, condition and functionality.

The management of Public Toilet has recently been centralised in one area of Council with the objective to better co-ordinate the provision, maintenance and operation of this important community asset.

Discussion

As part of the development Council's Building Asset Management Plan, a detailed condition assessment has been undertaken for the public toilet network.

The results of the assessment are not surprising, identifying the need for upgrade, replacement or removal of a number of toilets.

To set the direction for the future management of public toilets and upgrade strategy, a design guideline has been developed.

4. PUBLIC TOILET UPGRADE STRATEGY & DESIGN GUIDELINES (CONT'D)

The strategy aims to:

- develop methodology for assessing for public toilets
- provide design guidelines to establish standards for new and upgraded public toilets
- provide and maintain a quality network of safe universally accessible, clean and environmentally responsible public toilet amenities
- support the centralised management of public toilet assets

The strategy focuses on the following key elements:

- toilet requirement and consultation
- configuration
- location
- proximity
- exterior design
- fixtures and fittings
- environmental sustainability
- management assessment
- design checklist

To support strategy aims the following actions are proposed:

Action	**Complete by**
Bring draft Public Toilet Upgrade Strategy & Design Guidelines, and proposed Community Survey, to Council for approval to proceed	By April 2012
Distribute draft Public Toilet Upgrade Strategy & Design Guidelines and Survey Questionnaire for community comment and Disability Advisory Committee for consideration	By end April 2012
Close community comment	By end May 2012
Review current Public Toilet cleaning arrangements	By end May 2012
Consider and incorporate community feedback as appropriate	By end June 2012
Bring Public Toilet Upgrade Strategy & Design Guidelines to Council for formal adoption	By end July 2012
Analyse existing toilet locations, visitation levels, community feedback, historical data in relation to vandalism (willful damage and/or graffiti), anti-social behavioural incidents/concerns, public safety incidents/concerns, etc., to determine… 1. retention of existing toilet 2. upgrade/refurbishment of existing toilet 3. removal and replacement of existing toilet in existing location 4. removal and replacement of existing toilet in alternate location 5. removal of existing toilet with no replacement	By end August 2012
Bring a report to Council with A Public Toilet Upgrade Action Plan with recommendations and priorities	By end November 2012
Include projected maintenance and renewal expenditure of the Public Toilet Upgrade Plan in Council 10-year Financial Plan	By end November 2012

4. PUBLIC TOILET UPGRADE STRATEGY & DESIGN GUIDELINES (CONT'D)

The following actions have been completed in developing the strategy.

Action	Complete by
Load Public Toilet dataset into Weave GIS application	Completed
Establish service level criteria(s) for public toilets	Completed
Undertake a full condition assessment audit of existing public toilets	Completed
Develop a Public Toilet Asset Management Plan	Completed
Distribute draft Public Toilet Upgrade Strategy & Design Guidelines internally for comment	Completed
Consider and incorporate internal feedback as appropriate	Completed

Environmental Implications

Environmental issues have been considered in the condition assessment and incorporated into the strategy.

Financial Implications

Council currently spends approximately $250,000 maintaining, $250,000 upgrade and $545,000 cleaning public toilets annually by Council staff. Implementation of the upgrade strategy will assist Council to determine future funding priorities for this asset class.

Policy/Legal/Statutory Implications

The design guidelines will set a standard for the upgrade and provision of public toilets.

Officer Direct or Indirect Interest

No officers involved in the preparation of this report have a conflict of interest to declare.

Risk Assessment

There are no risk implications in taking this document to a public comment process. There would be a risk if we proceed without community consultation.

Social Considerations

The strategy seeks to support health, safety and accessibility for all public toilet users.

Communication

Internal consultation has been undertaken in drafting the strategy and a public a input period will commence at the end of April 2012.





CITY OF GREATER GEELONG

Appendix 4-1

Public Toilet Upgrade Strategy & Design Guidelines







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Draft

1. Executive Summary

Intent

This Public Toilet Upgrade Strategy & Design Guidelines is intended to provide an in-depth guide to assist with decision making and implementation strategies for maintaining and upgrading public toilet facilities and infrastructure across the City of Greater Geelong region during the next 5 years.

Existing Conditions Assessment

Recognising a deteriorating public toilet building stock, the Facilities Maintenance Unit implemented SPM Assets software to undertake condition assessments of their existing public toilet buildings, which helped develop the prioritised public toilet list attached.

This strategy expands on the findings from these assessments by establishing a set of key design guidelines for future public toilet projects.

Future Demand Assessment

To assess the future demand for public toilets a survey has been developed to receive feedback from the public on the location and condition of public toilets.

Key Design Guidelines

Using the existing conditions and future demand assessments, a set of key design guidelines have been developed and included in this strategy to allow efficiencies with the provision of new and upgraded amenities and allow the existing stock to be collectively assessed against these guidelines and prioritized for the upgrade program.

The key design guidelines include considerations and recommendations for public toilet:

- Configuration
- Location
- Proximity
- Exterior Construction
- Interior Construction
- Fittings & Fixtures
- Environmental Sustainability

Management

This strategy aims to support the consolidation of the management responsibilities of public toilets into one unit of Council. In doing so, it will ensure Council to better provide and maintain a quality network of safe, universally accessible, clean and environmentally responsible public toilet amenities to meet the needs of the community.

Draft

2. Introduction

Introduction

Although there is no legal requirement for Council to provide public toilets, except for in some of its own facilities as required by building regulations, they are proven to improve local amenity and support active participation in recreational, social and commercial activity within the municipality for visitors and residents alike.

Following the 2008 Council election, Councillors and management team identified Community Wellbeing as one of three strategic directions to be adopted for the City Plan 2009-2013 to address the changing economic, social and environmental landscape of our region.

In relation to public toilets and amenities, the City Plan 2009-2013 outlines the objective of Community Wellbeing "to improve the health and quality of life of all residents of Greater Geelong." As a result, the challenge for the City of Greater Geelong is to provide a sustainable network of well located public toilets that provide all users with a convenient, safe and positive experience.

This strategy responds to this challenge by providing a series of guidelines for construction and maintenance of public toilets with the key aims of the strategy outlined below.

Aims

- Develop the methodology for assessing the infrastructure needs of public toilets, in relation to whether to refurbish, replace, close or construct a toilet.
- Provide design guidelines to establish standards for the provision of new and upgraded toilets.
- Provide and maintain a quality network of safe, universally accessible, clean and environmentally responsible public toilet amenities to meet the needs of the community.
- Centralise the management of public toilets assets.

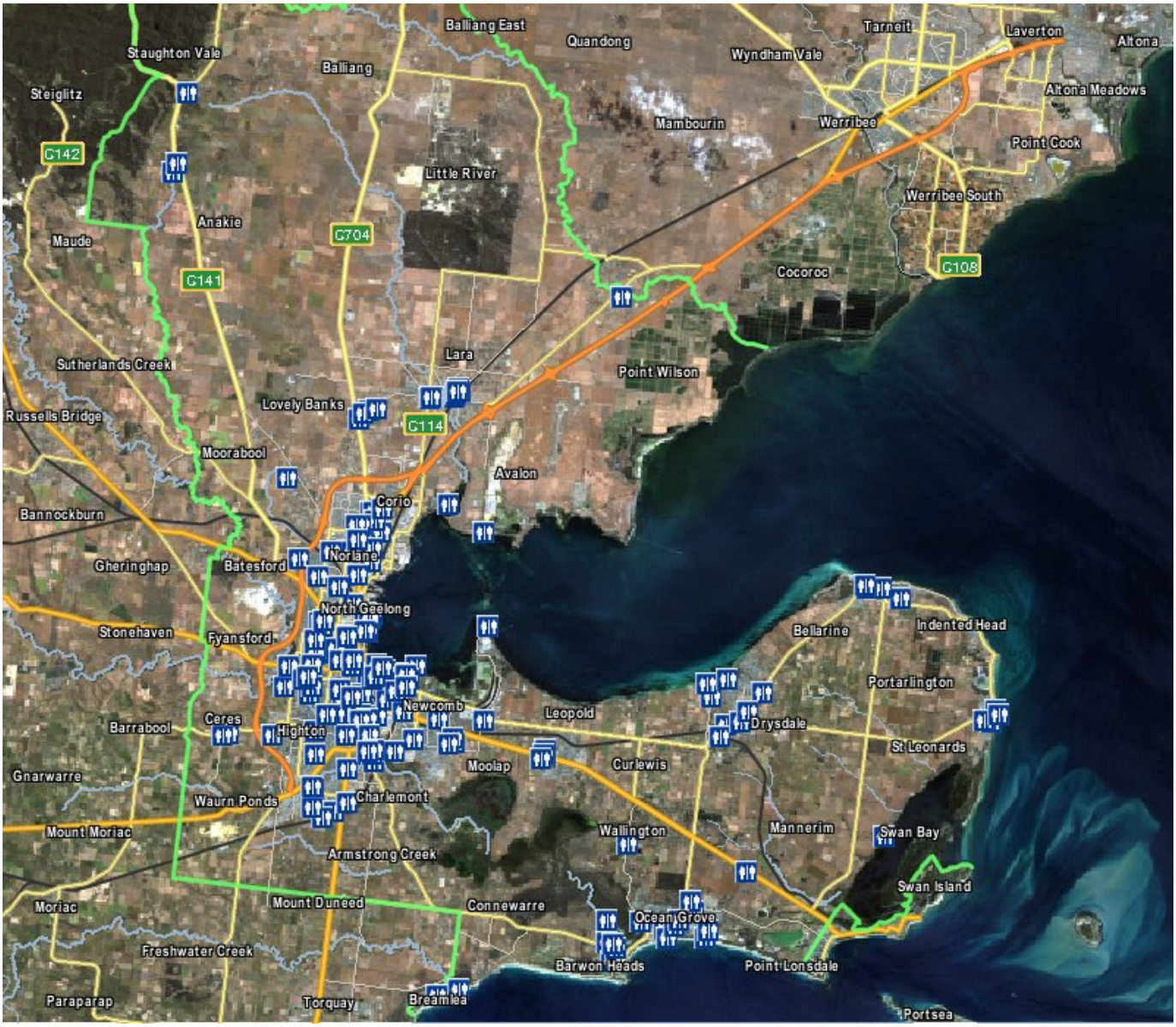
Background

The City of Greater Geelong public toilet network consists of over 140 amenity blocks (detailed in section 13 of this document) throughout the municipality primarily serving:

- Recreation Reserves
- Foreshores and environment areas
- Car parks and shopping centres
- Central Geelong

The map on the following page shows the extent of the City of Greater Geelong's public toilet network and is listed in detail in Appendix A of this document.

Draft


Balliang East
Quandong
Tarneit
Laverton
Altona
Staughton Vale
Balliang
Wyndham Vale
Steiglitz
Altona Meadows
Mambourin
Werribee
Point Cook
C142
Little River
Werribee South
Anakie
Maude
C704
C108
C141
Cocoroc
Lara
Point Wilson
Sutherlands Creek
Lovely Banks
Russells Bridge
C114
Moorabool
Avalon
Corio
Bannockburn
Norlane
Gheringhap
Batesford
North Geelong
Stonehaven
Fyansford
Bellarine
Indented Head
Portarlington
Newcomb
Leopold
Barrabool
Ceres
Drysdale
Highton
St Leonards
Moolap
Curlewis
Gnarwarre
Waurn Ponds
Charlemont
Mount Moriac
Wallington
Mannerim
Swan Bay
Armstrong Creek
Swan Island
Moriac
Mount Duneed
Connewarre
Ocean Grove
Freshwater Creek
Barwon Heads
Point Lonsdale
Paraparap
Torquay
Breamlea
Portsea

Council spends approximately $250,000 per year maintaining its public toilet stock. Each year $250,000 is allocated to ongoing renewal and refurbishment program. On occassions other upgrades are funded outside the annual renewal program. In addition Council spends approximately $545,000 on toilet cleaning and consumables each year. Condition assessments have recently been completed on the majority of amenities blocks to help prioritise the spending of this budget.

In addition to the recurrent expenditure on maintenance and capital expenditure on new facilities, there is a need to establish a program that ensures the facilities are:

- kept to a standard that allows patrons to feel confident when using them
- in a safe & useful location
- easy to maintain
- easily accessible for people with disabilities

The following "Strategy Actions" is proposed to support these aims.

Strategy Actions

Load Public Toilet dataset into Weave GIS application	Completed
Establish service level criteria(s) for public toilets	Completed
Undertake a full condition assessment audit of existing public toilets	Completed
Develop a Public Toilet Asset Management Plan	Completed
Distribute draft Public Toilet Upgrade Strategy & Design Guidelines internally for comment	Completed
Consider and incorporate internal feedback as appropriate	Completed
Bring draft Public Toilet Strategy & Design Guidelines, and proposed Community Survey, to Council for approval to proceed	By April 2012
Distribute draft Public Toilet Upgrade Strategy & Design Guidelines and Survey Questionnaire for community comment and Disability Advisory Committee consideration	By end April 2012
Close community comment	By end May 2012
Review current Public Toilet cleaning arrangements	By end May 2012
Consider and incorporate community feedback as appropriate	By end June 2012
Bring Public Toilet Upgrade Strategy & Design Guidelines to Council for formal adoption	By end July 2012
Analyse existing toilet locations, visitation levels, community feedback, historical data in relation to vandalism (willful damage and/or graffiti), anti-social behavioural incidents/concerns, public safety incidents/concerns, etc., to determine….. 1. retention of existing toilet 2. upgrade/refurbishment of existing toilet 3. removal and replacement of existing toilet in existing location 4. removal and replacement of existing toilet in alternate location 5. removal of existing toilet with no replacement	By end August 2012
Bring a report to Council with A Public Toilet Upgrade Action Plan with recommendations and priorities	By end November 2012
Include projected maintenance and renewal expenditure of the Public Toilet Upgrade Plan in Council 10-year Financial Plan	By end November 2012

Draft

Guidelines

There is a close relationship between design and management. Besides catering for the apparent need of the toilet facility, design choices should be made that allow for easy cleaning and management, resistance to vandalism, and low maintenance requirements. Design and material choices need to ensure that the life requirement of the structure can be realised. Toilets should be specified and constructed in accordance with Environmentally Sustainable Design (ESD), Crime Prevention Through Environmental Design (CPTED), Equity (access and usability) and Efficiency (cost over time) principles.

This document seeks to guide the design of further public toilet facilities, and the refurbishing process of existing public toilets, both freestanding facilities and facilities incorporated into other buildings.

This document does not include the provision of Exeloo Toilets, which will be considered for installation in certain circumstances. However, as they purchased in pre-built form there is not a design scope required.

Draft

3. Toilet Requirements

A public toilet should be provided where it is required and appropriately used.

Is the public toilet required?

Public toilets can be expensive to provide and are resource intensive to clean and maintain. Toilets that are rarely used may be causing an unnecessary cost to up keep, particularly those that are frequent recipients of graffiti and vandalism. It should be noted that some toilets may currently attract poor usage levels because of their condition, rather than their location.

Due to the maintenance and operating (water, energy, materials) costs involved it is important to determine if a toilet block should be closed and demolished or be refurbished or replaced in accordance with the recommendations outlined in this strategy.

Besides the negative maintenance issues, the decision to remove a toilet block should not be treated lightly. We cannot forget that each toilet was provided for a reason in the first place. Firstly, the modification of the cleaning and maintenance schedule should be considered to reduce costs before any consideration is given to complete removal or closure of a public toilet. Secondly, it is extremely important that a consultation process takes place prior to any decisions being made on whether to remove, refurbish or renew a public toilet.

Consultation

When deciding on the removal, relocation, refurbishment or renewal of a public toilet facility it is recommended that key stakeholders, including councillors, residents associations and business associations etc. are consulted to determine the requirements of a public toilet facility and what issues should be considered in the decision making and design process.

In a 2006 survey of 800 residents randomly selected through door knock interviews, respondents rated the importance of the maintenance of public toilets relatively high at 8.32 out of 10, This same survey showed satisfaction with the maintenance of public toilets was rated at 6.39 out of 10 indicating substantial room for improvement according to the public eye.

In addition to this survey, a survey has been developed for the public to provide feedback in regards to the current locations and condition of public toilets in the municipality. It is anticipated the feedback received will be used to help finalise the Strategy being implemented.

Draft

4. Key Design Guidelines

The measures in the following guidelines must be considered in determining the lifetime operational costs of the facility, and in implementing measures to reduce the resource consumption (energy, water, materials) and waste generation expected from the facility.

These guidelines provide design principles for the construction of new public toilets, or the refurbishment of existing public toilets, within the City of Greater Geelong. The guidelines are not meant to be a technical manual, and should be read in conjunction with relevant building codes, legislation and planning schemes. The guidelines have not been made too prescriptive to allow design personnel to think creatively within the basic design principles detailed and allow for future industry advances.

The following planning and design considerations will be discussed with all relevant stakeholders within the context of the design guidelines for new or refurbished toilet facilities:

- Configuration
- Location
- Proximity
- Exterior Construction
- Interior Construction
- Fittings & Fixtures
- Environmental Sustainability
- Management



Draft

5. Configuration Considerations

The existing stock of Council public toilets consists of a wide variety of configurations. These range from earlier types with a common throughway to toilets, urinals and washbasins all enclosed inside each genders separate building area, to the current designs with unisex accessible and baby change facilities, separate male & female cubicles and open wash basin areas with maximum visibility.

The Facilities Maintenance Unit has recently documented working drawings for 10 different public toilet configurations to form part of this strategy. The configurations have been designed to the most up to date Australian Standards and Building Code of Australia (BCA) requirements. They, along with this guide are to be used as the basis for any new public toilets, renewals, extensions or renewals. A brief floor plan and image of each configuration is shown on the following pages.

The drawings have been developed to a stage where they are ready to be “put on a site” as such. However, the final appearance of the toilet block along with the selected configuration will depend largely on where the proposed site is located. It should be known that these “template” designs are just starting points. The proposed site will determine the final design details.

To standardize public toilets in the municipality, the appearance and configuration of any new public toilet will be determined by which of the below categories the toilets site falls into:

- Waterfront / Foreshore
- Car park / CBD
- Recreation reserve / Environmental area

The designer should then endeavor to design the new facility to suit the potential usage and environment surrounding the site. The design should also include large areas of natural ventilation and light. This can be incorporated in breezeway sections, above and below toilet doors and walls.

To reduce the incidence of crime and inappropriate behaviour, open wash basin areas are recommended with maximum visibility to the toilet cubicles. Open or semi open external walls are to be considered that may include slatted walls, use of perforated or expanded galvanised metal panels. This provides good ventilation and a degree of screening.

Separate male and female areas are permitted if wash areas are located in breezeway type configuration or the semi transparent wash areas. In smaller public toilets, unisex toilet cubicles can be used that have dual male/female signage on each door.

In each new or refurbished public toilet an accessible toilet for people with disabilities should be provided with appropriate circulation spaces for access to and within the toilet. These circulation spaces along with installation of all fittings are to comply with AS1428. Ambulant accessible facilities should also be provided when required by AS1428.

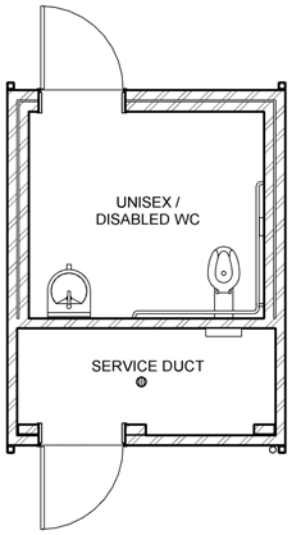
A baby changing bench is to be incorporated into the disable toilet but circulation space for wheel chair users is to be maintained. The baby change bench is to be in close vicinity to the hand basin and have a waste bin that can be locked in place to prevent unauthorised removal.

Draft

COGG UNI 1A

- 1 x Unisex / Accessible / Baby change facility
- Service duct

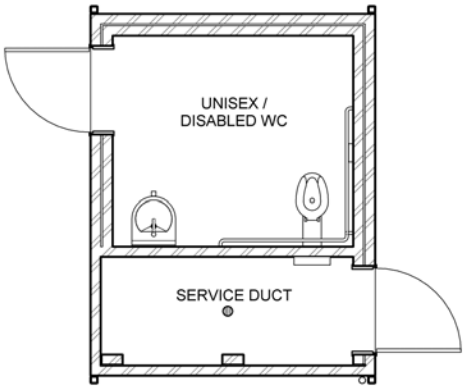




COGG UNI 1B

- 1 x Unisex / Accessible / Baby change facility
- Service duct

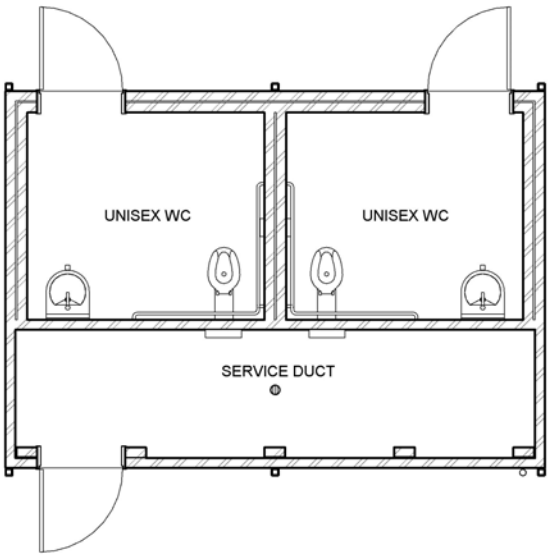




COGG UNI 2A

- 2 x Unisex / Accessible / Baby change facility
- Service duct

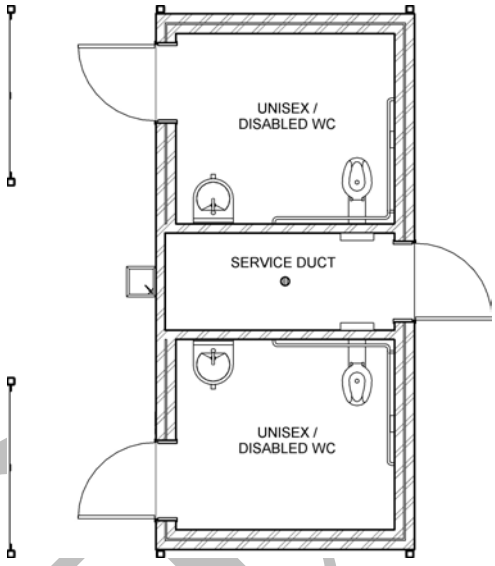




COGG UNI 2B

- 2 x Unisex / Accessible / Baby change facility
- Service duct

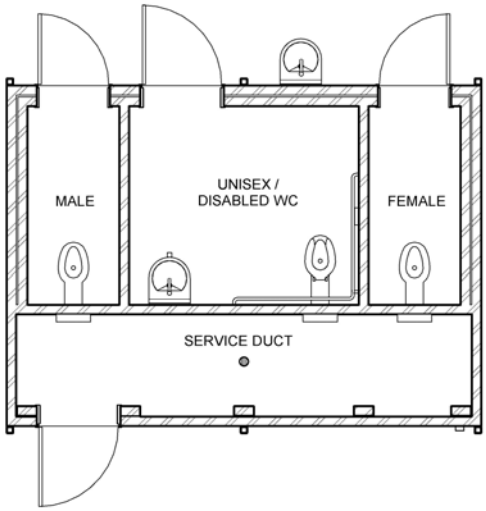




COGG UNI1M1F1A

- 1 x Unisex / Accessible / Baby change facility
- 1 x Male Cubicle
- 1 x Female Cubicle
- Service duct

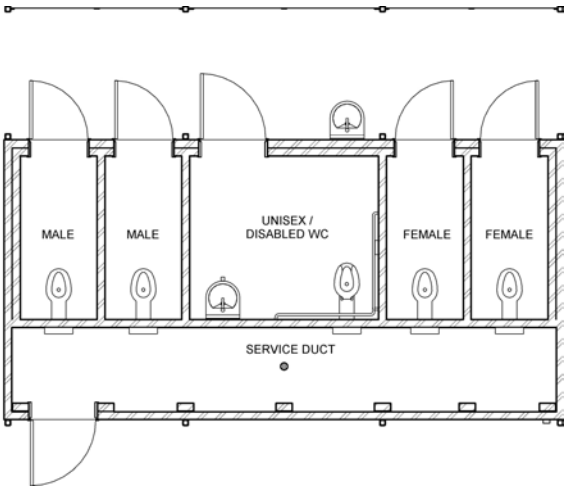




COGG UNI1M2F2A

- 1 x Unisex / Accessible / Baby change facility
- 2 x Male Cubicle (including 1 x ambulant accessible)
- 2 x Female Cubicle (including 1 x ambulant accessible)
- Service duct

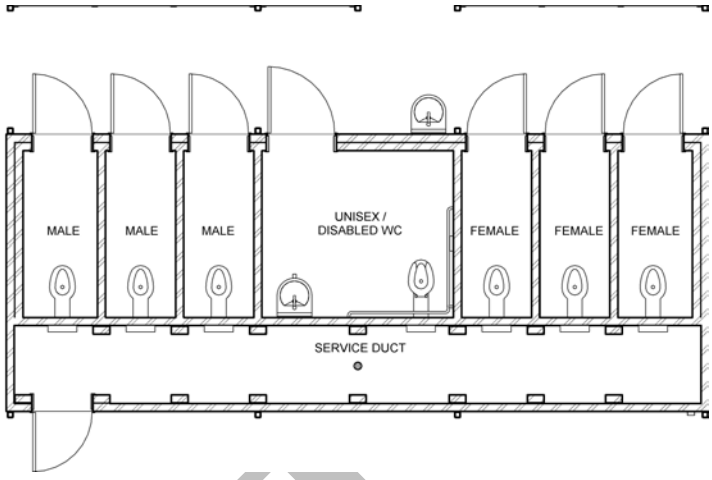




COGG UNI1M3F3A

- 1 x Unisex / Accessible / Baby change facility
- 3 x Male Cubicle (including 1 x ambulant accessible)
- 3 x Female Cubicle (including 1 x ambulant accessible)
- Service duct

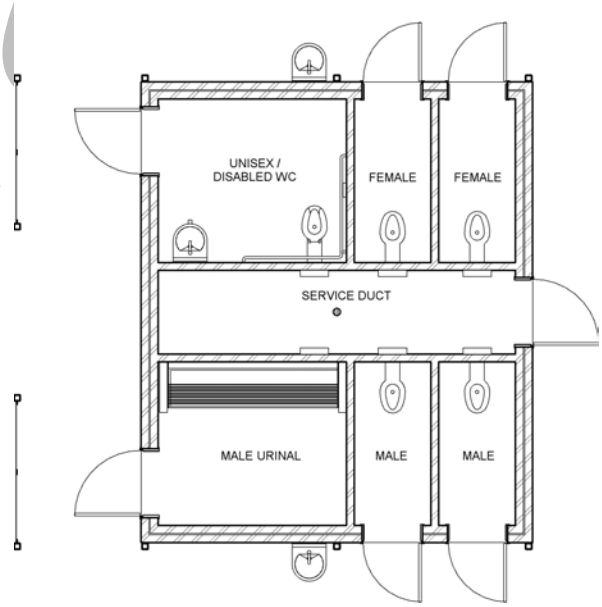




COGG UNI1T1M2F2A

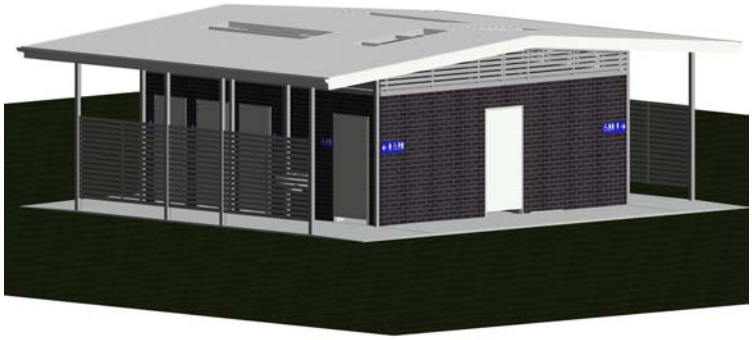
- 1 x Unisex / Accessible / Baby change facility
- 1 x Male Urinal Trough
- 2 x Male Cubicle (including 1 x ambulant accessible)
- 2 x Female Cubicle (including 1 x ambulant accessible)
- Service duct

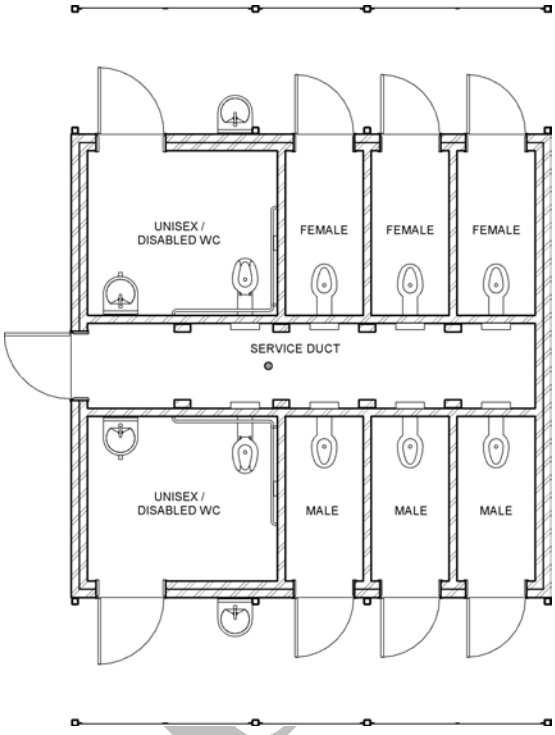




COGG UNI2M3F3A

- 2 x Unisex / Accessible / Baby change facility
- 3 x Male Cubicle (including 1 x ambulant accessible)
- 3 x Female Cubicle (including 1 x ambulant accessible)
- Service duct





Draft

6. Location Considerations

Public toilets should be clearly visible and easily accessible to all users.

Visibility



For safety reasons public toilets should be easily visible for users and passers by. By placing public toilets in active areas it will reduce unsafe and unwanted activity.

The area should be as open as possible with minimal shrubs or dense vegetation or other structures to avoid offender concealment. It is important that the public feel safe when entering, leaving and/or using the toilet facility.

Setting

Toilet location should be chosen to avoid "legitimizing" opportunities for loitering. Seating, notice boards and public telephones should not be located near toilet or vice-versa.

Finding the most appropriate location of public toilets is important to ensure maximum use of the facility and for personal safety. The greater the legitimate use of a toilet, the greater the feeling of security.

Public toilets should only be located where the following criteria can be met:

- High traffic and high pedestrian volume
- Picnic and BBQ or site of frequent public/sporting activity
- Opposite or adjacent to a building that provides the opportunity for casual surveillance
- Highly visible from all or most directions
- Close as practicable to streets, footpaths and car parking areas

Draft

7. Proximity Considerations

Proximity refers to the conditions and features around the building and surrounding area such as lighting, vegetation and access.

Access

Access to public toilets should be easy for both able bodied users and people with disabilities. In regards to people with disabilities, the design should follow the disability guidelines relating to parking and general access. Please refer to Australian Standards AS2890 and AS1428 for the legal requirements relating to access for people with disabilities.

The entrance to the toilet building and to toilet cubicles should be a highly visible area. The entrance should also face or be oriented towards the most publicly used space whether it be a playground, picnic area, sports field or car park.

There should be a sealed footpath, preferably a minimum of 1.5 metres wide to provide access for people with disabilities (wheelchair users) and parents with prams/strollers. Footpaths are to be at a grade of 1:50 and maximum cross grade of 1:40 sloping away from the building.

Steps and ramps are to be avoided, however compliant ramps may be used where steeper gradients do not permit access.

Rainwater gutters, drains and pooling is to be avoided at entrances to the toilet and hose down water from within the building should be adequately drained to prevent pooling on access pathways.

Lighting

It is preferred that natural or solar lighting is used as opposed to electrical lighting. The toilet design should incorporate the use of as much natural light as possible through skylights, gaps, grilles, reflective panels, gaps under doors and other passive design features.

The provision of lighting after dark may attract undesirable activity. This strategy recommends that the majority of public toilets will not require lighting after dark except in specific sites where toilets will be used at night. In this case, it is important for lighting to be provided for the surrounding area and along any direct access areas to the toilet and entrance.



Any artificial lighting that is needed should be high-mounted and vandal resistant. Multiple light fittings should be installed to provide an even spread of light where natural light is not possible.

The lighting should be photo sensor or timer activated yellow or white light to provide high contrast for vision impaired users and sufficient enough so that the public do not have to move in and out of adequate light, according to appropriate Australian Standards.

Draft

Signage



The entrance is to be easily recognisable and apparent. According to all required standards signage should involve both directional signage as well as labeling, and should consider people with vision impairments and language constraints.

Directional signage should provide users with clearly visible directions to indicate the toilet location. Signage should consider people with vision impairments and language constraints.

Directional signage may incorporate other information to users such as proximity to bicycle and walking tracks, distance to toilets, local attractions etc.

Signage should be consistent and feature council's corporate colours, and be consistent with Australian Standards. The toilet gender should be clearly identified by use of international symbols for male, female, unisex and accessible. Information should also be provided in Braille.

Opening, closing and cleaning times should be provided along with the council's contact number for reporting maintenance problems. Signs should be protected to resist graffiti and damage, and should enable easy cleaning in the case of graffiti.

Recycled material should be considered for signage to demonstrate Council's commitment to resource conservation and the Eco-Buy™ Program.

Vegetation

Public toilets should not be located near thick vegetation that detracts from clear visibility of the toilets. Large trees can not only detract from visibility but can also cause problems with root invasion and leaves blocking gutters etc. Surrounding plants should not grow over 700mm in height. Local indigenous vegetation should be utilised as per Council's Ecological Vegetation Classes (EVC's).

When design decisions are being discussed regarding surrounding vegetation and landscaping it is important that Parks Maintenance staff are involved to help determine the best approach.

Car parking



Public toilets should be within close proximity to car parks where appropriate. It is recognised that this may be inappropriate in parks and recreation areas. It is recommended that at least one car park for people with disabilities is provided close to a public toilet block in accordance with Australian Standard AS1428.

In instances where there is high use expected from cyclists, provision for locking of bicycles should be considered.

Draft

8. Exterior Design Considerations

The building exterior will appear safe, well presented, well managed, clean and welcoming

General

The overall external design should consider the surrounding environment, architecture, place or design guidelines set out in any relevant master plans or neighbourhood planning.

Materials

The use of standard and available building materials is preferred. However, alternative robust products and methods of construction should always be considered, particularly with public toilets prone to vandalism.

Properly designed and constructed new or refurbished toilet buildings do not often attract vandalism, but public toilet buildings are generally retained for a long period of time and the use of long lasting and robust materials is necessary.

External Walls



Walls are to be generally flat surfaces that although may form a blank canvas for graffiti, can be easily painted over. Anti graffiti management is essential to discourage graffiti. Where possible graffiti should be removed the day after it has occurred (or earlier).

If brick walls are used, mortar joints are to be rodded (round) and not raked so that the brickwork can be easily painted if graffitied. Brick exteriors should either be painted in one bright colour that is easy to match for painting over graffiti or have “Taubmans Guardian Anti-Graffiti Coating” or similar equivalent product applied prior to finishing construction.

Any other wall types, externally or internally, should also be coated with a protective coating that will hinder graffiti attempts. Graffiti resistant and easy to clean materials such as corrugated iron or similar metal sheeting should be considered. However, it is not advisable to use them at a height where they could be easily damaged. Wherever possible walls should be resistant to etching also as this cannot be painted over easily.

Wall continuity

In the case of building refurbishments, the traditional external envelope and maze entry are removed. The entrance walls should be built with a semi-translucent material such as metal meshing to increase visibility and natural light. It is recommended these walls have a continuous gap below the wall and roof for ventilation. Low level openings in the brick work will also increase ventilation. The walls must provide privacy inside cubicles. Outer wall placement and composition should ensure that a direct line of vision can’t view any areas that may be used as change facilities.

It is preferable that there is also a continuous gap in the brick work between the wall and roof, this gap can be covered with a grill or batons (batons should not be able to be climbed) for ventilation and light.

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Roof



Installations of skylights that provide natural lighting are recommended. Any skylights installed need to be reinforced with extra roof purlins or steel safety mesh to prevent collapse under body weight. Gaps between the roof and wall can provide light and ventilation. The roof should also provide shelter from the direction of prevailing weather.

Roof design should also be considered (e.g. northerly aspect, loading) to ensure that solar power can be utilised, either now or in the future. Opportunities for storm water collection should also be considered in roof design. It should be decided on a project to project basis taking into consideration the height of the roof, storm water connection, probability of vandalism to guttering etc. and nearby trees.

Roof materials should be kept to matching 'Colorbond' or Zincalume sheeting and flashing where possible and installed to manufacturer's recommendations. Roof shape should be designed taking into consideration the surrounding environment, in particular the roof lines of surrounding buildings if applicable.

External Doors

External doors are to be robust, scratch resistant and easily repainted or relined. Hinges are to be heavy duty and fitted with one-way screws or bolts that are welded to nuts or hinges welded to frames. Self-opening hinges or other methods employed for automatically opening doors when cubical is not occupied should be used.

External doors should be wide enough to enable easy access for all users, including twin prams and wheelchairs. There should be no corners, and it should be light coloured, clearly visible and well lit. All doors externally are to be 100mm minimum above floor level to facilitate easy washing out of the toilet.

It is not necessary for doors to fill the door frame. Opaque and semi-translucent materials can be used in sections of the door for ventilation and natural light. External doors should incorporate design features that allow for easy access if a person collapses behind the door, (for example outwards opening doors or inwards opening doors with hinges that allow the door to be lifted clear), whilst still remaining vandal resistant. Entrance doors may need a lock if the facility is not intended for use at night.

Security

Gates and doors should be able to be locked and closed where applicable. Toilets must provide a clear line of sight for casual surveillance around the toilets. Where after dark use is not permissible lighting will not be required.

Where 24 hour access is not required or where the number of toilets available after hours is reduced, lockable galvanized gates are to be installed. Gates are required to be locked in the open position during the day when the toilet is in use.

Draft

9. Interior Design Considerations

Public safety inside the toilet should be supported by limiting contact with other patrons, and by presenting a light, bright, well-ventilated environment.

Interior design

The interior design should maximise patron visibility and minimise opportunity for collision and conflict. No blind corners will leave open sightlines throughout the facility. The use of light colours is recommended for maximum visibility.

Internal Walls

Walls are to be generally flat surfaces like external walls that although may form a blank canvas for graffiti, can be easily painted over. Anti graffiti management is essential to discourage graffiti. Where possible graffiti should be removed the day after it has occurred (or earlier).

If brick walls are used, mortar joints are to be rodded (round) and not raked so that the brickwork can be easily painted if graffitied. Brickwork should either be painted in one bright colour that is easy to match for painting over graffiti or have “Taubmans Guardian Anti-Graffiti Coating” or similar equivalent product applied prior to finishing construction.

Any other wall types, externally or internally, should also be coated with a protective coating that will hinder graffiti attempts. Graffiti resistant and easy to clean materials such as corrugated iron or similar metal sheeting should be considered. However, it is not advisable to use them at a height where they could be easily damaged.

In toilets not prone to vandalism, wall tiles can be considered, however the use of wall tiling is to be minimized as future tile replacement is often difficult to match the tiles and the tile grout absorbs graffiti paint. If tiles are used, light coloured tiled walls are the easiest to clean, reflect light and offer a sense of space.



Floor

The use of non slip tiles or other floor coatings that are easy to clean and vandal resistant are to be considered, not just concrete. Concrete flooring if used, is to be finished with a non-slip epoxy paint or similar material that is hardwearing, suitable for hosing down and fire proof.

Floors should slope slightly to an internal drain to reduce water pooling where appropriate. Floor drainage is to be provided for cleaning and should preferably be located near the hand basins. The drainage grate should have a vandal proof stainless steel removable top.

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Ceiling

If applicable, ceilings should be a minimum of 2700mm high of a material resistant to hole penetrations. 'Colorbond' metal cladding is the preferred material for ceilings.

Ceilings should be light coloured, vandal and fire resistant and provide natural light and ventilation. Ceilings may be required to support ventilation and lighting systems.

Windows and mirrors

Window and mirror glass is to be avoided. The use of perforated or expanded type mesh can be used as an alternative to glass and provide large areas of ventilation and light. Polished stainless steel should be used as an alternative to mirrors.

Urinals

The male toilets may provide a single urinal if the usage of the toilet is high. In refurbishments urinals should be removed or added accordingly. Urinals are to be waterless or automated, and designed to prevent a build up of uric acid.



Where a urinal trough is deemed necessary, only non-step troughs shall be installed to facilitate easy washing out of the toilet.

Cubicles

Toilet cubicles should be spacious, well lit, vandal resistant and easy to clean. At least one cubicle should allow for access for people with disabilities, according to relevant BCA and Australian Standards, if there is only one it should be labeled as Unisex.

Internal Doors

It should be noted that this section only applies to retrofit projects as none of the new designs include internal doors.

Internal doors are to be robust, scratch resistant and easily repainted or relined. Hinges are to be heavy duty and fitted with one-way screws or bolts that are welded to nuts or hinges welded to frames. Self-opening hinges or other methods employed for automatically opening doors when cubical is not occupied should be used.

Internal doors to people with disabilities and baby change facilities should be wide enough to enable easy access for all users, including twin prams and wheelchairs. There should be no corners, and it should be light coloured, clearly visible and well lit. All doors internally are to be 100mm minimum above floor level to facilitate easy washing out of the toilet.

Draft

Internal doors should not be floor to ceiling; they should provide an internal lock for privacy and denote usage. Internal doors should incorporate design features that allow for easy access if a person collapses behind the door (for example outwards opening doors or inwards opening doors with hinges that allow the door to be lifted clear), whilst still remaining vandal resistant. Internal doors should also provide hooks on the back, and be graffiti resistant and easy to clean.

Service duct



A service duct is to be used for maintaining in-duct cisterns. Service ducts are to be a minimum 700mm wide.

A locked cupboard can be provided to cater for the storage of non-flammable cleaning materials and other things such as toilet paper and soap in the service duct if space is an issue, but it is preferred that these cleaning materials are carried by the cleaning crews to avoid potential fires, hazards etc.

Lighting

Where natural lighting does not provide sufficient light it is recommend that solar powered sensor lighting is used. Artificial lights, where required, should be high mounted and vandal resistant, and be consistent with Australian Standards. Blue (ultraviolet light) is not acceptable.

Skylights and other sources of natural lighting are strongly recommended. Wide entrances, light coloured and reflective internal surfaces, gaps under doors and exterior walls, grills and batons below the roofline, will all assist to maximise the use of natural light and minimise the requirement for artificial lighting during the day.



Timers or sensors on lights as well as low energy fixtures are required.

Ventilation

Gaps and grills should be installed where possible to provide natural air ventilation.

Fire prevention

Non flammable material should be selected in the design of public toilets. Opportunities to start fires should be removed, and the opportunity for the flame to spread should be minimised.

Draft

Disability access



Mobility and ambulant impaired and wheelchair access must be considered. Cubicles that conform to AS1428 must be provided. Grab rails, vanity basins, pans and any other fittings must conform to these legal requirements.

Public health

It is appropriate for public health information to be supplied. It may also be appropriate to provide condom and sanitary dispensing machines, both will need to be encased in a vandal proof unit. Sharps disposal bins should also be provided in accordance with the City of Greater Geelong's Engineering unit procedures.

Public toilets should be connected to a reticulated sewer if available. If it is not possible to connect to sewer then consideration should be given to the use of secondary treatment plants which will treat the waste water to a higher standard than a basic septic tank. Other systems that may also be considered are composting toilets. The type of system to be used would be determined / influenced by the site characteristics.

A regularly cleaned waste disposal bin should be put in place at a convenient distance from the toilet.

Provision for parents

Toilets that are situated in family orientated areas such as parks and beaches should contain baby change and feeding facilities for hygiene purposes. Where possible they should be incorporated into Unisex accessible facilities. The specification will need to be sensitive to parent needs and yet be vandal resistant.



Draft

10. Fixtures & Fittings Considerations

All fixtures and fittings are to be robust and vandal resistant and should be common throughout public toilet facilities to provide for easy replacement.

Pans

Toilet pans are to be of stainless steel construction to avoid vandalism, preferably with a molded toilet seat or a heavy duty solid PVC seat fixed to the pan in the case of pans for people with disabilities. Toilet lids are not to be installed.



Cisterns

Toilet cisterns are to be the in-duct type. In wall cisterns may be used in certain situations but need to have heavy duty access panels, preferably galvanised chequer plate fixed with recessed hex head screws. Each cistern is to be fitted with stop taps to isolate each toilet. In-duct cisterns are to be installed with remote or extended buttons.

Robust, vandal resistant dual flush buttons should be easily reachable to able bodied users and people with disabilities. Any piping should be stainless steel.

Hand basins



Hand basins should be stainless steel, wall hung, basins with heavy duty steel support frames. No visible piping or fixings is preferred.

Use of any steel brackets or frame shall be hot dipped galvanised with galvanised or stainless steel bolts, screws and fixings. Any exposed pipe work is to be chrome plated.

If vanity units are to be used, the bench top is to be solid laminate trespa or precast polished concrete (or similar solid vandal proof bench top).



Water efficient tapware must be selected with a minimum AAAA rating. Taps are to be satin stainless steel, vandal proof taps. They should be spring loaded or timed to regulate water usage. Flow regulators must be installed to conserve water. Either push down or turn taps are preferred and they must be easy to reach and use. In the case of hand basins for people with disabilities they must be installed in compliance with AS1428.

Baby Change Tables

Parents need change room facilities and therefore baby change tables should be provided in unisex accessible facilities in locations that families are likely to use. Baby change tables should be of the stainless steel vandal resistant type and install in accordance with AS1428 requirements. Where possible they should be recessed into the wall.

Draft

Hand drying

Electric hand dryers should only be used where deemed absolutely necessary. Mainly in high use facilities. Electric hand dryers are preferred to loose leaf paper towel dispensers. Electric hand dryers need to be directly wired and securely fixed to walls. If paper towel dispensers are used they should preferably be the stainless steel recessed type.

Toilet roll holders



Toilet roll holders must be robust and secured well. They shall be of the loose leaf type with storage for 2 boxes minimum and be constructed from galvanised or stainless steel. The Facilities Maintenance unit has developed a preferred toilet roll holder they can supply to any new or existing facilities upon request.

Sanitary bins

Sanitary bins are to be provided in at least one female toilet. They need to be robust and securely fixed in position to prevent unauthorised removal.



Sharps disposal bins

Sharps disposal bins should be placed in all public toilet facilities in accordance with the City of Greater Geelong's Engineering units procedures. Signage must be displayed identifying their use and should be placed according to recommended heights of the Australian Standards.

Water tanks

It is preferable that roof water is collected and used in toilet flushing where deemed appropriate. If a water tank is being used it is desirable to house it internally in a service duct. The collecting tank is to be at least 2000lt and preferably at high level to allow gravity feed to the cisterns. If a gravity feed is not possible a pump is required. The pump is to have solenoid valve with connection to town water supply.

Drinking facilities

A water bubbler, and drinking facility for pets, should be provided in close vicinity to the toilet to avoid people having to enter the toilet.



Sanitary fixture schedule

On the following page are the details of the preferred sanitary fixtures to be used in all new or re-furbished public toilets. These fixtures should also be used in the replacement of old fixtures where deemed appropriate by the relevant Facilities Maintenance Technical Officer.

Contractors are permitted to install similar alternatives only after gaining the approval of the relevant Technical Officer or Project Manager.

Draft

PLUMBING FIXTURE SCHEDULE			
FIXTURE	**MANUFACTURER**	**MODEL**	**DESCRIPTION**
BABY CHANGE TABLE	RBA	KB110-SSWM or KB110-SSWM	Horizontal wall-mounted stainless steel baby changing station. Installed to manufacturer's details.
CISTERN	CAROMA	237003	Induct Wall Faced Invisi II Smartflush Suite with Remote Mounting Box Kit with matching dual flush control. Or use approved alternative
DISABLED VANITY BASIN & TAP	RBA	RBA8889-186	Curvalinear Single User Basin with Trap Cover + Tapware. Installed to AS1428.1 requirements & to manufacturer's details. Includes heavy duty compliant tapware.
DISABLED WC BACK REST	RBA	RBA4150-100	Compliant with & installed to AS1428.1. Or use similar other as confirmed.
DISABLED WC PAN	RBA	RBA8851-428	Wall faced disabled WC pan, plastic seat, 'P' Trap. Installed to AS1428.1 requirements & manufacturer's details.
DRINKING TROUGH	BRITEX	TPWDP	Stainless steel pre-plumbed drinking trough to suit. Installed to manufacturer's details.
FLOOR WASTE GRATE	GATIC		100mm Gatic Floor Waste Grate - Chrome Finish.
GRAB RAIL	RBA	RBA4041-900 or RBA4041-910 to suit	Compliant with & installed to AS1428.1. Or use similar other as confirmed.
GRAB RAIL AMBULANT	RBA	RBA4090-900 or RBA4090-910 to suit	Compliant with & installed to AS1428.1. Or use similar other as confirmed.
SHELF	BOBRICK/RBA	B295 X 24	Robust Stainless Steel Shelf. Compliant with & installed to AS1428.1. Or use similar other as confirmed.
TOILET ROLL HOLDER			Typical Heavy Duty COGG Dispenser. COGG to supply.
VANITY BASIN	RBA	RBA8889-182 (Large) or RBA8888-100 (Small)	(Large) Curvalinear Single User Basin with Trap Cover. Installed to manufacturer's details. OR (Small) Hygienic vandal resistant stainless steel basin. Installed to manufacturer's details.
VANITY BASIN TAP	RBA	RBA1083	Heavy Duty, Self-closing tap, or use similar other as confirmed.
WC PAN	RBA	RBA8841-100 or RBA8851-100	Wall faced WC pan, integrated seat, 'P' Trap

Draft

11. Environmental Sustainability Considerations

Public toilets should be built and managed in accordance with Environmentally Sustainable Design principles. Consideration must be given to the inclusion of the following measures in the design stage.

Environmentally Sustainable Design (ESD)

Toilets should be designed and constructed in accordance to ESD principles, specifically considering energy and water use.

Energy demands should be minimised with the use of high levels of natural light and ventilation. Solar power & low energy lighting fixtures on timers or sensors should be used. The toilet facility should be painted in a light colour internally to maximise reflected light. It is preferred that all materials that are sourced are to be recycled, recyclable and/or renewable.

Water-saving devices such as dual-flush cisterns, waterless urinals, spring-loaded tapware and “greywater” systems for flushing should be considered an integral part of the facility.

Where there is limited access to electricity and water mains, alternative designs, such as composting toilets and other forms of waterless toilets should be considered. Application of renewable energy technologies such as solar energy should be considered to improve the energy efficiency of the facility.

Some ESD initiatives have been categorically included below:

Energy

- High degree of natural light (e.g. skylights and other passive design features such as wide entrances)
- Low energy fixtures
- Timers/sensors on lighting
- Solar power (where electricity is required)
- Use of natural ventilation
- Light coloured and reflective internal surfaces

Water

- Dual flush systems or retrofit single flush
- Automated or waterless urinals (where applicable)
- Spring-loaded or time controlled taps
- Flow regulators on taps
- Greywater use or stormwater collection for flushing
- Water efficient fixtures with a minimum AAAA rating.

Orientation

- Maximise natural light and ventilation
- North facing roof with good design to facilitate solar power (now or in the future)

Draft

Materials

- Preference for materials that are recycled, recyclable and renewable
- Local materials where appropriate
- Reuse of materials upon refurbishment or demolition of toilets
- Materials that use less energy in the manufacturing, processing and transport (i.e., embodied energy)
- Durability – translates into minimal additional resource use

Alternative design

- Composting and waterless toilets
- Greywater use
- Stormwater collection
- Solar power

Vegetation

- Low level indigenous plantings and landscaping
- No overhanging branches or concealed entrances
- Mulch

Waste

- Septic tank consideration in conjunction with the City of Greater Geelong's Health & Local Laws department

Draft

12. Management Arrangements

The design and specifications need to be made with lifetime management in mind. Materials and fixtures should be resource efficient, durable, vandal resistant and easy to clean. Locks, signage and access paths should be provided.

Management

Management and regular maintenance of the toilets will require:

- Risk management
- Open and closing times
- Access management
- Security measures
- Cleaning
- Maintenance
- Graffiti management
- Reporting of incidents
- Response to specific forms of misuse

Risk management

Risks can involve threats to a person, staff, property, environment or reputation.

A risk management plan for toilet maintenance should be developed covering the following risks:

- Needle stick injuries
- Inadequate cleaning standard
- Physical threat/ violence towards cleaning staff
- Vandalism
- Slippery surfaces
- Septic tank loading

Opening and closing

Opening and closing times will be site specific. Most sites should not require access after 8pm. Shopping areas around the Central Business District (CBD) will require public toilets to be open during business hours. Major sporting facilities will require toilets to be open during daylight hours. Opening times could be tied in with cleaning schedules.

Access management

Access to public toilets will depend on the opening, closing and cleaning times of the toilets. This will be shown on an external sign located on the toilet block. Staff will be required to open and lock facilities at designated times.

Disability access must be provided to all public toilets, with an access path that provides a continuous path of travel to the toilets in accordance with the relevant Australian Standard requirements.

Draft

Security

Security arrangements will be site specific. If the toilet block is not intended to be used at night it will not be lit in the aim of deterring unwanted activity.

Processes will need to ensure the safety of cleaners, which would probably involve the facility being closed during cleaning. All cleaners should be provided with a mobile phone from their employer. Cleaners should be trained upon commencement of employment of the procedures for avoiding and encountering a dangerous situation.

Cleaning

City of Greater Geelong Council contracts cleaning services for all public toilets within the Greater Geelong Municipality. Contracted staff will be required to clean the toilets on a regular basis as specified in the cleaning contract. Cleaning should relate to the frequency of use. It should be noted that some current cleaning arrangements are considered inadequate and inappropriate and require review.

Cleaners will also be required to replace toilet paper and other expendable items. Cleaning of sharps and sanitary disposal units will not be the responsibility of the cleaners, but will come under a different arrangement.

Cleaners will need to have workplace health and safety training to learn how to deal with issues such as discarded needles and other hazards and safety concerns.

Cleaning contracts must consider environmentally preferred cleaning products that are biodegradable, contain low or no phosphate, and environmentally preferred supplies such as 100 per cent post consumer recycled toilet paper.

Maintenance

Long term maintenance problems need to be considered, as this is where significant costs are associated. Facilities should be audited frequently to assess wear and maintenance requirements. When wear is evident, maintenance should be provided to avoid equipment failure.

Cleaning staff must report maintenance problems. Independent audits will be conducted and reported to the Public Toilet Working Group every 6 months to ensure the toilets are being well maintained.

A contact phone number for maintenance issues should be placed on a sign outside the toilet facility. Issues such as plumbing that impact on the operation of the facility will require an immediate response.

Graffiti management

In order to manage graffiti the use of graffiti resistant materials and paints will be considered during the design process.

Cleaners must report graffiti problems to the Council to ensure prompt removal.

Draft

Reporting of incidents

Information about maintenance, graffiti, health, security and other issues needs to be relayed by the cleaners to their employer who will relay it to the Council for prompt response.

Phone numbers will be supplied on all toilet blocks to encourage toilet users to report problems or issues directly to the Council who will relay the information to the Contractor.

Response to specific forms of misuse

Public toilets can often create an environment for anti-social, illegal behaviour including:

- Sexual activity and loitering
- Vandalism
- Drug-taking, storage and dealing
- Accommodation by homeless

By using this document as a guide it is hoped to ensure that public toilets are seen as safe and provide an environment which will deter from misuse and criminal activity.

Managers should realise that it is difficult to prevent criminal activity so realistic objectives should be set. It is hoped that by following the safety recommendations in this document criminal activity will be reduced in these areas.

Draft

13. Design Checklist

Elements to consider in toilet management and design

Information gathering

a. Feasibility study and demographic information
- Is a feasibility study required?
- Has a study been undertaken?
- Has demographic information been obtained for the area?
- Are there heritage considerations?
- Has a need for upgraded facilities been identified?

b. Have the following been assessed?
- Safety audits?
- Police Service and crime data?
- Disability Access audit?
- Formal incident and anecdotal reports?
- Community consultation?
- Access to existing utilities (electricity, water, sewerage)

c. Information obtained by consulting community groups
- Community groups with an interest in the issues/or location?
- Maintenance and cleaning staff?
- Police and security services?

d. Toilet management
- Risk management assessment undertaken?
- Hours of operation considered?
- Access management?
- Security guards or police surveillance required?
- Maintenance and cleaning program arranged?
- Graffiti management program developed?
- Information and communication eg. signage, public information, etc.?

Toilet location and project design

a. Visibility
- Building located in area of high visibility for maximum casual surveillance?
- Appropriate surrounding vegetation?

b. Access and proximity
- Building located near existing facilities?
- Existing telephone, seats and noticeboards removed/relocated?
- Disability or mobility impaired access requirements are met?

c. Orientation
- Building entrances face active space?
- Maximise natural light and ventilation?
- North facing roof with good design to facilitate solar power (now and in the future)

Draft

Toilet design

a. Alternative design

- Alternative designs considered, e.g., composting toilets and other waterless toilets, greywater use and stormwater collection
- Unisex, self contained cubicles or enclosed cubicles with wash facilities outside?

b. Building exterior

- Installation of skylights and other good design features considered to maximize natural light
- External lighting requirement assessed, and, if required, low energy, solar powered lighting provided to exterior and proximity?
- Lighting fixtures high mounted, resistant to insect infestation and vandalism?
- Lighting fixtures on timer or sensor controls?
- Low lying indigenous vegetation selected to maintain visibility of building and not create hiding places?
- Existing vegetation removed/cut back from building where required?
- Graffiti resistant materials and selected treatments explored?
- Requirement for sharps containers for 24 hour disposal mounted according to Australian Standards/recommendations?
- Supply external water bubbler or outlet?
- Allowance for space between roof and wall and other features to provide light and natural ventilation?
- Designation (gender use/mix) clearly defined in language and symbol?
- Signage providing opening hours and contact telephone numbers?
- Roof design ensuring current or future application of solar power (i.e., northerly aspect, loading) as well as stormwater collection?
- Use of recycled, recyclable and renewable materials?
- Use of locally sourced materials?
- Durability of materials assessed to minimise additional resource use?
- Reuse of materials upon retrofit or demolition of toilets?

c. Entrance

- Approach is open and visible to active areas?
- Contains no corners or opportunities for concealment?
- Maximises natural light and light coloured reflective surfaces in order to minimise the requirement for artificial lighting?
- Contain high quality non slip surfaces?
- Floors slope to an internal drain to reduce pooling and maximise drainage?

Toilet interior

a. Size and configuration

- Number of existing cubicles?
- Total number of required cubicles?
- Number of wheelchair accessible facilities required?
- Number of ambulant accessible facilities required?
- Number of baby change/family facilities required?
- Number of male facilities required?
- Number of female facilities required?

Draft

- Urinals retained, replaced or removed?
- Number of hand basins required?

b. Configuration alternatives

- Screened lobby?
- Self contained cubicles with hand basin, no lobby required?
- No lobby, cubicles open into public space, hand basins outside?
- Open sightlines, no blind corners?
- No steps?

c. Finishes, fixtures and fittings

- Graffiti resistant materials and selected treatments explored?
- Vandal and fire resistant materials selected?
- Fixtures chosen for durability and robustness?
- Cistern located in lockable service duct?
- Cistern enclosed in vandal proof false wall?
- No visible piping?
- No toilet seat lids?
- Toilet seats?
- Requirements for baby change facilities?
- Requirements for sharps container?
- Interior lighting provided in facilities used at night?
- Light coloured and reflective internal surfaces?
- Internal lighting requirement assessed, and, if required, low energy, solar powered lighting provided to interior?
- Lighting fixtures high mounted, resistant to insect infestation and vandalism?
- Lighting fixtures on timer or sensor controls?
- Dual flush systems or retrofit of single flush?
- Automated or waterless urinals (where applicable)?
- Spring-loaded or time controlled taps?
- Flow regulators on taps?
- Good design features (e.g., skylights, gaps under doors, grills etc) considered to maximise natural light?
- Common fittings for ease of replacement?
- Use of recycled, recyclable and renewable materials?
- Use of locally sourced materials?
- Durability of materials assessed to minimise additional resource use?
- Reuse of materials upon retrofit or demolition of toilets?

Draft

Appendices

Appendix A – Public Toilet List

Draft

5. AMENDMENTS TO COUNCIL POLICIES

Portfolio: **Democracy and Governance - Cr Mitchell**
Source: **Corporate Services - Administration and Governance**
General Manager: **Jeff Wall**
Index Reference: **Policy Development**

Summary

- The attached policies have been reviewed and updated to reflect changes to the Local Government Act 1989 as a result of the Local Government and Planning Legislation Amendment Act 2010, Guidance provided by Local Government Victoria (LGV) in respect to Election Caretaker Arrangements and following a review of Council operations in comparison with other major Councils within Australia.
- The revised draft Councillor Code of Conduct specifically addresses the Councillor Conduct principles, as set out in section 76C(3) of the Local Government Act 1989. The draft Code also articulates the values and behaviours expected of Councillors, along with the roles and responsibilities of the Mayor, the Councillors, the Chief Executive Officer and staff. The dispute resolution section has been amended to provide a clearer and more robust dispute resolution mechanism. References to conflict of interest, assembly of councillors and use of information, including confidential information, have been removed because they are adequately addressed in other Council policies, procedures and guidance material.
- The Gifts and Hospitality Policy has been amended to incorporate the increase in the threshold amount from $200 to $500 for gifts that may give rise to a conflict of interest, and includes multiple gifts from a single source over a 5 year period. The Policy also incorporates the exemption of hospitality, where the hospitality is provided at an event or function which is attended in an official capacity.
- Council's Caretaker Policy Council Elections has been amended to incorporate amendments to section 55D of the Local Government Act 1989, which prohibits Council from printing, publishing or distributing material during an election period, without CEO approval.
- The Councillors' Expenses and Facilities Policy has been amended in relation to the use of Council letterhead and proposes the inclusion of a disclaimer, which clearly states that the views expressed in a letter are those of the individual author, and not Council. This is important, considering that the official view of Council may only be expressed by the Chief Executive Officer or the Mayor.

Cr Granger moved, Cr Abley seconded -

That Council endorse the amendment of the following policies:

1) Councillor Code of Conduct – CPL40.7

2) Gifts and Hospitality Policy – CPL40.5

3) Caretaker Policy Council Elections – CPL45.5

4) Councillors' Expenses and Facilities Policy – CPL45.2

subject to the following further amendments to the Councillors' Expenses and Facilities Policy:

5. AMENDMENTS TO COUNCIL POLICIES (CONT'D)

a) under the heading "Associated Meeting Attendance Costs Met by Council", add a final paragraph which reads, "Application to attend any overseas meetings involving Council expenditure must be approved by a formal resolution of Council", with the exception of the Mayor who may require overseas travel at short notice, from time to time;

b) the current wording of the first three paragraphs under the heading "Mail Outward" be deleted and replaced with the words "Council letterhead paper incorporating the Council logo must only be used for official Council business."

Carried.

Report

Background

In accordance with the Local Government and Planning Legislation Amendment Act, Council's policies and procedures have been reviewed and updated to ensure consistency with the changes to the Local Government Act 1989.

Councillor Code of Conduct

The Code is both an important Council policy and a specific legislative requirement. The Local Government Act 1989 provides guidance on what matters should be included in the Code. Section 76C(3) of the Act provides that a Code:

a) must include the Councillor conduct principles;

b) may set out processes for the purpose of resolving an internal dispute between Councillors;

c) must include provisions in respect of any matter prescribed for the purpose of this section; and

d) may include any other matters relating to the conduct of Councillors which the Council considers appropriate.

Discussion

Councillor Code of Conduct

The Code of Conduct is about working relationships. The following summarises the content of the amended Code:

1 *Introduction* – a commitment to good governance, discharging responsibilities and working together.

2 *Conduct Principles* – community expectations and principles to be observed as specified by the Act.

3 Councillor Conduct - specific types of conduct highlighted in the Act. *(this section was removed by HA)*

4 *Values and behaviours* - established through City Plan and are reflected in the Councillor Code of Conduct.

5. AMENDMENTS TO COUNCIL POLICIES (CONT'D)

5 *Roles & Responsibilities* - relationships with the community, Council staff, and also within the group of elected members.

6 *Dispute resolution* – a mechanism to address any breaches of the Code.

7 *Sanctions* – in house sanctions for minor breaches and an avenue for independent review of allegations of serious misconduct.

8 *Councillor sign off* - Councillor signatures to emphasise a commitment to the Code.

The draft Code represents a re-write and is approximately half the length of the 2009 Code. The revised draft Code specifically addresses the Councillor Conduct principles, as set out in section 76C(3) of the Local Government Act 1989. The draft Code also articulates the values and behaviours expected of Councillors, along with the roles and responsibilities of the Mayor, Councillors, the Chief Executive Officer and staff. The dispute resolution section has been amended to provide a clearer and more robust dispute resolution mechanism.

As indicated previously, a review of the existing Code included comparisons with Codes adopted by other Councils. While some Councils have detailed Codes, many have adopted a format similar to that proposed in this draft document.

The Councillor Code of Conduct is supplemented by other polices, procedures and guidance material, such as Council Meeting Procedures Local Law, Caretaker Policy Council (Elections), Gifts and Hospitality Policy, Councillors' Expenses and Facilities Policy, Confidential Information and Procurement, Conflict of Interest and Assembly of Councillors guides issued by DPCD. Consequently, the content of these documents have not been included in the Code.

Gifts and Hospitality Policy

Conflict of Interest

There is now an increased gift disclosure threshold limit of $500 in line with Victorian Members of Parliament, and includes multiple gifts from a single source over a 5 year period.

Certain hospitality is not considered to be a gift for conflict of interest purposes, if the following two conditions are met:

- The hospitality was received at an event or function that the person attended in an official capacity as the Mayor, a Councillor, a member of a special committee or a member of Council staff; and
- The hospitality is reasonable. That is, a reasonable person would consider it to be appropriate and not excessive.

The following examples do not constitute hospitality when received while attending an event or function in an official capacity:

- Free tickets to a sporting or cultural event at which the recipient is not performing any official duties.
- Free membership of an organisation.

Hospitality does not constitute an applicable gift if it is paid for by the Council, or by the person receiving the hospitality.

5. AMENDMENTS TO COUNCIL POLICIES (CONT'D)

Caretaker Policy Council Elections

Council's Caretaker Policy Council Elections has been amended to incorporate amendments to section 55D of the Local Government Act 1989. In particular:

Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer. This power to approve cannot be delegated to another staff member.

Councillors' Expenses and Facilities Policy

Mail Outward has been amended as follows:

Letterhead paper incorporating the Council logo may be used for correspondence. Care must be exercised to ensure that correspondence does not commit Council funds or convey a position contrary to that adopted by Council *or represent that a view expressed is that of the Council*. Further, the following disclaimer is to be placed in the footer of all Councillor mail when using Council letterhead.

The views expressed in this letter are the personal views of the individual Councillor and do not represent the views of the City of Greater Geelong Council. The official view of Council may only be expressed by the Chief Executive Officer or the Mayor.

Environmental Implications

Not applicable

Financial Implications

Payment of Councillor Expenses and the costs of providing support and resources form part of the annual budget review process.

Policy/Legal/Statutory Implications

Policies reflect recent amendments to the Local Government Act 1989. The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report are known to have a direct or indirect interest in the matters to which the report relates.

Risk Assessment

To update and adopt these policies is in accordance with good governance principles and aims to minimise the City and Councillors' exposure to reputation risk.

5. AMENDMENTS TO COUNCIL POLICIES (CONT'D)

Social Considerations

Councillors are elected to represent and serve their community. Good governance practices provide the community with confidence in Council leadership, providing transparency and accountability in the decision making processes of the City. This will reinforce public confidence in the integrity of Council's decision-making processes and Council's ability to ensure good corporate governance within the municipality.

Communication

Policies are published on Council's internet site www.geelongaustralia.com.au

CITY OF GREATER GEELONG

Councillor Code Of Conduct

CITY OF GREATER GEELONG

COUNCIL POLICY

Councillor Code of Conduct	Document No:	CPL40.7
	Approval Date:	
	Approved By:	Council
	Review Date:	
Responsible Officer: **General Manager Corporate Services**	Expiry Date:	N/A
	Version No:	04
Authorising Officer:	**Chief Executive Officer**	

1. PURPOSE

The Local Government Act 1989 requires that Council adopt a Code of Conduct and review the Code following a General Election.

2. SCOPE

This Code of Conduct has been developed in accordance with the Local Government Act 1989.

3. REFERENCES

3.1 Councillors' Expenses and Facilities Policy CPL45.2.
3.2 Pre Election Caretaker Policy CPL45.5.
3.3 Gifts and Hospitality Policy CPL40.5.
3.4 Procurement Policy CPL565.3.
3.5 Code of Conduct – Dispute Resolution Management Procedure MPR40.7.1.
3.6 Confidential Information in Reports Procedure MPR 40.6.1.
3.7 Local Government Act 1989.
3.8 Freedom of Information Act 1982.
3.9 Council Meeting Procedures Local Law 2009.
3.10 Charter of Human Rights and Responsibilities Act 2006.
3.11 "Conflict of Interest in Local Government – A Guide" – DPCD.
3.12 "Guide to Councillor Conduct Arrangement" – DPCD.
3.13 Register of Interests – Primary and Ordinary Return forms.
3.14 Assembly of Councillors Guidance Material.
3.15 Assembly of Councillors Record of Meeting form.

4. DEFINITIONS

4.1 "Act" means the Local Government Act 1989.
4.2 "Code" means the Council Policy – Councillor Code of Conduct.
4.3 "Councillor Conduct Panel" – a panel appointed pursuant to the Act.
4.4 "Independent Appointee" means a person suitably qualified in mediation or conciliation nominated by the President of the Law Institute of Victoria.
4.5 "Information" includes letters, reports, documents, facsimiles, attachments, tapes or electronic media and/or other forms of information including verbal.
4.6 "Policy" means any policy adopted by Council from time to time.
4.7 "Special Committee" means a committee established pursuant to section 86 of the Act.
4.8 "VCAT" – Victorian Civil and Administrative Tribunal.

5. COUNCIL POLICY

5.1 This Policy is in the form of the Code set out in this document.

6. QUALITY RECORDS

Quality Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location

7. ATTACHMENTS

COUNCILLOR CODE OF CONDUCT

Councillor Code Of Conduct 1
COUNCIL POLICY 1
1. Introduction 3
2. Councillor Conduct Principles 3
2.1. Primary principle 3
2.2. General principles 3
3. Values And Behaviours 4
3.1. Integrity 4
3.2. Responsibility 4
3.3. Innovation 4
3.4. Respect 4
4. Roles And Responsibilities 5
4.1. The Mayor 5
4.2. Portfolios 5
4.3. Councillors 5
4.4. Chief Executive Officer and Administration 5
4.5. The Community 6
5. Dispute Resolution 7
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COUNCILLOR CODE OF CONDUCT

1. Introduction

This Code of Conduct is a public declaration that Councillors of the City of Greater Geelong are committed to:

1.1 the principles of good governance;
1.2 discharging their responsibilities to the best of their skill and judgment; and
1.3 working together in the best interests of the people within the municipality

As far as is practical this Code applies to members of Special Committees in the same manner as it applies to Councillors.

2. Councillor Conduct Principles

The Act defines "Councillor Conduct principles" as the principles set out in sections 76B and 76BA of the Act, which are standards of conduct that the community has a right to expect of all Councillors. These are the "Primary Principle" and seven "General Principles". These principles must be included in every Councillor Code of Conduct and must be observed by every Councillor.

2.1. Primary principle

In performing the role of a Councillor, a Councillor must:

2.1.1 Act with integrity;
2.1.2 Impartially exercise his or her responsibilities in the interests of the local community; and
2.1.3 Not improperly seek to confer an advantage or disadvantage on any person.

2.2. General principles

In performing the role of a Councillor, a Councillor must also:

2.2.1 Avoid conflicts between his or her public duties as a Councillor and his or her personal interests and obligations;
2.2.2 Act honestly and avoid statements (whether oral or in writing) or actions that will or are likely to mislead or deceive a person;
2.2.3 Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other Councillors, Council officers and other persons;
2.2.4 Exercise reasonable care and diligence and submit himself or herself to the lawful scrutiny that is appropriate to his or her office;
2.2.5 Endeavour to ensure that public resources are used prudently and solely in the public interest;
2.2.6 Act lawfully and in accordance with the trust placed in him or her as an elected representative; and
2.2.7 Support and promote these principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor.

3. Values and Behaviours

Councillors aim to foster a culture that embraces a consistent set of behaviours that reflect what they truly value and believe in to deliver effective and efficient outcomes for the community.

3.1. Integrity

They will:

3.1.1 Act on their commitments;
3.1.2 Be open, transparent, ethical and honest in their actions; and
3.1.3 Share information.

3.2. Responsibility

They will:

3.2.1 Be accountable for their decisions and everything they do;
3.2.2 Take pride in the job they are doing;
3.2.3 Be loyal and support their colleagues and the organization; and
3.2.4 Take responsibility for problem solving.

3.3. Innovation

They will:

3.3.1 Look for and implement better ways of doing things;
3.3.2 Be open to learning; and
3.3.3 Be responsive to the changing needs of the community.

3.4. Respect

They will:

3.4.1 Listen and seek to understand the views of others;
3.4.2 Be considerate and courteous;
3.4.3 Recognise everyone's contribution and value a job well done; and
3.4.4 Build positive relationships.

4. Roles and Responsibilities

Councillors are able to exercise authority as a member of Council after they are formally sworn in and when they meet formally as Council. All decisions are made at Council meetings or through delegations that are formally made by Council. Councillors as a group determine and monitor Council policy, direct and control Council's affairs and allocate resources.

Councillors recognise the importance of appropriate and productive relationships and will strive to support and maintain these relationships as they work cooperatively to achieve Council's vision.

4.1. The Mayor

The Mayor is elected by Council to represent the views and directions of Council in performing various roles and duties, including chairing the Council meetings and acting as Council's spokesperson.

The Mayor provides leadership to Council and carries the respect and authority given by Council, the Councillors and the Act.

4.2. Portfolios

Councillors acknowledge and respect that the Portfolio Councillor's role involves –

4.2.1 receiving and providing preliminary feedback in relation to issues impacting on the portfolio;
4.2.2 increasing their level of knowledge, understanding and involvement in the area; and
4.2.3 functioning as a Council spokesperson, where appropriate, in matters that arise in relation to their portfolio.

4.3. Councillors

Maintaining good working relationships between Councillors is integral to achieving the best outcomes for the community.

Councillors will:

4.3.1 strive to achieve the best outcomes for the City by working with colleagues and staff in an atmosphere of mutual respect;
4.3.2 be honest and open with other Councillors;
4.3.3 recognise and respect the strengths and weaknesses of fellow Councillors and where possible offer encouragement and support;
4.3.4 ensure punctual attendance at meetings;
4.3.5 debate contentious issues without resorting to personal acrimony or insult; and
4.3.6 refrain from personal attacks on other Councillors and focus on the issue at hand.

4.4. Chief Executive Officer and Administration

The administration is accountable to Council through the Chief Executive Officer, who is responsible for the management and administration of the organisation.

Councillors will endeavour to ensure interactions with members of Council staff do not, and are not perceived to direct or influence members of Council staff in the exercise of their duties, or in their professional advice to Council.

Decisions which reject or modify officer recommendations must only be made for relevant and proper reasons at a formal Council or Committee meeting.

The relationship between Councillors and staff must be one of co-operation and support with a clear understanding of each other's roles and responsibilities. Councillors will

4.4.1 act respectfully towards staff dealing in a professional, courteous, fair, equitable and honest manner and avoiding intimidating behaviour;
4.4.2 commit to working co-operatively with staff to achieve the Council's goals;
4.4.3 develop mature and constructive working relationships based on mutual trust, respect and a recognition of common goals;
4.4.4 understand and respect the distinction in roles of Councillors and staff, acknowledging that the Chief Executive Officer is responsible for the operations of Council and management of staff. Councillors will not involve themselves, directly or indirectly, in any personnel matter relating to a Council officer;
4.4.5 acknowledge that Councillors must not direct or instruct members of staff in the performance of their duties;
4.4.6 acknowledge that access to Staff in the Office of the Mayor & Councillors shall be available in accordance with approved protocols;
4.4.7 refrain from using the Councillor position to improperly influence members of staff in their duties or functions or to seek preferential treatment or gain an advantage for themselves or others;
4.4.8 advise the Chief Executive Officer in a timely fashion of any concerns that a Council officer has acted contrary to a formal Council policy or decision. Any discussions pertaining to the performance of a Council officer must be held privately with the Chief Executive Officer or appropriate General Manager in a constructive manner; and
4.4.9 refrain from publicly criticising staff in a way that casts aspersions on their professional competence or credibility.

4.5. The Community

Councillors are elected to govern the municipality as Council. On behalf of the community, Councillors are committed to representing constituents and the broader community working together to achieve outcomes that are in the best interests of the municipality.

Consultation, representation, equity, openness and accountability are the key features of the relationships between Council and the Community. Councillors will:

4.5.1 respectfully deal with members of the community in a courteous, fair, equitable and honest manner;
4.5.2 strive to understand and respect different points of view within the community;
4.5.3 be available to listen and respond to community concerns, but will avoid promising things which cannot or may not be delivered;
4.5.4 make decisions in the best interest of the community after considering all relevant interests and points of view;
4.5.5 be cognisant of the principles of procedural fairness prior to making statements on issues upon which public submissions have been invited;
4.5.6 encourage partnerships with the community so that mutual strengths can be utilised to achieve common goals; and
4.5.7 encourage understanding and harmony and discourage divisiveness among citizens of the City of Greater Geelong.

5. DISPUTE RESOLUTION

At times there will be disputes or grievances between Councillors arising from alleged breaches of the Code. These disputes may require resolution outside the Council Chamber.

The Councillor Conduct arrangements in the Act provide for three levels of dispute resolution. Council's internal dispute resolution processes, Councillor Conduct Panels and the VCAT.

A Council's internal dispute resolution process is the first formal step to be taken when there is a dispute between Councillors that has the capacity to undermine the effective operation of the Council.

Before commencing any formal dispute resolution process, such as referral to Councillor Conduct Panel or through the VCAT, the Councillors who are parties to any disagreement will endeavour to resolve their differences informally in a courteous and respectful manner, recognising that they have been elected to represent the best interests of the community. Councillors may seek assistance of any third party in resolving their differences.

In the event that differences are unable to be resolved and the situation is unduly affecting the operation of Council, the following process will be applied:

5.1 A written report (complaint) will be furnished by a Councillor to the Mayor detailing an alleged breach of the Code specifying the relevant provisions of the Code of Conduct.

5.2 Within 5 working days of receipt of the complaint, the Mayor will:

5.2.1 provide written acknowledgment of receipt of the complaint;
5.2.2 provide a copy of the complaint to the Councillor concerned; and
5.2.3 attempt to facilitate a resolution.

5.3 The Mayor may call upon the Chief Executive Officer for advice and guidance at this point in the process. The Mayor may appoint an independent expert to express an opinion in relation to the dispute.

5.4 If the matter is not able to be satisfactorily resolved, the Mayor shall appoint an Independent Appointee conciliator, being a person suitably qualified in mediation or conciliation nominated by the President of the Law Institute of Victoria.

5.5 If an Independent Appointee is appointed all Councillors shall cooperate in the dispute resolution process and provide reasonable assistance to the Independent Appointee as requested.

5.6 Following mediation a report is to be prepared for the Mayor by the Independent Appointee which sets out the outcome of the mediation and may include any general recommendations which may be of assistance to Council. This report is to be provided within 21 days of appointment of the Independent Appointee or such other reasonable time as agreed by the Mayor. The report will be subsequently presented during a closed section of a Council meeting.

5.7 In the event that the Mayor or Deputy Mayor is either a complainant or a respondent, another Councillor determined by Council shall assume the role of the Mayor for the purposes of this part of the Code.

5.8 In the event that the above internal processes fail to reach a resolution, the matter may be formally referred to either the Councillor Conduct Panel in the first instance or the VCAT. The process for formal resolution is outlined in Part 4 of the Act.

6. Sanctions or Referral to Councillor Conduct Panel

6.1. Sanctions may be applied if this Code or any relevant law is breached depending on the nature of the breach. Sanctions may be imposed by resolution of Council.

6.2. Council, having considered the report and any recommendation of the Independent Appointee may resolve that a Councillor has failed to comply with this Code and may, by resolution:

6.1.1 Require the Councillor to apologise to the person concerned;
6.1.2 Request a formal public apology;
6.1.3 Pass a sanction motion at a Council Meeting;
6.1.4 Make public disclosures of inappropriate conduct (such as making the community aware of the breach through the media or Annual Report);
6.1.5 Refer the matter to an appropriate investigative body if the matter is serious;
6.1.6 Withdraw or re-allocate any Portfolio responsibilities or Chairperson role held by the Councillor; and
6.1.7 Withdraw or re-allocate any appointment of the Councillor to a Committee.

6.3. Additionally a matter may be referred to a Councillor Conduct Panel to make a finding of misconduct.

7. Councillor Signatures

Councillors agree with and consent to be bound by the principles and standards in the above Code:

CITY OF GREATER GEELONG

COUNCIL POLICY

Gifts and Hospitality	Document No:	CPL40.5
	Approval Date:	
	Approved By:	Council
	Review Date:	
Responsible Officer: **General Manager Corporate Services**		
	Version No:	03
Authorising Officer:		**Chief Executive Officer**

1. PURPOSE

To establish guidelines for the acceptance of gifts or hospitality by Councillors and Council employees to avoid any potential Conflicts of Interest or breaches of the Local Government Act.

2. SCOPE

This policy applies in relation to all gifts or hospitality offered to or received by Councillors and Council Employees from external sources to Council.

It does not relate to donations of cash received by Council for specific purposes such as appeals. These will be recorded in the Council accounts and used for the purposes of the appeal.

3. REFERENCES

- Council Policy – Councillor Code of Conduct CPL40.7
- Management Policy – Fraud Control MPL550.3.2
- Management Policy – Staff Conduct
- Local Government Act 1989 - Sections 77-81

4. DEFINITIONS

Gifts

Gifts are unsolicited and meant to convey a feeling of goodwill on behalf of the giver and where there is no expectation of favours or repayment. Some examples of these types of gifts could include:

- Clothes
- Products
- Tickets

with a value of greater than $50.

Hospitality

Hospitality is the provision of food or beverages, travel, accommodation or entertainment offered to convey goodwill on behalf of the giver for which there is no expectation of favours or repayment. Hospitality is a form of Gift but for the purpose of this policy is dealt with separately.

Tokens

A Token is a “Gift" (other than money) with a value of up to and including $50. Examples include:

- Trinkets (ties, scarves, coasters, tie pins)
- Flowers
- Single bottles of reasonably priced wine
- Food eg chocolates and cakes

Such tokens do not create a sense of obligation in the receiver that will influence, or appear to influence, the exercise of their official duties.

Bribe

Means money, reward or service offered to procure action, decision, or preferential treatment in favour of the giver or another person.

Conflict of Interest

Means any private or personal interest, which could prejudicially influence, or be perceived to influence, a person in the performance of his or her public or professional duties (refer Local Government Act, 1989 for comprehensive definition).

Cash

Means money or vouchers which are readily convertible.

5. COUNCIL POLICY

The City of Greater Geelong is committed to being open and transparent in its operations to ensure that it minimises the risk of being placed in a compromising position that may have an adverse affect on its public endeavours and the promotion of trust within the community.

Councillors and Council Employees must:

a) At all times be ethical, fair and honest in the conduct of official duties.

b) Be aware that fraudulently receiving a “Gift” including Hospitality is an offence under both common law and the *Local Government Act 1989*.

c) Be fully accountable and responsible for their actions and ensure that the methods and processes they use to arrive at decisions are beyond reproach and can withstand audit processes and proper scrutiny.

d) Not seek, solicit, or use their position with Council to obtain gifts or benefits from external organisations or individuals.

e) Ensure that a person, company or organisation is not placed in a position in which they feel obliged to offer gifts or hospitality to secure or retain Council business.

f) Report any incidences where a Bribe and/or cash is offered.

5.1. Acceptance of Gifts

Councillors and Council Employees must not solicit gifts or hospitality. Offers of money must not be accepted.

The following principles apply to Councillors and Council Employees in relation to the acceptance of Gifts or Hospitality:

- "Tokens" that are of an infrequent nature and that are unsolicited may be accepted. (Refer 5.5.1)
- Other than "Tokens" a Gift should be politely declined.
- If a Gift or Hospitality cannot be declined or returned, or if refusal has the potential to damage Council's relationship, then it may be received, but must be reported immediately. (Refer 5.5.2)
- It may be determined that the Council retain or appropriately dispose of any Gift or instruct that any Token or Gift may not be received or retained either generally or from specified persons or organisations.

5.2. Hospitality

Councillors and Council Employees, in the normal course of their duties will from time to time receive invitations of hospitality to attend various functions and events.

Where such hospitality is only modest in nature and provides an opportunity to network or undertake business of a common purpose, it may be appropriate to accept such invitations. Where practical approval should be obtained prior to attendance.

Examples:

- A business meeting to discuss matters of Council interest at which a meal or refreshments are served;
- Attendance as a representative of the Council at promotional events, site inspections, meetings or activities where there is value to Council in its Councillors or Employees gaining or providing information of benefit to Council operations;

If, however, acceptance of the hospitality is likely to create the impression that an attempt is being made to compromise the impartiality of the Councillor or Council Employee, or could be perceived as a Conflict of Interest, then the offer of hospitality should be politely declined.

Any hospitality estimated to be in excess of $50 must be reported in the same manner as a Gift (Refer 5.5.2).

5.3. Bequests

Any bequests to Councillors and Council Employees as a direct result of their position with Council must not be accepted. Arrangements may be made to donate the bequest to a charitable institution in the name of the person or returned to the immediate family.

5.4. Conflict of Interest

Councillors and Council employees sho uld be aware that any gift or hospitality accumulated to $500 from one source, over a five year period will give rise to the Councillor or employee having a conflict of interest to declare in accordance with the Local Government Act**.**

Hospitality is not considered to be a gift, for conflict of interest purposes if the following two conditions are met:

- The hospitality was received at an event or function that the person attended in an official capacity as the Mayor, a Councillor, a member of a special committee or a member of Council staff.
- The hospitality is reasonable. That is, a reasonable person would consider it appropriate and not excessive.

It is important to note that the following do not constitute hospitality received when attending an event or function in an official capacity:

- Being given free tickets to a sporting or cultural event at which you are not performing any official duty; or
- Being given free membership of an organisation.

Hospitality does not constitute an applicable gift if it is paid for by the Council or by the person receiving the hospitality.

5.5. Approval and Reporting

5.5.1. **Tokens.** Details of any Tokens shall be recorded on Attachment 1 – Declaration of Tokens Received. Completed forms are to be retained by the relevant Department but on a quarterly basis forwarded to the Governance Co-ordinator for central document management.

5.5.2. **Gifts and Hospitality.** Details of gifts or hospitality whose value exceeds $50 shall be detailed on Attachment 2 and the responsible General Manager, Mayor in respect of Councillors and Chief Executive Officer in respect of the Mayor shall determine the most appropriate treatment method for the Gift or Benefit. Completed forms are to be conveyed to the Governance Co-ordinator who is responsible for recording the details in the Register of Gifts and Hospitality

5.5.3. **Gifts and Hospitality Register.** A Register will be maintained by the Governance Unit and reported to the Audit Advisory Committee and the Chief Executive Officer every six months. This Register will be made available for public inspection and contains the following information:

- Date
- Description of the Gift or Hospitality
- Estimated Value
- Recipient
- Provider Name (Individual or Company)

- Treatment

6. QUALITY RECORDS

Quality Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
Register – Gifts to Council	Governance Unit	Permanent	Corporate Records

7. ATTACHMENTS

- Attachment 1 – Declaration of Token(s) Received (where the value is up to and including $50)
- Attachment 2 – Return of Gifts, Hospitality Form (where the value exceeds $50)

COUNCIL POLICY

CARETAKER POLICY COUNCIL ELECTIONS	Document No:	CPL45.5
	Approval Date:	
	Approved By:	Council
	Review Date:	
Responsible Officer: **Chief Executive Officer**	Version No:	02
Authorising Officer:		**Chief Executive Officer**

1. PURPOSE

To provide for the General Election to be conducted in an environment that is open and fair to all candidates by setting out procedures and practices applicable during the pre-election caretaker period.

2. SCOPE

During the pre-election caretaker period, the business of Council continues and ordinary matters of administration still need to be addressed. This Policy establishes a series of "caretaker" practices, which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

The Policy addresses:

- Major Policy Decisions, (applies only in the case of a General Election)
- Council resources,
- Information,
- Council Communications and Publicity,
- Functions and Events
- Travel and Accommodation
- Councillor Expenditure
- Advice to Candidates,
- Monitoring the Policy.

This Policy is meant to supplement rather than replace the legislative and commonsense approach to fair and equitable Council elections.

3. REFERENCES

- Local Government Act 1989
- Victorian Electoral Act 2002.
- Code of Conduct CPL40.7

- Councillor Expenses & Facilities CPL45.2
- Electoral Advertising Signs on Road Reserves CPL45.8

4. DEFINITIONS

"Pre Election Caretaker Period" in relation to an election means the election period defined in the Local Government Act 1989

5. COUNCIL POLICY

5.1. Major Policy Decisions

5.1.1. Section 93A of the Local Government Act prohibits a Council from making major policy decisions during the pre election caretaker period relative to:

- the remuneration, appointment or dismissal of a Chief Executive Officer;
- entering into any major contracts worth more than $150,000 for goods and services or $200,000 for works, or 1% of the Council's rates revenue for the previous financial year (whichever is greater); and
- the exercise of any entrepreneurial power under section 193 if the amount assessed under section 193(5A) exceeds $100,000 or 1% of the Council's rates revenue for the previous financial year (whichever is greater).

5.1.2. In the event of exceptional circumstances requiring a Council decision, an application may be made to the Minister in accordance with Section 93A of the Act.

5.2. Council Resources

It is essential that due propriety is observed in the use of all Council resources. It is also important that all Councillors have access to the resources necessary to fulfil their elected roles. In order to ensure the proper use of Council resources during the pre election caretaker period, the following will apply:

- Council resources, including offices, support staff, hospitality, equipment, email, mobile phones and stationery will be used exclusively for normal Council business and will not be used in connection with election campaigning.
- Reimbursements of Councillors' out-of-pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.
- Council logos, letterhead, or other CoGG branding must not be used for, or linked in any way to, a candidate's election campaign.
- Council support staff will not be asked to undertake any tasks connected with a candidate's election campaign.

5.3. Information

- Council recognises that all election candidates have certain rights to information from the Council administration subject to the Information Privacy Act 2000 (Vic) which may prevent the disclosure of certain information. However, it is important that current Councillors continue to receive information that is necessary to fulfil their roles. Councillors shall not request or receive information or advice from Council staff to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the Election Period.
- Requests for clarification relating to the provision of information should be directed to the Governance Unit who may refer the request to the Chief Executive Officer or appropriate senior management.
- Public consultation may be undertaken during the Caretaker Period to facilitate the day to day business of Council, to ensure that matters continue to be proactively managed. Consultations will avoid express or implicit links to the election. In view of the potential for a matter or issue to become contentious or politically sensitive in the course of the Election Period, Council reserves the right to postpone a matter if the issue is likely to affect voting. Council will not continue or commence consultation on any contentious or politically sensitive matter after the date on which nominations close.

5.4. Council Communications and Publications

Council communications are a legitimate way to promote Council activities and services. It is important that all Councillors have access to the Council's communication resources to enable them to fulfil their roles. However they will not be developed or used in support of a candidate's election campaign.

During the election period as defined:

- Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer. This power to approve cannot be delegated to another staff member.
- A Council employee must not make any public statement that could be construed as influencing the election. Statements of clarification may be required from time to time and these are to be approved by the Chief Executive Officer.
- Council publicity and communications will be restricted to promoting normal Council activities and services, and for informing residents about the conduct of the election.
- In the event that a spokesperson is required in relation to any publication or communication, the Chief Executive Officer will fulfil that role.
- No media advice or assistance will be provided to Councillors in relation to election campaign matters.

- Councillors will not use their position as an elected representative, or their access to Council staff and other Council resources, to gain media attention specifically in support of an election campaign.
- Councillor profiles on the Council website will be limited to a photograph, portfolio title and contact details. Ward reports and other communication from a Councillor via the Council website will be removed.

5.5. Functions and Events

- Any event or function held during the election period shall relate only to legitimate Council business and shall not be used, or be capable of being construed as being used, in connection with any election activity.
- All speeches prepared for use at events or functions shall be reviewed by the Co-ordinator Communication & Marketing or General Manager Corporate Services, to ensure the content does not breach this Policy or the Local Government Act 1989.
- Councillors may make a speech during any event or function, however, the speech must not have any political reference which may be construed as providing a current Councillor any advantage during the election period.

5.6. Travel and Accommodation

- Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may, by resolution, approve such attendance. If consideration by Council is impractical, the Chief Executive Office may determine the issue.

5.7. Councillor Expenditure

- Claims for the reimbursement of expenses shall conform with requirements set out in the Councillors' Expenses and Facilities Policy.

5.8. Advice to Candidates about the election process

All candidates for the Council election will be treated equally. Any advice to be provided to candidates as part of the conduct of the Council election should be provided equally to all candidates.

All election related enquiries from candidates, whether current Councillors or not, will be directed to the Returning Officer, or where the matter is outside of the responsibilities of the Returning Officer, to the Chief Executive Officer (or relevant senior manager).

5.9. Monitoring and Enforcing the Policy

Where an issue arises in relation to this policy, the Chief Executive Officer is responsible for determining any issues that arise in the implementation of this policy.

Staff and the Chief Executive Officer are subject to penalties as defined by Section 55 of the Local Government Act, 1989.

QUALITY RECORDS

Quality Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location

6. ATTACHMENTS

- Nil

CITY OF GREATER GEELONG

.ICOUNCIL POLICY

Councillors' Expenses and Facilities	Document No:	CPL45.2
	Approval Date:	
	Approved By:	Council
	Review Date:	
Responsible Officer:	Expiry Date:	N/A
General Manager Corporate Services	Version No:	02
Authorising Officer:		**Chief Executive Officer**

Purpose

This policy supports requirements of the Local Government Act 1989, with specific reference to sections 74 and 75 that relate to the payment of allowances and out-of-pocket expenses to the Mayor and Councillors.

It also identifies expenses to be paid and facilities to be provided to the Mayor and Councillors relative to the functions of civic office.

Scope

To assist Councillors in the discharge of their civic, statutory and policy making functions, Council will be responsible for the provision of a range of necessary facilities and the reimbursement of expenses specified within the policy.

Recognising the special role of the Office of Mayor, the policy also provides for expenses and facilities specific to that office.

Claims for facilities and expenses other than those included in the policy will be subject to Council resolution.

Council's facilities and services, as outlined in this policy, are available to the Mayor, and Deputy Mayor and Councillors while performing the official duties of office. These facilities and services are not available for use by members of a Councillor's family, unless the use is directly related to attendance at a civic function or another aspect of the Councillor's civic duties in the company of the Councillor.

If a Councillor does not claim a particular expense or use a particular facility, this cannot be offset against a claim for an additional amount of some other expense or facility.

References

- Local Government Act 1989. Sections 74 and 75.
- Management Procedure Corporate Card Use
- Councillor Code of Conduct Policy
- Caretaker Policy Council Elections
- Email and Internet Access Management Policy

This Policy replaces:

Management Procedure – Attendance at Meetings and Conferences by Councillors (MPR40.1.0.01)

Management Procedure – Corporate Taxi Use (MPR45.2.0.03)

Management Procedure – Private Vehicle Use – Councillors (MPR45.2.0.04)

Management Procedure – Councillor Allowances (MPR45.2.0.05)

Management Procedure – Reimbursement of Expenses (MPR45.2.0.06)

Management Procedure – Communication Equipment Use – Councillors (MPR45.2.0.07)

Management Procedure – Councillor Meals (MPR45.2.0.08)

Definitions

Communications Equipment includes any Personal Computer or Notebook Computer, Mobile Telephone or Personal Digital Assistant (PDA) eg Blackberry, Printer and Telephone together with network connection provided by Council to Councillors.

Accessories include Car Kits, non corporate software, or any other device or service beyond that provided throughout the organisation.

Meetings Attendance shall include any seminar, deputation, exhibition, meeting, training program, meeting, function or other activity relative to the responsibilities of civic office.

Responsibility and Accountability

Councillors must provide original receipts to support reimbursement of expenses and complete documentation in support of a claim for reimbursement. Only those expenses explicitly covered in this policy will be reimbursed.

Requests for reimbursement should be received within sixty days of the cost being incurred. Claims for expenses six months or older will not be reimbursed.

Any advance payment made for the cost of a service associated with a civic duty must be reconciled within one month of receiving such payment and receipts supplied as verification.

Any reimbursement required to Council for non-Council related expenditure shall be made within sixty days of the cost being incurred or account being received.

As a minimum a summary of Councillor expenses as at the end of each financial year and anniversary of Election Day will be published on the Council's website.

Policy

Additional Expenses and Facilities for the Office of the Mayor

The Office of the Mayor operates to provide those functions of the Council best carried out by the Mayor. It is allocated a budget by Council on an annual basis, and within that budget staff and other resources may be employed as considered reasonable and appropriate. Any expenses incurred by the Mayoress, or person nominated by the Mayor to fulfil the civic role shall be deemed to be expenses of the Mayor.

Council will provide at its cost to the Mayor a fully registered, insured, maintained and fuelled vehicle for use by the Mayor on official duties and for private use. The vehicle type and usage shall be in accordance with Council's Fleet Policy. Council will also meet the cost of weekly cleaning of the Mayoral vehicle.

Council will provide the following Mayoral office facilities.

- Private office suitably equipped with quality furniture and shelving, including desk and meeting table.
- Computer, printer and corporate software.
- Telephone – Digital Handset with I.S.D. access.
- Fax machine.
- Personal Assistant and Secretarial Support are available to the Mayor during normal office hours.

The Mayor may be provided with other necessary assistance to enable the performance of the duties of civic office. Such assistance may include, but is not limited to the following:

- A Corporate Card will be made available to the Mayor for use while discharging the functions of the office. Use of a Corporate Card will be in accordance with the Corporate Card Procedure.
- Reasonable purpose specific clothing suitable to attend and participate in activities on behalf of Council requiring specialised non-standard attire.

Councillors' Allowance

The Local Government Act currently provides for the Mayor and Councillors to be paid an expense allowance. The Act provides for allowances to be fixed by Order by the Minister of Local Government, within upper and lower limits specified in the Order. This flexibility enables Council to set a level appropriate to the municipality.

Payment of Allowances

- Allowances shall be paid quarterly in advance, provided that upon a Councillor ceasing to hold office or pending an election, payment shall be withheld until such time as the Councillor is declared elected.
- Payment shall be made by cheque or electronic funds transfer, in a manner authorised in writing by the Councillor.
- Upon the Mayor or a Councillor ceasing to hold office, any moneys paid in advance shall be refunded within 30 days.
- Notwithstanding that the date of the election of the Mayor may vary in accordance with the Act, the Mayor having completed a full term of office shall not be entitled to any pro rata adjustment of allowance to take into account any days less than or exceeding their term of election.
- Councillors may elect to enter into an arrangement to effectively sacrifice allowance amounts into a complying superannuation fund in accordance with Guidelines established by Council and upon completion of the prescribed Australian Taxation Office documentation.

Carer Expenses

The Council will reimburse the cost of necessary expenses for childcare up to and including the age of 16 years and the care of elderly, disabled and/or sick immediate family members of Councillors, while a Councillor is attending meetings or conferences in Australia in their capacity as a Councillor.

Child care costs are not eligible for reimbursement if paid to a family member or a person who normally or regularly lives with the Councillor, except where a live-in (professional) helper such as a nanny is required to work extra time at extra expense because of the Councillor's duties.

Carer expenses may consist of:

- Occasional child care centre fees
- Hourly fees
- Agency booking fees (if claimed)
- Reasonable travelling expenses at rates no greater than those prescribed in the Victorian Local Authorities Award 2001 (if claimed by the carer)

Fees are payable per hour (or part of an hour) subject to any minimum period which is part of the provider's usual terms, to a maximum hourly rate approved by the Chief Executive Officer.

Travelling expenses may cover the transport costs of the carer to and from the Councillor's residence or of the person to be cared for to and from the place of care.

Claims must be accompanied by a receipt from the care provider showing the date and time care was provided and details of the reason care was need on each occasion.

Communications

Equipment Provided for Councillors

Standard equipment provided:

- Mobile telephone or Personal Digital Assistant (PDA) eg Blackberry including hands free or device cradle for vehicle
- Printer
- Computer (PC, laptop or tablet)
- Internet access
- Telephone and Landline

Installation

Council will arrange for the installation of the necessary telephone line and associated equipment and meet all connection costs including, where necessary, power supply. A facsimile machine will be installed if requested by the Councillor. Installed equipment including message facilities will remain at all times at the residence of the Councillor, or such other agreed designated location, during the term of office.

Accessories or services beyond the standard equipment referred to above may be provided upon written request. The cost of any accessories provided, will be deemed to be a discretionary operational expenditure and shown as an expense incurred by the Councillor.

Conditions of Use

All Council supplied Telecommunications services such as Fax/phone lines or Mobile phones must reside on the City's main consolidated Telephone Account.

For Councillors who choose to use non-Council mobile phones (in lieu of Council supplied phones) a claim for reimbursement of expenses incurred on Council business may be made.

All Communications Equipment must be compatible and consistent with that which already exists within the City.

Use of software shall be in accordance with licence requirements.

Monthly Accounting for Communication Equipment

Councillors who have a Council supplied mobile phone or telephone shall be given the individual opportunity to reimburse the Council for those calls, which are private calls. This opportunity shall be provided through the provision to Councillors of information relating to individual monthly phone accounts. Councillors will complete the Councillor Certification of Expenses Form confirming that costs were incurred while performing the duties as a Councillor. – refer attachment 1

All operational costs together with the cost of accessories will be treated as an expense attributable to the individual Councillor and published as part of the Summary of Councillor Expenses.

Other relevant matters

Strict care must be taken in the custody and use of all Council equipment.

Loss or theft of the Communications Equipment must be reported immediately to the Manager, Customer Service and Councillor Support.

All equipment shall be returned within 30 days of the conclusion of the term of office**.**

Meetings Attendance

Councillors will be given the opportunity of attending training programs, meetings conferences and functions etc based on relevance to the role and development of the Councillor with regard to Ward, Portfolio or Council appointed committee or delegate responsibilities.

Financial Limits and Approvals

A meeting attendance where the individual cost per councillor is in excess of $3000 as a total cost to Council must be subject to approval by a resolution of Council.

Meetings Attendance by a Councillor at a total cost to Council of:

- between $1000 & $3000 may be approved by the Chief Executive Officer,
- $1000 or less may be approved by the Manager, Customer Service and Councillor Support,

subject to such expenditure for any single Councillor not exceeding $3000 per any given financial year (or pro-rata amount in the financial year of the general Council election) without approval by resolution of Council.

Associated Meeting Attendance Costs Met by Council

Subject to the limit of $3000, Council will pay –

- registration fees
- main conference dinner if not covered by registration cost, together with all meals within reasonable limits for the duration of the attendance for the Councillor.
- transport to, from and during attendance.
- Council will pay for accommodation costs for stays located greater than 50klms outside the Municipality Expenditure will be payable for the nights of the particular activity attended and for the nights pre and post where necessary. Accommodation should be where practicable at the meeting venue or otherwise to a maximum of four star standard unless approved by the Chief Executive Officer. Any additional accommodation costs incurred as a result of extended stays or the attendance of partners and/or children shall be borne by the Councillor.
- application to attend any overseas meetings involving Council expenditure must be approved by a formal resolution of Council, with the exception of the Mayor who may require overseas travel at short notice from time to time.

Application to attend any interstate or overseas meetings involving Council expenditure must be made on the Interstate/Overseas Travel Application form. Refer Attachment 2.

Reporting

Within one month of returning from any meeting or conference approved at a meeting of Council, the attending Councillor must provide a report on the salient outcomes of the event.

Within one month upon return from any interstate or overseas travel the Councillor must provide and certify, a reconciliation of all expenditure incurred. Refer Attachment 3. The completed certification must be completed and submitted to the Governance Co-ordinator.

Travel

All Councillor travel should be undertaken by utilizing the most direct route and the most practicable and economical mode of transport.

Private Vehicle Use

Councillors are entitled to reimbursement for expenses incurred in the use of their own private vehicle for Council purposes. Any expenses arising from a breach of road, traffic parking or other regulations or laws or for damage or loss of a vehicle will not be reimbursed or funded by Council.

Council has in place insurance covering the loss of non claims bonus or excess payment up to a limit of $1000 for Councillors vehicles used for Council business. Coverage is subject the vehicle being comprehensively insured and the incident being covered by this insurer.

Reasonable travel expenses include travel to and from Council Meetings, Councillor Briefings or other activities directly related to Council Business. Travel claims will be from the Councillors notified place of normal residence.

Council does not accept responsibility for reimbursement for:

- Travel from work or other locations where the kilometres claimed are greater than what would be claimed from the notified place of normal residence.
- Meetings arranged outside the City of Greater Geelong that would not form part of a Councillor' normal role.

Reimbursement shall be at the rates prescribed in the Victorian Local Authorities Award 2001.

- The Councillors Certification of Expenses Form must be completed for any Private Vehicle Use claim – refer Attachment 1.

Car parking fees incurred while conducting Council business shall be reimbursed on the provision of original receipts.

Completed and signed forms shall be lodged with the Manager, Customer Service and Councillor Support who will arrange for prompt reimbursement.

Council Vehicle

Where practicable and by prior arrangement through the Manager, Customer Service and Councillor Support, a Council vehicle or hire vehicle may be made available to Councillors for travel outside the City where use of private vehicles or other means of transport is not convenient.

Councillor Taxi Use

Each Councillor will be provided with a "Cab-Charge" credit card (if requested) for use in the payment of taxi services for Council purposes only. Personal use in any form is not permitted. The Card is NOT to be used by persons other than the cardholder.

The Cabcharge Card shall be used in accordance with "Conditions of Use" issued by Cabcharge Australia. .

Loss or theft of the card must be reported immediately to the Manager, Customer Service and Councillor Support.

The card must be returned to the Manager, Customer Service and Councillor Support when the Councillor ceases to hold office.

Class of Air Travel

Unless otherwise specified in a resolution of Council, the class of air travel to be used by a Councillor is to be economy class.

In the case of travel via a non-direct route, travel expenses are payable for the amount that would have been incurred if the most direct route had been available and followed at the same class of travel as was actually used. A claim for expenses must not exceed the amount actually paid.

Airline tickets are not transferable and cannot be used for defraying or offsetting any other costs including the costs of other persons accompanying the Councillor.

All air travel must be authorized by the Manager Customer Service and Councillor Support prior to booking.

Cash Advances

To assist in meeting daily expenses incurred while traveling on Council business, Councillors will be offered a cash advance to cover those costs which cannot be paid for in advance. This may include accommodation, meals, fares and incidentals. Any unexpended cash advances shall be immediately returned to the Manager, Customer Service and Councillor Support. Reconciliation and receipts must be completed within one month of return.

Spouse/Partner Accompanying Person

The cost of a spouse or partner for attendance at official Council functions is appropriate when accompanying a Councillor both:

- Within the Municipality
- Outside the Municipality but within the State when carrying out official duties.

The payment of expenses for spouses, partners or accompanying persons for attendance at appropriate functions shall be limited specifically to the ticket and meal. Peripheral expenses such as grooming, special clothing and transport are not reimbursable.

Expenses and Facilities for Councillors with Disabilities

For any Councillor with a disability, Council will provide reasonable additional facilities and support, in order to allow that Councillor to perform their civic duties.

Insurance

Councillors are covered by the following Council Insurance Policies on a 24 hour basis, while discharging the duties of civic office, including attendance at meetings of external bodies as Council's representative.

- Personal Accident Insurance.
- Public Liability Insurance.
- Professional Indemnity Insurance.
- Councillors and Officers Liability Insurance.
- Travel Insurance.

Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's Insurers, whether defended or not.

Legal Costs

Other than by specific Council resolution or in accordance with a Council policy, any legal expenses incurred by a Councillor shall be the responsibility of that Councillor.

Newspapers

Each Councillor is entitled to have two daily newspapers delivered to their home or City Hall office each day.

Publications and Memberships

Councillors are entitled to be reasonably supplied with journals, magazines and other publications of their choice relevant to their civic duties.

Professional membership fees for Councillors will be paid where there is a benefit in performing their elected roles and portfolio responsibilities.

Refreshments for Council Related Meetings

Where Council Meetings, Briefings or Committee meetings are held at times that extend through normal meal times, Council will provide suitable meals served on the premises.

In circumstances where less than four meals have been requested, the dinner may be cancelled and Councillors will be notified that meals will not be available on site and arrangement made for meals at a suitable nearby venue.

Administrative Services

Council will provide the following support facilities for Councillors. These facilities are provided for use by the Councillor in the conduct of their duties of office. All equipment provided and items purchased shall remain the property of the Council and shall be returned within one month of retirement or termination of office to the Manager, Customer Services and Councillor Support.

Stationery

Each Councillor will have access to an adequate supply of the following stationery;

- A4 Letterhead (Ref Outward Mail regarding use of Letterhead)
- Business cards
- Name Badge
- Diary, Planner or time manager

Office Equipment

Upon request a filing cabinet, desk and chair will be available from Council store to establish a home office during the term as a Councillor. Any Councillor wishing to purchase additional furniture or equipment shall do so at their own cost

Secretarial Assistance

Typing/secretarial assistance will be made available to Councillors for work directly related to the duties of the office. All such work should be co-ordinated through the Office of the Mayor.

Mail Inward

All mail received by Council is deemed to be Council business and will be opened by Central Records staff. The exception is mail marked ‘private and confidential’. Private mail should not be sent via the Council address.

Mail Outward

Council letterhead paper incorporating the Council logo must only be used for official Council business.

Any questions regarding subject correspondence will be forwarded to the Manager Customer Service and Councillor Support for review.

In accordance with Council's EcoChallenge objectives Councillors are encouraged to use electronic forms of communication in preference to hard copy letters delivered via the mail system. Notwithstanding, Councillors may each leave up to 50 standard mail items or equivalent per month cumulative within each financial year for postage through the Australia Post system. Mail must be contained within Council envelopes and co-ordinated through the Manager Customer Service and Councillor Support.

Courier

Council will provide a courier service for delivery of Council agenda and other papers to Councillors. In addition, Council will, upon request, provide specific mail boxes at Councillors place of residence, or other location nominated by Councillors, for delivery of such documents.

Councillors' Lounge

Councillors' Lounge facilities are available at the Conference and Reception Centre for use by Councillors and their invited guests in the conduct of their duties of office.

Councillors' Work Area

A work area will be provided with office furniture, telephone, secure filing cabinet and computer equipment.

Building Access and Parking

Each Councillor will receive one electronic key allowing access to the Conference and Reception Centre.

Each Councillor is entitled to use parking space in the City Hall basement or in Police Lane opposite City Hall to enable attendance at meetings or other functions associated with the Councillor's civic role.

6. DELEGATIONS TO COUNCIL STAFF

Portfolio: **Democracy and Governance - Cr Mitchell**
Source: **Corporate Services - Governance Services**
General Manager: **Jeff Wall**
Index Reference: **Subject: Delegations**

Summary

- Section 98 of the *Local Government Act* 1989, section 188 of the *Planning and Environment Act* 1987 and the other legislation referred to in the Schedule empower Council to delegate its powers, duties and functions under relevant legislation to members of Council staff.
- Whilst most delegations to Council Staff are in the form of a delegation from the Chief Executive Officer, there are a small number which require specific delegations from Council.
- This report addresses Delegations from Council to members of Council staff.
- Updated delegations are submitted to reflect recent legislative amendments as advised by Maddocks Lawyers.

Cr Macdonald moved, Cr Richards seconded -

That Council adopts the Instrument of Delegation as per Appendix 6-1.

Carried.

Report

Background

These delegations are based on a model developed and maintained by Maddocks Lawyers and include updates to December 2011.

Section 98 of the *Local Government Act* 1989, section 188 of the *Planning and Environment Act* 1987 along with other legislation empowers Council to delegate its powers, duties and functions to members of Council staff.

Discussion

Delegations were last reviewed in March 2011, the proposed delegation details particular sections of the Acts and nominates officers by title. The delegation effectively allows for delegation of specific powers, duties and functions to specified staff, thereby providing greater flexibility to Council.

6. DELEGATIONS TO COUNCIL STAFF

Discussion cont'd

Attachment 1 to the instrument of delegation sets out what are the relevant powers, duties and functions being delegated, and specifies which officer(s) has responsibility for each power, duty or function.

Attachment 2 lists changes from the previous delegations approved in March 2011.

The majority of changes were of an administrative nature and not any material change to the delegations.

Other changes to the Schedule are substantially officer titles which have been linked to position numbers as per the payroll system. This new system automatically links delegations to positions and is published on Council's Intranet site, Cityweb.

Environmental Implications

There are no environmental implications relative to this report.

Financial Implications

There are no financial implications relative to this report.

Policy/Legal/Statutory Implications

The delegation schedule has been prepared in accordance with the Maddocks Lawyers model.

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflict of interest.

Risk Assessment

A properly prepared system of delegations minimises the likelihood of officers acting outside their powers and exposing Council to unacceptable risk. Regular review of the delegations ensures accountability and responsibility for decisions when the decision makers are identified. Delegations can be subject to legal scrutiny in courts and tribunals.

Social Considerations

There are no social implications relative to this report.

Communication

Delegations are published on Council's internal website, Cityweb. They are specifically linked to position and people under a new system that has been developed.

(Appendix 6-1)

Greater Geelong City Council
Instrument of Delegation
to Members of Council Staff

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989, and the other legislation referred to in the Schedule (Attachment 1), Greater Geelong City Council ("Council") by this instrument:

1. delegates each duty and/or function and/or power described in columns 1 and 2 of the Schedule (and summarised in column 3 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 4 of the Schedule;

2. delegates each duty and/or function and/or power described in columns 1 and 2 of the Schedule (and summarised in column 3 of the Schedule) to any member of Council staff to whom a member of Council staff listed in column 4 of the Schedule reports;

3. declares that a delegate is not authorised by this Instrument of Delegation to:

    3.1 determine any planning permit application which any Councillor requests be referred to the Development Hearings Panel, Planning Committee or Council and such request is made before the delegate has made a decision on the permit application; or

    3.2 exercise the power conferred by the *Planning and Environment Act* 1987 to determine upon any application in cases where six or more objections to the grant of the permit have been made.

    3.3 refuse a permit under Section 52(1A) of the *Planning and Environment Act* 1987.

4. declares that–

    4.1 this Instrument of Delegation is authorised by a resolution of Council passed on ; and

    4.2 the delegation dated 22 March 2011 is revoked; and

    4.3 the delegation:

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

        4.3.2 remains in force until Council resolves to vary or revoke it;

        4.3.3 is to be exercised in accordance with the exceptions, conditions and limitations set out in the Schedule and with the guidelines or policies which Council from time to time adopts.

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

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

4.4.1 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

4.4.2 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

(i) policy; or

(ii) strategy

(iii) adopted by Council; or

4.4.3 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

4.4.4 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 GREATER)
GEELONG CITY COUNCIL was affixed)
hereto in the presence of:)

_____

Mayor

_____

Chief Executive Officer

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	DOMESTIC ANIMALS ACT 1994	s.41A(1)	power to declare a dog to be a menacing dog	Manager Health & Local Laws. Co-ordinator Community Laws & Compliance.	Council may delegate this power to an authorised officer
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(3)	power to require further information	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer. Environmental Health Officer.	Not applicable
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(4)	duty to advise applicant that application is not to be dealt with	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer. Environmental Health Officer.	Not applicable
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(5)	duty to approve plans, issue permit or refuse permit	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer. Environmental Health Officer.	refusal must be ratified by Council or it is of no effect
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(6)	power to refuse to issue septic tank permit	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer. Environmental Health Officer.	refusal must be ratified by Council or it is of no effect
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer. Environmental Health Officer.	refusal must be ratified by council or it is of no effect
Act	FOOD ACT 1984	---	power to register, renew or transfer registration	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council (see section 58A(2))
Act	FOOD ACT 1984	s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	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	Manager Health & Local Laws. Co-ordinator Health Services.	If section 19(1) applies
Act	FOOD ACT 1984	s.19(4)(b)	duty to notify the Department of the making of the order	Manager Health & Local Laws. Co-ordinator Health Services.	If section 19(1) applies
Act	FOOD ACT 1984	s.19(4)(c)	duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	Manager Health & Local Laws. Co-ordinator Health Services.	If section 19(1) applies and if Council is not the registration authority
Act	FOOD ACT 1984	s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	s.19A(4)(b)	function of receiving notice from authorised officer	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.19BA(3)	duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice	Manager Health & Local Laws. Co-ordinator Health Services.	must be done by the same person as gave the original notice
Act	FOOD ACT 1984	s.19CB(4)(b)	power to request copy of records	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.19E(1)(d)	power to request a copy of the food safety program	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19EA(3)	function of receiving a copy of any significant revision made to the food safety program	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19H(5)(a) & (5)(b)	duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	Not Delegated.	where council is the registration authority
Act	FOOD ACT 1984	s.19I	duty to conduct a food safety assessment as required under section 19H	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	Subject to section 19J where council is the registration authority
Act	FOOD ACT 1984	s.19IA(2)	duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not been complied with unless subsection (3) applies.	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	Manager Health & Local Laws. Co-ordinator Health Services. Environmental Health Officer. Environmental Health Officer. Environmental Health Officer. Team Leader Food Safety. Team Leader Environmental Health.	where council is the registration authority
Act	FOOD ACT 1984	s.19N	function of receiving information from a food safety auditor	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19NA(1)	power to request food safety audit reports	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.19U(4)	duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.19UA	power to charge fees for conducting a food safety assessment or inspection	Manager Health & Local Laws. Co-ordinator Health Services.	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
Act	FOOD ACT 1984	s.19UA(4)	duty to consider proprietor's history of compliance in deciding whether to charge the fee	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.19UA(5)	duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4) are available for inspection by the public	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	FOOD ACT 1984	s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.35A(2)	function of receiving notice of operation from the proprietor of a food premises	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.37	required under section 36 from the proprietor of a food business	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	
Act	FOOD ACT 1984	s.38(3)	duty to consult with the Secretary about the proposed exemption under section 38(2)	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.38A(4)	power to request a copy of a completed food safety program template	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.38AA(2)	function of being notified of operation	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.38AA(4)	duty to determine whether the food premises are exempt from the requirement of registration	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	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)	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38B(1)(c)	duty to inspect premises	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Not Delegated.	where council is the registration authority
Act	FOOD ACT 1984	s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer . Manager Health & Local Laws. Team Leader Food Safety. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38D(3)	power to request copies of any audit reports	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38E(1)(c)	function of assessing the requirement for a food safety program	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38E(2)	power to register the food premises on a conditional basis	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority not exceeding the prescribed time limit defined under subsection (5).
Act	FOOD ACT 1984	s.38E(3)(a)	function of receiving certificates	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38E(4)	duty to register the food premises when conditions are satisfied	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38F(3)(a)	duty to note the change to the classification of the food premises on the certificate of registration	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.39(2)	duty to inspect within 12 months before renewal of registration	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	FOOD ACT 1984	s.39(3)	duty to inspect within 3 months before renewal of registration if circumstances in section 39(3)(a)-(d) apply	Not Delegated.	where council is the registration authority
Act	FOOD ACT 1984	s.39A	power to register, renew or transfer food premises despite minor defects	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
Act	FOOD ACT 1984	s.39A(6)	duty to comply with direction of Secretary.	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.40(1)	duty to issue a certificate of registration in the prescribed form	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	FOOD ACT 1984	s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	
Act	FOOD ACT 1984	s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety. Environmental Health Officer. Food Safety Officer. Food Safety Assessment Officer. Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.40D(1)	power to suspend or revoke the registration of food premises	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.40D(2)	duty to specify how long a suspension is to last under s.40D(1)	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	FOOD ACT 1984	s.40E(4)	duty to comply with direction of Secretary	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.43(1) and (2)	duty to maintain records of the prescribed particulars and orders in force under Part III	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	FOOD ACT 1984	s.43(3)	duty to make available information held in records, free of charge, on request	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	FOOD ACT 1984	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	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	FOOD ACT 1984	s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	FOOD ACT 1984	s.43I	function of receiving a statement of trade of a proprietor of a food business	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	FOOD ACT 1984	s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority
Act	HERITAGE ACT 1995	s.84(2)	power to sub-delegate Executive Director's functions	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Town Planner. Team Leader Senior Statutory Planner. Senior Statutory Planner. Customer Service Town Planner.	must obtain Executive Director's written consent first.
Act	PLANNING AND ENVIRONMENT ACT 1987	-----	power to determine whether or not a document or series of documents constitute a Development Plan for the purposes of the Greater Geelong Planning Scheme is to the satisfaction of the Responsible Authority	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning .	
Act	PLANNING AND ENVIRONMENT ACT 1987	s 12A (1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the Planning and Environment (Planning Schemes) Act 1996)	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.101	function of receiving claim for expenses in conjunction with claim	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.103	power to reject a claim for compensation in certain circumstances	General Manager Economic Development, Planning & Tourism. Manager City Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.107(1)	function of receiving claim for compensation	Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.107(3)	power to agree to extend time for making claim	Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.11(3)(b)	duty to submit amendment to planning scheme to Minister for approval if the Minister withdraws authorisation	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12(3)	power to carry out studies and do things to ensure proper use of land in which Council is the planning authority and consult with other persons to ensure co-ordination of planning scheme with these persons	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Manager City Development. Manager Financial Services. Co-Ordinator Statutory Planning. Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	except Crown Land
Act	PLANNING AND ENVIRONMENT ACT 1987	s.125	power to apply for an injunction restraining a person from contravening an enforcement order or interim enforcement order	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.129	function of recovering penalties	Manager City Development . Manager Financial Services. Co-Ordinator Statutory Planning .	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12B(1)	duty to review planning scheme	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12B(2)	Duty to review planning scheme at direction of Minister	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.130(5)	power to allow person served with an infringement notice further time	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-Ordinator Statutory Planning. Co-ordinator Strategic Implementation . Manager Planning Strategy & Economic Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.149A(1)	power to refer a matter to the VCAT for determination	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	PLANNING AND ENVIRONMENT ACT 1987	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)	Manager City Development . Manager Planning Strategy & Economic Development . Co-Ordinator Strategic Implementation . Co-ordinator Planning Strategy. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	Where council is the relevant planning authority
Act	PLANNING AND ENVIRONMENT ACT 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Manager City Development . Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.17(2)	duty of giving copy s.173 agreement	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.171(2)(f)	power to carry out studies and commission reports	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.171(2)(g)	power to grant and reserve easements	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.173	power to enter into agreement covering matters set out in section 174	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.177(2)	power to end a section 173 agreement with approval of the Minister or the consent of all those bound by any covenant in the agreement	Manager City Development . Co-Ordinator Statutory Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178	power to amend a s.173 agreement	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.179(1)	duty to lodge agreement with Minister	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.179(2)	duty to make available for inspection copy agreement	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.18	duty to make amendment etc. available	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.181	power to apply to the Registrar of Titles for registration of the agreement and to deliver a memorial to Registrar-General	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.182	power to enforce an agreement	Manager City Development. Co-Ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Planning Investigations Officer . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Manager City Development. Co-Ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.198(1)	function to receive application for planning certificate	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.199(1)	duty to give planning certificate to applicant	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.20(1)	power to apply to Minister for exemption from the requirements of section 19	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201(3)	duty to make declaration	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-Ordinator Strategic Implementation. Co-ordinator Urban Growth Area Planning. Co-ordinator Planning Strategy. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-Ordinator Strategic Implementation. Co-ordinator Urban Growth Area Planning. Co-ordinator Planning Strategy. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.21 (2)	duty to make submissions available	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.21A(4)	duty to publish notice in accordance with section	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	PLANNING AND ENVIRONMENT ACT 1987	s.22	duty to consider all submissions	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.23(2)	power to refer submissions to a panel	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.26(1)	power to make report available for inspection	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.26(2)	duty to keep report of panel available for inspection	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.27 (2)	power to apply for exemption if panel's report not received	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.28	duty to notify the Minister if abandoning an amendment	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	Note: the power to make a decision to abandon an amendment cannot be delegated
Act	PLANNING AND ENVIRONMENT ACT 1987	s.30(4)(a)	duty to say if amendment has lapsed	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.30(4)(b)	duty to provide information in writing upon request	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.31	duty to submit adopted amendment to Minister and, if applicable, details under section 19(1B)	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.32(2)	duty to give more notice if required	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.33(1)	duty to give more notice of changes to an amendment	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.35A(2)	duty to not approve an amendment under section 35B unless the amendment has been certified by the Secretary	General Manager Economic Development, Planning & Tourism. Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.35B(1)	power to approve amendment in form certified under section 35A	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.35B(2)	duty to give to Minister notice of approval, copy of approved amendment and other documents	General Manager Economic Development, Planning & Tourism. Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.36(2)	duty to give notice of approval of amendment	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.38(5)	duty to give notice of revocation of an amendment	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.40(1)	function of lodging copy of approved amendment	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	PLANNING AND ENVIRONMENT ACT 1987	s.40(1A)	duty to lodge prescribed documents and copy of approved amendment with the relevant authorities	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.41	duty to make approved amendment available	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.42	duty to make copy of planning scheme available	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Manager City Development . Co-Ordinator Statutory Planning. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(1)	duty to keep proper accounts of levies paid	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	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.	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-ordinator Statutory Planning. Manager Planning Strategy & Economic Development.	only applies when levy is paid to Council as a 'development agency'
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(4)(c)	duty to pay amount to current owners of land in the area	General Manager Economic Development, Planning & Tourism . Manager City Development . Manager Financial Services. Co-Ordinator Statutory Planning. Manager Planning Strategy & Economic Development.	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
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	must be done in accordance with Part 3
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46QC	power to recover any amount of levy payable under Part 3B	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning. Manager Planning Strategy & Economic Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Manager City Development. Co-Ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Y	duty to carry out works in conformity with the approved strategy plan	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-ordinator Statutory Planning. Manager Planning Strategy & Economic Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.49(2)	duty to make register available for inspection	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	if authorised by the Minister

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4H	duty to make amendment to Victoria Planning Provisions available	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4I	duty to keep Victoria Planning Provisions and other documents available	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50(4)	duty to amend application	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50(5)	power to refuse to amend application	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50(6)	duty to make note of amendment to application in register	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50A(1)	power to make amendment to application	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50A(4)	duty to note amendment to application in register	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.51	duty to make copy of application available for inspection	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1A)	power to refuse an application	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(3)	power to give any further notice of an application where appropriate	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54(1)	power to require the applicant to provide more information	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54(1A)	duty to give notice in writing of information required under section 54(1)	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54(1B)	duty to specify the lapse date for an application	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under section 54A(3)	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.55(1)	duty to give copy application to every referral authority specified in the planning scheme	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Manager City Development. Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57(5)	duty to make available for inspection copy of all objections	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57A(5)	power to refuse to amend application	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57A(6)	duty to note amendments to application in register	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57C(1)	duty to give copy of amended application to referral authority	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.58	duty to consider every application for a permit except for a development assessment committee application	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.60	duty to consider certain matters	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(1)(a)	power to decide to grant a permit	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage At 2006
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(1)(b)	power to decide to grant a permit with conditions	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage At 2006
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(1)(c)	power to refuse the permit	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(2)	duty to decide to refuse to grant a permit if referral authority objects to grant of permit	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Ministerâ€™s consent	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(2)	power to include other conditions	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Manager City Development . Co-Ordinator Statutory Planning. Team Leader Senior Statutory Planner.	Subject to advising all Councillors prior to any delegated decision being made in respect of applications with 5 or less objections with the right for any Councillor to refer an application to a Development Hearings Panel , such referral to be in writing to the Manager City Development or Coordinator Statutory Planning. Note that formal consultation meetings will be held for all applications with 5 or less objections to enable objectors and the applicant an opportunity to resolve issues associated with the application. If the applicant does not attend the consultation meeting, the application will automatically default back to the Development Hearings Panel for a decision.
Act	PLANNING AND ENVIRONMENT ACT 1987	s.64(3)	duty not to issue a permit until after the specified period	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and objector	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.66	duty to give notice under section 64 or section 65 and copy permit to referral authorities	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.69(1)	function of receiving application for extension of time of permit	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.69(2)	power to extend time	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.70	duty to make copy permit available for inspection	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.71(1)	power to correct certain mistakes	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.71(2)	duty to note corrections in register	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	PLANNING AND ENVIRONMENT ACT 1987	s.73	power to decide to grant amendment subject to conditions	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.74	duty to issue amended permit to applicant if no objectors	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76A	duty to give referral authorities copy of amended permit and copy of notice	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76D	duty to comply with direction of Minister to issue amended permit	General Manager Economic Development, Planning & Tourism. Manager City Development. Co-ordinator Statutory Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.83	function of being respondent to an appeal	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.83B	duty to give or publish notice of application for review	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.8A (3)	power to apply to Minister to prepare an amendment to the planning scheme	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.91(2)	duty to comply with the directions of the VCAT	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Manager City Development . Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.93(2)	duty to give notice of VCAT order to stop development	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.95(3)	function of referring certain applications to the Minister	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.95(4)	duty to comply with an order or direction	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. General Manager Corporate Services. General Manager Projects, Recreation & Central Geelong. General Manager City Services. General Manager Community Services. General Manager Economic Development, Planning & Tourism. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. General Manager Corporate Services. General Manager Projects, Recreation & Central Geelong. General Manager City Services. General Manager Community Services. General Manager Economic Development, Planning & Tourism. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Manager City Development. Co-Ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	Manager City Development. Co-Ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96F	duty to consider the panel's report under section 96E	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96J	power to issue permit as directed by the Minister	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97C	power to request Minister to decide the application	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97L	duty to include Ministerial decisions in a register kept under section 49	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MCA(2)	function of consulting with advisory committee regarding the areas for which the Development Assessment Committee is to be established	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MG	duty to provide documents and information to development assessment committee	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MH	duty to provide assistance to the development assessment committee	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MJ(2)	duty to ensure that the register of applications specifies whether the development assessment committee has made the decision	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Administration/Technical Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MK	function of nominating member of the development assessment committee	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97ML(4)	power to nominate alternate members of the development assessment committee	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97Q(4)	duty to comply with directions of VCAT	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Manager City Development . Co-Ordinator Statutory Planning . Town Planner . Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner. Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s46Q(4)(e)	duty to expend that amount on other works etc.	Manager City Development . Co-ordinator Strategic Implementation . Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	with the consent of, and in the manner approved by, the Minister
Act	PLANNING AND ENVIRONMENT ACT 1987	s60(1A)	power to consider certain matters before deciding on application	Manager City Development . Co-Ordinator Statutory Planning .	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Manager City Development . Co-Ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to give written authorisation in accordance with a provision of a planning scheme	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner . Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Act	RAIL SAFETY ACT 2006	s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager

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Act	RAIL SAFETY ACT 2006	s.34D(2)	function of receiving written notice of opinion	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34D(4)	function of entering into safety inferface agreement with infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34E(1)(a)	duty to identify and assess risks to safety	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	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)	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	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)	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	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)	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34I	function of entering into safety interface agreements	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34J(2)	function of receiving notice from Safety Director	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	Manager Engineering Services. Co-ordinator Asset & Traffic Management .	where council is the relevant road manager
Act	RAIL SAFETY ACT 2006	s33	duty to comply with a direction of the Safety Director under this section	Manager Engineering Services .	where council is a utility under section 3
Act	RAIL SAFETY ACT 2006	s33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	Manager Engineering Services .	duty of council as a road authority under the Road Management Act 2004
Act	RAIL SAFETY ACT 2006	s34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s33(1)	Manager Engineering Services .	where council is a utility under section 3
Act	RESIDENTIAL TENANCIES ACT 1997	r.522(1)	power to give a compliance notice to a person	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	Not applicable
Act	RESIDENTIAL TENANCIES ACT 1997	s.142D	function of receiving notice regarding an unregistered rooming house	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	Not applicable
Act	RESIDENTIAL TENANCIES ACT 1997	s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Not Delegated.	where council is the landlord
Act	RESIDENTIAL TENANCIES ACT 1997	s.262(1)	power to give tenant a notice to vacate rented premises	Not Delegated.	where council is the landlord
Act	RESIDENTIAL TENANCIES ACT 1997	s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	Not Delegated.	
Act	RESIDENTIAL TENANCIES ACT 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	
Act	RESIDENTIAL TENANCIES ACT 1997	s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	
Act	RESIDENTIAL TENANCIES ACT 1997	s.525(4)	duty to issue identity card to authorised officers	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	Not applicable
Act	RESIDENTIAL TENANCIES ACT 1997	s.526(5)	duty to keep record of entry by authorised officer under section 526	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	Not applicable
Act	RESIDENTIAL TENANCIES ACT 1997	s.526A(3)	function of receiving report of inspection	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	
Act	RESIDENTIAL TENANCIES ACT 1997	s.527	authorise a person to institute proceedings (either generally or in a particular case)	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.112(2)	power to recover damages in court	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.119(2)	function of consulting with VicRoads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.122(1)	power to charge and recover fees	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.123(1)	power to charge for any service	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.14(4)	function of receiving notice from VicRoads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.21	function of replying to request for information or advice	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Engineering Design.	obtain consent in circumstances specified in section 11(2)
Act	ROAD MANAGEMENT ACT 2004	s.22(2)	function of commenting on proposed direction	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.22(5)	duty to give effect to a direction under this section.	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.40(1)	duty to inspect, maintain and repair a public road.	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.40(5)	power to inspect, maintain and repair a road which is not a public road	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	Manager Engineering Services .	
Act	ROAD MANAGEMENT ACT 2004	s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	Manager Engineering Services .	
Act	ROAD MANAGEMENT ACT 2004	s.49	power to develop and publish a road management plan	Manager Engineering Services .	
Act	ROAD MANAGEMENT ACT 2004	s.51	power to determine standards by incorporating the standards in a road management plan	Manager Engineering Services .	
Act	ROAD MANAGEMENT ACT 2004	s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.54(2)	duty to give notice of proposal to make a road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.54(6)	power to amend road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.54(7)	duty to incorporate the amendments into the road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.63(1)	power to consent to conduct of works on road	Manager Infrastructure Operations & Waste.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Manager Infrastructure Operations & Waste.	where council is the infrastructure manager
Act	ROAD MANAGEMENT ACT 2004	s.64(1)	duty to comply with clause 13 of Schedule 7	Manager Infrastructure Operations & Waste.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	s.66(1)	power to consent to structure etc	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.67(3)	power to request information	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.68(2)	power to request information	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.72	duty to issue an identity card to each authorised officer	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.85	function of receiving report from authorised officer	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.87(1)	function of receiving complaints	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s11(1)	power to declare a road by publishing a notice in the Government Gazette	Manager Financial Services. Co-ordinator Revenue, Property & Valuations.	obtain consent in circumstances specified in section 11(2)
Act	ROAD MANAGEMENT ACT 2004	s11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	Co-ordinator Revenue, Property & Valuations. Manager Engineering Services.	clause subject to section 11(10A)
Act	ROAD MANAGEMENT ACT 2004	s11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	Manager Engineering Services.	where council is the coordinating road authority

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	ROAD MANAGEMENT ACT 2004	s11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Property & Valuations Supervisor.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s11(9)(b)	duty to advise Registrar	Property & Valuations Supervisor.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s116	power to cause or carry out inspection	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s12(10)	duty to notify of decision made	Manager Corporate Strategy & Property Management. Manager Engineering Services.	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
Act	ROAD MANAGEMENT ACT 2004	s12(2)	power to discontinue road or part of a road	Not Delegated.	were council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s12(4)	power to publish, and provide copy, notice of proposed discontinuance	Manager Corporate Strategy & Property Management. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s12(5)	duty to consider written submissions received within 28 days of notice	Manager Corporate Strategy & Property Management. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s12(6)	function of hearing a person in support of their written submission	Manager Corporate Strategy & Property Management. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Manager Corporate Strategy & Property Management. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s121(1)	power to enter into an agreement in respect of works	Co-ordinator Engineering design. Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s13(1)	power to fix a boundary road by publishing notice in Government Gazette	Co-ordinator Infrastructure Management.	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
Act	ROAD MANAGEMENT ACT 2004	s14(7)	power to appeal against decision of VicRoads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s15(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	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s15(2)	duty to include details of arrangement in public roads register	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s16(7)	power to enter into an arrangement under section 15	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s16(8)	duty to enter details of determination in public roads register	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s17(2)	duty to register public road in public roads register	Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(3)	power to decide that a road is reasonably required for general public use	Not Delegated.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(3)	duty to register a road reasonably required for general public use in public roads register	Not Delegated.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(4)	power to decide that a road is no longer reasonably required for general public use	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(4)	duty to remove road no longer reasonably required for general public use from public roads register	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s18(1)	power to designate ancillary area	Co-ordinator Infrastructure Management.	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
Act	ROAD MANAGEMENT ACT 2004	s18(3)	duty to record designation in public roads register	Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s19(4)	duty to specify details of discontinuance in public roads register	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s19(5)	duty to ensure public roads register is available for public inspection	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s42(1)	power to declare a public road as a controlled access road	Co-ordinator Infrastructure Management.	power of coordinating road authority and Schedule 2 also applies
Act	ROAD MANAGEMENT ACT 2004	s42(2)	power to amend or revoke declaration by notice published in Government Gazette	Co-ordinator Infrastructure Management.	power of coordinating road authority and Schedule 2 also applies
Act	ROAD MANAGEMENT ACT 2004	s42A(3)	duty to consult with VicRoads before road is specified	Manager Engineering Services .	where council is the coordinating road authority if road is a municipal road or part thereof
Act	ROAD MANAGEMENT ACT 2004	s42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Manager Engineering Services .	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
Act	ROAD MANAGEMENT ACT 2004	s48EA	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)	Manager Engineering Services .	where council is the responsible road authority, infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	s71(3)	power to appoint an authorised officer	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s86	duty to keep register re section 85 matters	Co-ordinator Infrastructure Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s87(2)	duty to investigate complaint and provide report	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Co-ordinator Infrastructure Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	Co-ordinator Infrastructure Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 5	duty to publish notice of declaration	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(5)	power to recover costs	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 13(2)	power to vary notice period	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(1)	power to consent to proposed works	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(4)	duty to consult	Co-ordinator Infrastructure Management.	where council is the coordinating road authority, responsible authority or infrastructure manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(5)	power to consent to proposed works	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(8)	power to include consents and conditions	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 18(1)	power to enter into an agreement	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	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	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Project Implementation.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	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	Manager Engineering Services.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	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)	Manager Engineering Services.	where council is the works manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	Manager Engineering Services.	where council is the infrastructure manager
Act	ROAD MANAGEMENT ACT 2004	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	Manager Engineering Services.	where council is the infrastructure manager or works manager

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Act	ROAD MANAGEMENT ACT 2004	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	Manager Engineering Services.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	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	Manager Engineering Services.	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Act	ROAD MANAGEMENT ACT 2004	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	Manager Engineering Services.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	Manager Engineering Services.	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3 (1) (d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Manager Engineering Services.	where council is the responsible road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3 (1) (e)	duty to pay installation and operation costs of street lighting â€“ where road is a service road on an arterial road and adjacent areas	Manager Engineering Services.	where council is the responsible road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3 (1) (f)	duty to pay installation and percentage of operation costs of street lighting â€“ for arterial roads in accordance with clauses 3(2) and 4	Manager Engineering Services.	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)
Reg	PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2000	r.13(1)	power to waive or rebate fee in prescribed circumstances	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation.	
Reg	PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2000	r.13(2)	power to waive or rebate fee for amendment to a planning scheme in prescribed circumstances	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-ordinator Strategic Implementation.	
Reg	PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2000	r.13(3)	duty if fee waived or rebated to record in writing the matters taken into account and which formed the basis of the decision	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation.	
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2005	r 55	duty of responsible authority to tell Registrar of Titles under r 183 of the Act of the cancellation or amendment of an agreement	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2005	r 6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2005	r22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2005	r7	duty of responsible authority to provide copy information or report requested by Minister	Manager City Development . Co-Ordinator Statutory Planning . Co-ordinator Strategic Implementation . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r. 11	function of receiving applications for registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(4) & (5)	duty to issue certificate of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(1)	function of receiving notice of transfer of ownership	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(3)	power to determine where notice of transfer is displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.16(1)	duty to transfer registration to new caravan park owner	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.16(2)	duty to issue a certificate of transfer of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.18	duty to keep register of caravan parks	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	

Attachment 1 - Council to Staff Delegations

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(6)	power to determine where certain information is displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.22(6)	duty to notify caravan park owners of emergency service agencies	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.22(7)	duty to consult with relevant emergency services agency	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.25(3)	duty to consult with relevant floodplain management authority	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.26	duty to have regard to any report of the relevant fire authority	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.40(4)	function of receiving installation certificate	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.7	function of entering into a written agreement with a caravan park owner	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.301(1)	duty to conduct reviews of road management plan	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.302(2)	duty to give notice of review of road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.302(5)	duty to produce written report of review of road management plan and make report available	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	Not applicable
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.306(2)	duty to record on road management plan the substance and date of effect of amendment	Co-ordinator Asset & Traffic Management.	Not applicable
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.501(1)	power to issue permit	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.501(4)	power to charge fee for issuing permit under regulation 501(1)	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.508(3)	power to make submission to Tribunal	Manager Engineering Services.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with r.509(3)	Manager Engineering Services.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Engineering Services.	Not applicable
Reg	ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005	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 work	Manager Engineering Services.	where council is the coordinating road authority and where consent given under section 63(1) of the Act
Reg	ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005	r.18(2)	power to waive whole or part of fee in certain circumstances	Manager Engineering Services.	where council is the coordinating road authority

Attachment 2 - Council to Staff Change Report

Type	Statute or Source	Provision	Thing Delegated	Delegate by Position	Conditions and Limitations	Statues
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer. Environmental Health Officer.	refusal must be ratified by council or it is of no effect	NEW
Act	FOOD ACT 1984	s.35B(1)	power to recognise, in writing, the registration of another registration authority for a specified temporary or mobile food premises	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety. Student Environmental Health Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer. Environmental Health Officer.		DELETED
Act	FOOD ACT 1984	s.19CB(4)(b)	power to request copy of records	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority	NEW
Act	FOOD ACT 1984	s.35A(2)	function of receiving notice of operation from the proprietor of a food premises	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.	where council is the registration authority	NEW
Act	FOOD ACT 1984	s.37	function of receiving application, information and documents required under section 36 from the proprietor of a food business	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Food Safety . Environmental Health Officer. Environmental Health Officer.		NEW
Act	FOOD ACT 1984	s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority	NEW
Act	FOOD ACT 1984	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	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority	NEW
Act	FOOD ACT 1984	s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .	where council is the registration authority	NEW
Act	FOOD ACT 1984	s.43I	function of receiving a statement of trade of a proprietor of a food business	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Food Safety .		NEW
Act	HERITAGE ACT 1995	s.84(2)	power to sub-delegate Executive Director's functions	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Town Planner. Team Leader Senior Statutory Planner. Senior Statutory Planner. Customer Service Town Planner.	must obtain Executive Director's written consent first.	NEW
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	if authorised by the Minister	UPDATED
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4H	duty to make amendment to Victoria Planning Provisions available	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.		UPDATED
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	General Manager Economic Development, Planning & Tourism . Manager City Development. Co-ordinator Strategic Implementation . Town Planner. Manager Planning Strategy & Economic Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.		NEW
Act	PLANNING AND ENVIRONMENT ACT 1987	s.21A(4)	duty to publish notice in accordance with section	General Manager Economic Development, Planning & Tourism . Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.		NEW
Act	PLANNING AND ENVIRONMENT ACT 1987	s.26(1)	power to make report available for inspection	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.		NEW
Act	PLANNING AND ENVIRONMENT ACT 1987	s.28	duty to notify the Minister if abandoning an amendment	Manager City Development . Co-ordinator Strategic Implementation . Co-Ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Economic Development. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.	Note: the power to make a decision to abandon an amendment cannot be delegated	NEW
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MCA(2)	function of consulting with advisory committee regarding the areas for which the Development Assessment Committee is to be established	Manager City Development . Co-Ordinator Statutory Planning . Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.		NEW
Act	PLANNING AND ENVIRONMENT ACT 1987	s.107(3)	power to agree to extend time for making claim	Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Service Town Planner.		NEW
Act	RESIDENTIAL TENANCIES ACT 1997	r.522(1)	power to give a compliance notice to a person	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	Not applicable	UPDATED
Act	RESIDENTIAL TENANCIES ACT 1997	s.142D	function of receiving notice regarding an unregistered rooming house	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .	Not applicable	NEW
Act	RESIDENTIAL TENANCIES ACT 1997	s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Not Delegated.	where council is the landlord	NEW
Act	RESIDENTIAL TENANCIES ACT 1997	s.262(1)	power to give tenant a notice to vacate rented premises	Not Delegated.	where council is the landlord	NEW
Act	RESIDENTIAL TENANCIES ACT 1997	s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	Not Delegated.		NEW
Act	RESIDENTIAL TENANCIES ACT 1997	s.526A(3)	function of receiving report of inspection	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .		NEW
Act	RESIDENTIAL TENANCIES ACT 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor) .		NEW
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	UPDATED
Act	ROAD MANAGEMENT ACT 2004	s.14(4)	function of receiving notice from VicRoads	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.40(5)	power to inspect, maintain and repair a road which is not a public road	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design. Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	Manager Engineering Services .		NEW
Act	ROAD MANAGEMENT ACT 2004	s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	Manager Engineering Services .		NEW
Act	ROAD MANAGEMENT ACT 2004	s.49	power to develop and publish a road management plan	Manager Engineering Services .		NEW
Act	ROAD MANAGEMENT ACT 2004	s.51	power to determine standards by incorporating the standards in a road management plan	Manager Engineering Services .		NEW
Act	ROAD MANAGEMENT ACT 2004	s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Co-ordinator Asset & Traffic Management.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.54(6)	power to amend road management plan	Co-ordinator Asset & Traffic Management.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.54(7)	duty to incorporate the amendments into the road management plan	Co-ordinator Asset & Traffic Management.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Act	ROAD MANAGEMENT ACT 2004	s.72	duty to issue an identity card to each authorised officer	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.85	function of receiving report from authorised officer	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.87(1)	function of receiving complaints	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.112(2)	power to recover damages in court	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.119(2)	function of consulting with VicRoads	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.122(1)	power to charge and recover fees	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	s.123(1)	power to charge for any service	Manager Engineering Services.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	Co-ordinator Infrastructure Management.	Not applicable	NEW
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(4)	duty to consult	Co-ordinator Infrastructure Management.	where council is the coordinating road authority, responsible authority or infrastructure manager	NEW
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(5)	power to consent to proposed works	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(8)	power to include consents and conditions	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Act	ROAD MANAGEMENT ACT 2004	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	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority	NEW
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r. 11	function of receiving applications for registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		UPDATED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		UPDATED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(2)	duty to grant renew registration received under regulation 12, if satisfied of (a) and (b)	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	see also r.13(3)	DELETED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(3)	duty to have regard to items (a) â€“ (f) when considering an application for registration or renewal of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.	see also r.13(3)	DELETED

Attachment 2 - Council to Staff Change Report

Type	Statute or Source	Provision	Thing Delegated	Delegate by Position	Conditions and Limitations	Statues
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(4) & (5)	duty to issue certificate of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		UPDATED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(5)	duty to issue a certificate of renewal upon renewing registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		DELETED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(1)	function of receiving notice of transfer of ownership	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		UPDATED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.16(2)	duty to issue a certificate of transfer of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		UPDATED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		UPDATED
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(3)	power to determine where notice of transfer is displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		NEW
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		NEW
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(6)	power to determine where certain information is displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		NEW
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		NEW
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.40(4)	function of receiving installation certificate	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		NEW
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		NEW
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor/Technical Services. Team Leader Senior Building Surveyor. Team Leader Senior Building Surveyor. Building Surveyor.		NEW

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT

Portfolio: **Planning - Cr Macdonald**
Source: **Statutory Planning – City Development**
General Manager: **Peter Bettess**
Index Reference: **Application 14/2011**

Summary

- The subject site is a residential property located on the northwest side of George Street, Belmont. The site has an area of 775sqm, with a street frontage of 15.24m and a depth of 50.83m. The site falls by approximately 2m from the rear to the front, and contains a single-storey brick dwelling and associated outbuildings and vegetation.
- The application proposes the construction of four double-storey dwellings on the site. The existing dwelling would be demolished.
- The applicant has lodged an application for review at the Victorian Civil and Administrative Tribunal against Council's failure to grant a permit within the prescribed time.
- The site is located in a residential area, which is zoned Residential 1. It is located in an Increased Housing Diversity Area, where higher density development is encouraged. The site is not covered by any overlays. George Street is a local road.
- The area is characterised by a diverse mix of Victorian, Edwardian, interwar and 50s-60s dwellings, the majority of which are single-storey with generous front and side setbacks. Building materials are mixed and include brick, timber and mixed roofs.
- The application was advertised and six objections were received relating to traffic/parking, overlooking, scale and fencing. As a result of consultation, the applicant agreed to provide additional screening, obscure glazing and fencing. One objection was withdrawn.
- It is considered that the application accords with the planning policy framework, assisting in consolidating the existing urban area of Belmont as encouraged at a State and local level. The application also generally accords with the provisions of Clauses 55 and 65 of the Greater Geelong Planning Scheme and is considered an appropriate response to Council's Housing Diversity Strategy.
- It is recommended that the application be supported.

Cr Harwood moved, Cr Nelson seconded -

That the Responsible Authority, having considered all matters which the Planning and Environment Act 1987 requires it to consider, decides to recommend not to support at the Victorian Civil and Administrative Tribunal the granting of a Planning Permit for the Construction of Four (4) Dwellings at 20 George Street, Belmont on the following grounds:

1. **The proposed multi-dwelling development, due to its bulk, continuous built form and small street setback, would constitute an incongruous form of development that fails to respond to, or respect, the existing or preferred neighbourhood character.**

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

As such the proposal is contrary to Clauses 15 (Built environment and heritage); 16.01-4 (Housing diversity); 21.06-4 (Neighbourhood character); 21.06-6 (Implementation); 32.01 (Residential 1 Zone); 55 (Two or more dwellings on a lot) and 65 (Decision guidelines) of the Greater Geelong Planning Scheme.

2. The proposed terraces, due to the number and elevated position close to the abutting property to the northeast, would result in an unreasonable impact on the amenities of that property. As such the proposal is contrary to Clause 55.04-8 (Noise impacts) of the Planning Scheme.

Cr Granger left the meeting room at 7.54pm
Cr Granger re-entered the meeting room at 7.56pm
Cr Mitchell vacated the Chair at 8.14pm for the evening
Deputy Mayor, Cr Cameron Granger, assumed the Chair at 8.14pm

Carried.

Report

Background

The Site & Locality

The subject site is a residential property located on the northwest side of George Street, Belmont. The site has an area of 775sqm, with a street frontage of 15.24m and a depth of 50.83m. The site falls by approximately 2m from the rear to the front.

The subject site is located within a Residential 1 Zone and is not affected by any overlays.

The surrounding residential area is characterised by a diverse mix of Victorian, Edwardian, Interwar and 50s-60s dwellings, the majority of which are single-storey with generous front and side setbacks. Building materials are mixed and include brick, timber and mixed roofs.

Land at the rear of the site and further west is zoned Business 1 and Business 2, and includes commercial premises within the Belmont High Street shopping precinct. The site is located within the Belmont – High Street Increased Housing Diversity Area as identified in the *Key Development and Increased Housing Diversity Areas (July 2009)* document which is incorporated into the Greater Geelong Planning Scheme. It is noted that it is policy that a mix of high, medium and conventional density housing will be encouraged within Increased Housing Diversity Areas, with the density of development being highest within the commercial core of the area and lower at the edge of the area. The site is centrally located within the Belmont – High Street Increased Housing Diversity Area (approximately 150m from High Street and 200m from the nearest 'edge' of the Increased Housing Diversity Area).

Proposal

The proposal involves the construction of four double-storey dwellings.

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

Each dwelling would contain an open plan kitchen/meals/living area, bathroom and laundry at the lower level and two bedrooms, retreat and bathroom at the upper level. Each dwelling would be provided with a single undercover car space. Ground floor secluded private open space that meets the requirements of Clause 55 is proposed for each dwelling. As submitted, it is also proposed that the three front dwellings (Dwellings 1, 2 and 3) would also be provided with an upper level terrace.

The dwellings would incorporate hipped 'Colorbond' roofs, parapet walls and a mixture of selected 'Hardies' wall cladding, face brickwork, aluminium windows, timber barge boards, selected anodised finish privacy screens and opaque privacy glazing to terraces.

The existing crossover would be reinstated with kerb and channel. A new 3m wide shared driveway is proposed along the south boundary, providing access to all on-site car spaces via a new crossover that would be combined with the existing crossover of the property to the south.

The front dwelling would be set back 7m from George Street. The dwellings would be generally set back 3.9m from the north boundary (excluding two walls on boundaries), and the rear dwelling (Dwelling 4) would be set back approximately 2.1m from the north boundary (excluding a single garage boundary wall).

Public Notification

Public notification of the application was undertaken. A sign was placed on site and notices were sent to adjoining and opposite property owners and occupiers. As a result of these procedures, a total of six objections were lodged with Council.

A consultation meeting was held which was attended by the applicant, a Council officer and objectors. The Ward Councillor also received notification of the meeting. Issues raised by the objectors were discussed at the meeting.

As a result of the consultation meeting, the following outcomes were agreed:

- Obscure glazing to stairwell windows and windows not screened to 1.7m at first floor.
- 1.8m high fencing to be provided along the northern boundary
- Screen to the south elevation of dwelling 1 and dwelling 2's terraces to avoid any unreasonable or perceived overlooking.

These outcomes are generally incorporated into the proposed permit conditions. Following consideration of the proposal, and negotiation with the applicant, the first floor terraces have been deleted from the proposal.

Following the consultation meeting, one objection was withdrawn.

Details of responses to objections are included in Appendix 7-4.

Assessment

The application has been assessed as follows:

Residential 1 Zone

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

The site accords with the purpose of the zone, allowing for a more intensive form of development on the site beyond that of a single dwelling. It is considered that this assists in providing for a diversity of housing for a range of household types. It is considered that the proposal provides a design that responds appropriately to the preferred neighbourhood character. Whilst this is not consistent with the existing character, the character of the area will evolve over time as future developments respond to the design guidelines for Increased Housing Diversity Areas.

Planning Policy
It is considered that the application accords with the planning policy framework. Planning policy seeks to promote increases in densities in established residential areas, particularly in areas within walking distance of services and facilities, and well serviced by public transport.

Clause 21.06-3 seeks to maximise opportunities for housing within Increased Housing Diversity Areas (as designated in the Incorporated Document 'Key Development and Increased Housing Diversity Areas', July 2009) by *accommodating high density housing in the activity centres consistent with their primary commercial and retail role; and medium density housing in residential areas with more intensive development being located closest to the core of activity centres.*

Clause 21.06-4 acknowledges that *neighbourhood character in the Increased Housing Diversity Areas and in Residential 2 Zones will adapt and evolve over time, particularly within and on the edges of activity centres, where land use and development will intensify*.

As stated earlier, the site is located in an Increased Housing Diversity Area where *a mix of high, medium and conventional density housing will be encouraged, with the density of development being highest within the commercial core of the area and lower at the edge of the area.* As the site is centrally located within the Belmont – High Street Increased Housing Diversity Area, it can be expected that development of the site may not respond to the existing neighbourhood character.

It is acknowledged that the proposed development would be a departure from the existing character of the area in relation to bulk, scale, continuous built form and front setback. However, it is considered that the proposal includes a number of design elements as set out below that, together with the aim of achieving an appropriate density for a site centrally located within an Increased Housing Diversity Area, contribute to an acceptable outcome in relation to the preferred neighbourhood character:

- Sufficient setbacks to accommodate vegetation to maintain and strengthen the garden setting;
- The front dwelling set back from both side boundaries, maintaining the rhythm of dwelling spacing;
- Articulated walls to 'break-up' and reduce the impact of the built form;
- The incorporation of pitched roof forms and materials found in the area i.e. face brickwork, weatherboards.

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

It must be expected that the character of neighbourhoods within Increased Housing Diversity will evolve over time, as developments of a higher density are incrementally approved. On balance, when weighed against the standards of Clause 55 (discussed below), the Housing Diversity Strategy and neighbourhood character, the proposal is considered an appropriate response to the State Planning Policy Framework and the Municipal Strategic Statement.

Clause 55 (ResCode)
The development is required to be assessed against Clause 55 of the Planning Scheme. This assessment is set out below:

Neighbourhood character
This issue has been addressed in detail earlier in the report. The application is considered to meet the neighbourhood character objective.

Residential policy
This issue has been addressed earlier in the report. The application is considered to accord with the planning policy framework.

Dwelling diversity
As there are less than ten dwellings proposed, this standard is not relevant.

Infrastructure
The site is serviced by the required infrastructure and the application was referred to Council's Engineering Services Unit which has not raised any concern about the ability of the site to be drained. The application meets the infrastructure objective and is not considered to unreasonably overload utility services.

Integration with the street
The front dwelling would be oriented to the street and provide a front door and several windows facing the street, providing passive surveillance opportunities. The plans denote that no front fencing is proposed.

Street setback
The proposal does not meet the standard. A front setback of 7.06m is proposed and a setback of 9m is required for the standard to be met (the two adjoining dwellings have front setbacks of approximately 9.15m and 10.7m). Given that the site is within an Increased Housing Diversity Area, a reduced front set back is considered acceptable. The proposed 7.06m setback is considered appropriate in that is maximises the efficient use of the land whilst still respecting the front setbacks of the dwellings on adjacent properties fronting George St. It would also provide space for meaningful landscaping to be planted to soften the built form.

Building height
To meet the standard, the dwellings must not exceed 9m in height. The dwellings are two-storey in height and would have a maximum building height of 7.05m. The standard is met.

Site coverage
Site coverage is 42.81% which is less than the 60% maximum allowed to meet the standard.

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

Permeability
32.49% of the site is available for impervious surfaces to assist in site stormwater filtration, which is greater than the 20% minimum required to meet the standard.

Energy efficiency
All living rooms and secluded private open spaces would be oriented to the north to maximise solar energy. By locating the proposed common driveway on the south boundary, the applicant has minimised the impact on the dwelling to the south, in relation to energy efficiency caused by overshadowing from the built form.

Open space
The application does not propose any communal open space.

Safety
Each of the dwellings has a clearly visible and identifiable entry, providing for the safety and security of residents and property.

Landscaping
Conditions contained within the recommendation require the submission of a detailed landscaping plan (which includes the planting of semi-mature trees in the front setback area to add to the character of the area), and reinstatement of nature strip in the location of the existing crossover proposed for removal. Subject to this, it is considered the development would meet with the landscaping objective.

Access
The existing crossover is to be removed. An alternative crossover is proposed to access all the dwellings. Only one crossover is proposed. The street access location is considered acceptable. It is noted accessways would not exceed 40% of the site's frontage. The accessway would ensure vehicles can enter and exit the development in a forward direction. It appears that an internal radius of at least 4m at changes of direction is not provided where vehicles would turn from the south boundary driveway into the car spaces on the north boundary. However, Council's Engineering Services Unit is satisfied that vehicle access to and from a development would be safe, manageable and convenient.

Parking location
Each carport/garage would be provided with a gate into the secluded private open space area of the relevant dwelling. There are no habitable room windows proposed within 1.5m of the shared accessway.

Parking provision
One parking space has been provided for each dwelling. The potential for the retreat rooms to be converted into third bedrooms was considered by Council. Given these rooms provide access to stairs and bedrooms, it is considered unlikely that they could be turned into bedrooms of a useable size. For this reason, it was not considered necessary to consider them as a third bedroom or to require a second car space for each dwelling.

To meet the standard, car spaces constrained by walls should be at least 3.5m wide for a single space and 5.5m wide for a double space measured inside the garage or carport. The shared carport for the two front dwellings is proposed to be 6m wide.

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

Given that these dwellings may be subdivided in future, and a wall constructed through the centre of the carport to separate the two car spaces, it is considered appropriate to require the carport to be widened by 1m to provide 3.5m widths for each car space. It appears that this could be achieved by reducing the ground floor footprints of the dwellings and is recommended as an amended plans condition.

Side and rear setbacks
All side and rear setbacks meet the standard.

Walls on boundaries
All garages and carports would be located on the boundary except the western wall of the garage for Dwelling 4, which would be set back 150mm off the boundary. The reason for this wall being set back is to allow for an adjoining brick shed encroaching over the title boundary. All lengths of walls on boundaries meet the standard.

Daylight to existing windows
The light court requirements specified by the standard have been achieved. The proposed dwellings would not detrimentally overshadow any existing habitable room windows.

North facing windows
There are no north-facing habitable room windows on abutting lots that would be affected by the proposed dwellings. The standard is met.

Overshadowing
There would not be unreasonable overshadowing of adjoining properties. The standard is met.

Overlooking
The use of highlight windows set a minimum of 1.7m above finished floor level (FFL), obscure glazing or screening to other windows ensure there is no unreasonable overlooking opportunities. A condition on permit would require opaque glass or screening to 1.7m above FFL to all first floor windows – as accepted by the applicant at the consultation meeting.

Internal views
Internal overlooking has been considered in the design solution and there is no overlooking of private open space areas.

Noise impacts
Noise created by the development and from abutting dwellings would be noise normal to residential areas.

Accessibility
The two-storey design of the dwellings, with living areas on the ground floor and bedrooms upstairs is typical.

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

Dwelling entry

Except for 'Dwelling 1' which fronts George Street, dwelling entries would be partially hidden when viewed from the street. However, the proposed porch in front of each entry would assist with identifying the entrances.

Daylight to new windows

The required light courts have been met and the development meets the daylight to new windows standard.

Private open space

Each dwelling has secluded private open space in excess of the standard (25sqm). This would still be the case if amended plans conditions outlined earlier (in relation to removing the first floor terraces and increasing the width of the carport for the two front dwellings) are required. Whilst the standard is not met in terms of each dwelling being provided with a total of 40sqm private open space, it is considered that the front setback between George St and the front dwelling provides sufficient space to make up for the lack of open space throughout the remainder of the site. On balance with the potential off-site impacts caused by the proposed terraces, it is considered appropriate to allow a variation in the standard as a compromise for removing the terraces.

Whilst the fencing enclosing the secluded private open space of the front dwelling would project forward of the dwelling, this is considered acceptable given it would be set back approximately 6.5m from the front property boundary.

Solar access to open space

The dwellings would have north facing private open space that meets the standard.

Storage

There are adequate areas available on site to accommodate external storage.

Design detail

Design detail of the new development is reflective of surrounding development. Facade articulation and detailing, window and door proportions and roof forms are visually compatible with the existing and emerging neighbourhood.

Front fences

No front fence is proposed.

Common property

The common property is functional and capable of efficient management in regard to vehicle access.

Site services

The dwelling layout and design provides for sufficient space and facilities for services to be installed and maintained. Bin and recycling enclosures, mailboxes and other site facilities have been provided.

7. PLANNING PERMIT APPLICATION 14/2011, 20 GEORGE STREET, BELMONT (CONT'D)

Legislative Issues

The Planning and Environment Act 1987 and the Greater Geelong Planning Scheme are the relevant documents under which Council must consider this application.

Environmental Implications

It is considered that there will be no environmental implications for Council in the granting of this permit

Financial Implications

It is considered that there will be no financial implications for Council in the granting of the permit

Policy/Legal/Statutory Implications

The proposal has been assessed against the provisions of the Greater Geelong Planning scheme as detailed in Appendix 7-2.

Officer Direct or Indirect Interest

There are no Officer conflicts of interest with this application

Risk Assessment

It is considered that there will be no risk to Council in the granting of this permit

Social Considerations

It is considered that there will be no social implications for Council in the granting of this permit

Communication

The application was referred to various internal departments of Council for comment. The summary of the referral responses is provided in Appendix 7-3.

APPENDIX 7-1

Amended Plans Required

1. Prior to the commencement of development, three (3) copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

    a) Removal of the first floor terraces.
    b) The double carport increased in width to 7.0 metres by reducing the footprints of the dwellings and without reducing the front setback.
    c) Any first floor windows within 9 metres of the site boundaries fitted and permanently maintained with obscure glass or screening to a minimum height of 1.7m above floor level, and constructed to ensure no overlooking in excess of that permitted as specified in Clause 55.04-6 (Standard B22) of the Greater Geelong Planning Scheme.
    d) A 1.8 metre high fence along the north property boundary.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Drainage and Access

3. The site must be drained to the satisfaction of the Responsible Authority and no stormwater, sullage, sewerage or polluted drainage shall drain or discharge from the land to adjoining properties.

4. All stormwater runoff must be collected on site and discharged to the satisfaction of the Responsible Authority.

5. The Legal Point of Discharge for the site must be to the Side Entry Pit in George Street to the North East of the property, or other nominated point/s as approved by the Responsible Authority. Connection to the Side Entry Pit must be to the satisfaction of the Responsible Authority.

6. Prior to the commencement of the development hereby approved, engineer designed drainage plans prepared by a qualified person must be submitted to and approved by the Responsible Authority. These plans must show that the design for the drainage system complies with relevant City of Greater Geelong Standards, Australian Rainfall and Runoff, Australian Standards (in particular AS 3500), WSUD Engineering Procedures: Stormwater-CSIRO, and any other approved technical publications relevant to the development, demonstrating that the system caters for the development in accordance with the following design criteria:

    a) Site run-off must be limited to equivalent pre-developed levels for rainfall events up to and including the critical 10 year ARI event;
    b) An appropriate on-site detention system must be designed and installed to limit site run-off to designated levels; and

c) Runoff from Hard Standing Areas must be treated to achieve current best practice pollutant removal targets by connection to an appropriate Water Treatment Facility, with capacity to treat at least a 3 month ARI storm event, unless approved otherwise by the Responsible Authority. The Water Treatment Facility must be maintained to the satisfaction of the Responsible Authority.

7. Prior to the occupation of the dwellings, the developer must:

a) construct the site stormwater system and any runoff treatment facility, and connect to the legal point of discharge as approved by the Responsible Authority in accordance with the approved drainage plans;

b) construct, drain, and surface the common property driveway with an all weather seal coat, in accordance with the endorsed plans. Drainage works must include the provision of suitable drainage collection pits to prevent surface runoff onto George Street and adjoining properties;

c) construct the vehicular crossings in accordance with the requirements and standards of the City of Greater Geelong. Construction of the vehicular crossings must be via relevant council permit, together with any change to the kerb and channel. Redundant vehicular crossing must be replaced with kerb and channel to match existing construction in the street;

all to the satisfaction of the Responsible Authority.

Landscaping

8. Prior to the commencement of development, three (3) copies of a landscape plan prepared by a suitably qualified or experienced person, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The plan(s) must be drawn to scale and show:

a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;

b) details of surface finishes of pathways and driveways;

c) a planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;

d) landscaping and planting within all open areas of the site; and

e) two canopy trees, minimum one metre tall when planted, in the setback between the front property boundary and Unit 1.

When approved, the plan will be endorsed and form part of the permit, all to the satisfaction of the Responsible Authority.

9. Prior to the commencement of the use the landscaping works as shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

Muted Tonings

11. The external fabric including the roofing must be in muted tonings of non-reflective material so as to blend with the environment and preserve the aesthetic amenity of the area to the satisfaction of the Responsible Authority.

Walls on Boundaries

12. All external walls on or facing property boundaries must be cleaned and finished to the satisfaction of the Responsible Authority.

Expiry

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

    a) The development of the buildings hereby approved has not commenced within two (2) years of the date of this permit

    b) The development of the buildings hereby approved is not completed within four (4) years of the date of this permit.

    The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three (3) months afterwards.

Notes:

1. Construction of the stormwater connection to the legal point of discharge, common property driveway and vehicle crossings are to be inspected by Council Representative at various stages. An appropriate fee equivalent to 3.25% of total cost of civil works, excluding GST (a minimum fee of $100 applies if the 3.25% amount is less than $100), is to be paid to Council for supervision. Relevant evidential documentation of the cost is to be provided.

2. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.

APPENDIX 7-2

Greater Geelong Planning Scheme

Definition and Nesting

The use is defined as 'dwelling' and is nested under the heading of Accommodation.

Zone

The subject site and surrounding properties within George Street and the broader area to the east are located within a Residential 1 Zone. The purpose of Clause 32.01 of the Residential 1 Zone is:

- *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 residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.*
- *To encourage residential development that respects the neighbourhood character.*
- *In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.*

Land directly to the west of the site is located within a Business 2 Zone. The purpose of the zone is to encourage the development of offices and associated commercial uses. Uses within the abutting Business 2 Zone include both commercial and residential uses. Further west, land is zoned Business 1 and includes commercial properties along Belmont High Street.

Overlay

The site is not affected by any overlays.

Permit required clause and condition

A planning permit is triggered by the following clauses of the Greater Geelong Planning Scheme:

- Clause 32.01-4– Construction of two or more dwellings on a lot.

Restrictive Covenant

No restrictive covenants or Section 173 agreements affect the land.

Cultural Heritage Management Plan (CHMP)

The Aboriginal Heritage Regulations 2007 specify the circumstances in which a Cultural Heritage Management Plan is required for an activity or class of activity.

Areas of cultural heritage sensitivity are defined within Part 2 - Division 3 of the Aboriginal Heritage Regulations 2007. Part 2 - Division 3 does not identify the site or part of the site as within an area of cultural heritage sensitivity.

In accordance with the above assessment, a Cultural Heritage Management Plan has not been required by Council.

Coastal Hazard Vulnerability Assessment

The site is in excess of 1km from the coast and Barwon River, with a site level of approximately 33m AHD. Accordingly, a Coastal Hazard Vulnerability Assessment was not required as part of the application process.

Officer Direct or Indirect Interest

No Council officers have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80 (C) of the Local Government Act.

Car Parking

Car parking requirements are set out in Clause 55 of the Planning Scheme. There is a requirement for one on-site car parking space for each dwelling. The provision of on-site visitor car parking space is not required. The application meets this requirement.

Bicycle Spaces

Not applicable.

State Planning Policy Framework

The following State planning policies are relevant to the consideration of this application.

11 – Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- *Health and safety.*
- *Diversity of choice.*
- *Adaptation in response to changing technology.*
- *Economic viability.*
- *A high standard of urban design and amenity.*
- *Energy efficiency.*
- *Prevention of pollution to land, water and air.*
- *Protection of environmentally sensitive areas and natural resources.*
- *Accessibility.*
- *Land use and transport integration.*

Planning is to prevent environmental problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.

15 - Built Environment and Heritage

Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Creating quality built environments supports the social, cultural, economic and environmental wellbeing of our communities, cities and towns.

Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and development and quality of urban design.

Planning should achieve high quality urban design and architecture that:

- *Contributes positively to local urban character and sense of place.*
- *Reflects the particular characteristics, aspirations and cultural identity of the community.*
- *Enhances liveability, diversity, amenity and safety of the public realm.*
- *Promotes attractiveness of towns and cities within broader strategic contexts.*
- *Minimises detrimental impact on neighbouring properties.*

16 – Housing

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.

Planning for housing should include providing land for affordable housing.

Clause 16.01-5 (Housing Diversity) seeks to *provide for a range of housing types to meet increasingly diverse needs* and includes the following strategies:

- *Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.*
- *Encourage the development of well-designed medium-density housing which:*
  - *Respects the neighbourhood character.*
  - *Improves housing choice.*
  - *Makes better use of existing infrastructure.*
  - *Improves energy efficiency of housing.*
- *Support opportunities for a wide range of income groups to choose housing in well-serviced locations.*
- *Ensure planning for growth areas provides for a mix of housing types and higher housing densities in and around activity centres.*

19 – Infrastructure

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

Growth and redevelopment of settlements should be planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Strategic planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Planning authorities are to consider the use of development contributions (levies) in the funding of infrastructure.

Local Planning Policy Framework

Municipal Strategic Statement

The following policies of the Municipal Strategic Statement are relevant to the consideration of this application:

21.06-2 - Urban Growth

The objective of Clause 21.06-2 of the Municipal Strategic Statement is:

- *To limit urban sprawl by directing urban growth to designated urban growth areas.*
- *To improve housing affordability through the maintenance of appropriate urban land supplies, the promotion of competition in the housing market and the development of a diverse range of well located housing stock.*

Strategies

- *Direct the majority of new greenfield residential development to the designated primary urban growth areas at Armstrong Creek, Ocean Grove, Drysdale/Clifton Springs, Lara and Leopold.*
- *Maintain the non-urban break between Geelong and Werribee and, in particular, prevent further expansion of the Little River township boundary.*
- *Maintain the Geelong Ring Road as the western boundary of urban Geelong.*
- *Ensure that land use and development does not compromise the capacity or potential future development of areas designated for future urban growth, as shown on the relevant Structure Plan or Urban Growth Plan.*
- *Require a minimum residential density of 15 dwellings per hectare in all new urban growth areas.*
- *Ensure development occurs within designated settlement boundaries.*
- *Where possible use natural boundaries to define the edges of urban areas.*
- *Provide for infill urban growth in the Fyansford area.*
- *Prevent further subdivision and medium density housing in Breamlea.*
- *Limit rural living development to existing zoned land in the existing nodes at Lara, Drysdale/Clifton Springs, Wallington, Lovely Banks and Batesford.*
- *Ensure new residential neighbourhoods provide a mix of housing suited to the needs of a diverse range of household types.*

21.06-3 - Urban Consolidation

The objective of Clause 21.06-3 of the Municipal Strategic Statement is:

- *To provide for the consolidation of existing urban areas in a managed way.*
- *To encourage an appropriate range of development densities.*
- *To improve accessibility to urban services.*

Strategies

- *Manage urban consolidation and housing change across the municipality, by:*
- *Accommodating medium and high density housing in Key Development Areas (as designated in the Incorporated Document 'Key Development and Increased Housing Diversity Areas July 2009').*
- *Maximising opportunities for housing within Increased Housing Diversity Areas (as designated in the Incorporated Document 'Key Development and Increased Housing Diversity Areas July 2009') by accommodating:*

    - *High density housing in the activity centres consistent with their primary commercial and retail role; and medium density housing in residential areas with more intensive development being located closest to the core of activity centres.*
    - *Appropriate medium density housing in Residential 1 zoned areas.*
    - *Incremental change in Residential 3 zoned areas.*
    - *Encourage medium density housing in mixed use zones.*
    - *Require retirement accommodation to be located within urban areas, preferably within close proximity to existing or proposed activity centres and public transport facilities.*

21.06-4 - Neighbourhood Character

The objective of Clause 21.06-4 of the Municipal Strategic Statement is:

- *To manage the impact of urban change on existing neighbourhoods.*
- *To ensure that new development responds to the existing neighbourhood character.*
- *To protect areas with a significant garden character.*

Strategies

- *Ensure that development is responsive to the established character of the area.*
- *Support medium density housing in the Residential 3 Zone in accordance with the schedule to the zone.*
- *Acknowledge that neighbourhood character in the Increased Housing Diversity Areas and in Residential 2 Zones will adapt and evolve over time, particularly within and on the edges of activity centres, where land use and development will intensify.*
- *Allow for appropriate transition between residential zones.*
- *Ensure that development on the edges of Residential 1 and Residential 2 Zones is responsive to and respectful of the neighbourhood character in any adjoining Residential 3 Zone.*
- *Support the redevelopment of dwellings owned by the Office of Housing, as part of urban renewal initiatives.*
- *Retain existing vegetation wherever possible, particularly vegetation that contributes to the municipality's tree canopy.*
- *Avoid gated communities.*
- *Maintain the character of the Rural Living and Low Density Residential Zoned areas.*

Local Planning Policies

There are no Local Planning Policies relevant to this application.

Incorporated and Reference Documents

It is important to note that the site is located in an Increased Housing Diversity Area pursuant to *'Key Development and Increased Housing Diversity Areas' (July 2009)*, an incorporated document of the Planning Scheme. This document and the accompanying *Housing Diversity Strategy, 2007* (a reference document to the Planning Scheme) are key to residential zonings within the municipality. The housing diversity strategy identified areas which are well serviced by activity centres, being located within a 400 metre or 800 metre walk of the edge of an Activity Centre Core and these remained in the Residential 1 Zone, while those areas which have a garden character and are more remote from Activity Centres were zoned Residential 3 Zone.

The site is zoned Residential 1 Zone and is located in an Increased Housing Diversity Area where *a mix of high, medium and conventional density housing will be encouraged, with the density of development being highest within the commercial core of the area and lower at the edge of the area.* It is acknowledged in the housing diversity strategy that the *residential character of the area will adapt and evolve over time as housing needs and demands change.*

APPENDIX 7-3

Referrals
Internal

Engineering Services
Standard conditions have been suggested and generally these have been applied to the permit.

Planning Strategy
The Planning Strategy Unit advised that the proposal is considered an appropriate response to the Increased Housing Diversity Area.

External
The application did not require referral to any external referral authorities.

APPENDIX 7-4

RESPONSE TO OBJECTIONS

Objection
Increase in traffic, parking problems and the danger of vehicles backing out of the site onto George Street.

Comment
It is considered that the increase in traffic in George Street as a result of this development would be, as a percentage, quite small. The proposed car parking provision is considered adequate as it meets the relevant standard of the Planning Scheme. Vehicles would be able to enter and exit the site in a forward direction.

Objection
Overlooking; concern over cost of fencing.

Comment
A condition placed on any permit issued requiring obscure glazed glass in windows to 1.7m above the first floor level should adequately address any overlooking concerns. The existing fencing is in adequate condition but the plans show it being replaced. The cost associated with replacing the fence is a civil matter and is not a planning consideration.

Objection
Concern over encroachment onto private property during construction.

Comment
The issue of any encroachment onto an adjoining property during construction is appropriately dealt with under 'protection works' set down under Building Regulations.

Objection
Double-storey construction does not fit in with street.

Comment
Single-storey construction dominates in this street and two-storey has the potential to be out of character if this neighbourhood were not a preferred area for multi-dwelling development. Given the property is within an Increased Housing Diversity Area, there is greater scope for new development to be less responsive to existing neighbourhood character. As such, an increase to two-storeys from the typical single-storey development is considered acceptable on balance with the overall design response.

8. MELALUKA ROAD, LEOPOLD - FOOTPATH CONSTRUCTION - SRC 320 FINALISATION OF SCHEME

Portfolio: **Infrastructure – Cr Richards**
Source: **City Services - Engineering Services**
General Manager: **Gary Van Driel**
Index Reference: **Subject: Special Rates and Charges**
Street: Melaluka Road, Leopold

Summary

- This report relates to the finalisation of a Special Charge Scheme for footpath construction in Melaluka Road, Leopold, eastside between the Bellarine Highway and south of Reedy Lakes Court, as shown on plan – Appendix 8 -1.
- Land to the south of Reedy Lakes Court has recently been developed and as a condition, the Developer was required to fund half of the cost of footpath between the development and Warawee Road.
- The works have now been completed and the scheme can be finalized by Council.
- The total cost of the project was $229,448 with property owners costs $46,868.48 which is slightly less than the estimate.
- The scheme has been administered in accordance with the Special Rates and Charge provisions of the Local Government Act along with Council's Special Rates and Charges policy.
- The report seeks a resolution by Council to 'vary' the Special Charge for the works to finalize the Melaluka Road, Leopold Special Charge Scheme. The process is shown in Process Chart attached.

Cr Richards moved, Cr Macdonald seconded -

That Council having declared a special charge on 12 May 2009 for the purposes of defraying the expenses in relation to the construction of footpath in Melaluka Road, Leopold, east side between Bellarine Highway and 2-10 Reedy Lakes Court (Appendix 8-1 – Plan) in accordance with Section 163 of the Local Government Act 1989 (the Act) resolves that:

1. **the special charges as declared be varied in accordance with actual costs incurred on the project as required by Section 166 of the Act as shown in Schedule A – Appendix 8-2;**
2. **the General Manager of Corporate Services is authorised to levy and recover the special charges by sending notices to the persons who are liable to pay in accordance with Section 166 of the Act and the Regulations;**
3. **in accordance with Section 172, the rate of interest which is payable on the special charges which have not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 2A in which case the rate of interest shall be the maximum fate fixed by the Governor in Council by Order for the purposes of the Section). The interest is to be calculated from the date the special charge is due, with a six months interest free period, providing those persons who choose to pay by instalments adhere to their repayment plan.**

Carried.

8. MELALUKA ROAD, LEOPOLD - FOOTPATH CONSTRUCTION - SRC 320 FINALISATION OF SCHEME (CONT'D)

Report

Background

This report relates to the finalisation of a special charge scheme for footpath construction in Melaluka Road, Leopold, east side from Bellarine Highway to 2-10 Reedy Lakes Court.

All works have been completed and costs accounted for. The scheme can now be finalized by Council.

The scheme consisted of two sections, A and B and this division was made due to the fact the Developer was required to fund 50% of the cost of the works between Warrawee Road and the development to the south. (Section B)

The works were carried out by a single contractor with rates in the two sections identical. The actual unit costs in Section A were higher than estimate and in Section B lower than the estimate. This was due to the fact that the actual quantities measured were marginally different for both the sections. Combining the two sections provided the fairest and most equitable result.

The overall actual cost was marginally less than the estimate (less than 1%). Individual actual costs do vary above and below the estimate and this is due to the fact that driveways which were considered to be of standard, have been deducted from some of the properties.

Discussion

As construction of the special charge scheme has now been completed the scheme can be finalized by Council. The table below shows the final arrangements.

The additional costs funded by Council relate to the relocation and adjustment of services, some kerbing works and capitalization of salaries relating to project supervision. These were not included in the original estimate of costs.

	Estimate	Actual
Owners Costs	$47,240.50	$46,868.48
Council proportion of footpath cost	$65,237.50	$64,723.13
Developers proportion of footpath cost	$79,630.00	$79,888.50
Additional works, service alterations, kerb etc, funded by Council		$37,967.89
TOTAL	**$192,108.00**	**$229,448.00**

8. MELALUKA ROAD, LEOPOLD – FOOTPATH CONSTRUCTION – SRC 320 FINALISATION OF SCHEME (CONT'D)

Environmental Implications

There are no environmental implications including sustainability, energy use, water use or alternative material use, in Council's decision to finalise this scheme. The process is an administrative matter only.

Financial Implications

There are no financial implications associated with Council proceeding to finalise the scheme. Property owners will be advised of the cost adjustment.

Policy/Legal/Statutory Implications

The scheme has been administered in accordance with the special rate and charge provisions of the Local Government Act as well as Council's Special Rates and charges Policy. There are no issues regarding the Human Rights Charter.

Officer Direct or Indirect Interest

No Council Officer involved with this process has any direct or indirect interest in the properties.

Risk Assessment

There are no risk assessment issues in Council proceeding to finalise the scheme.

Social Considerations

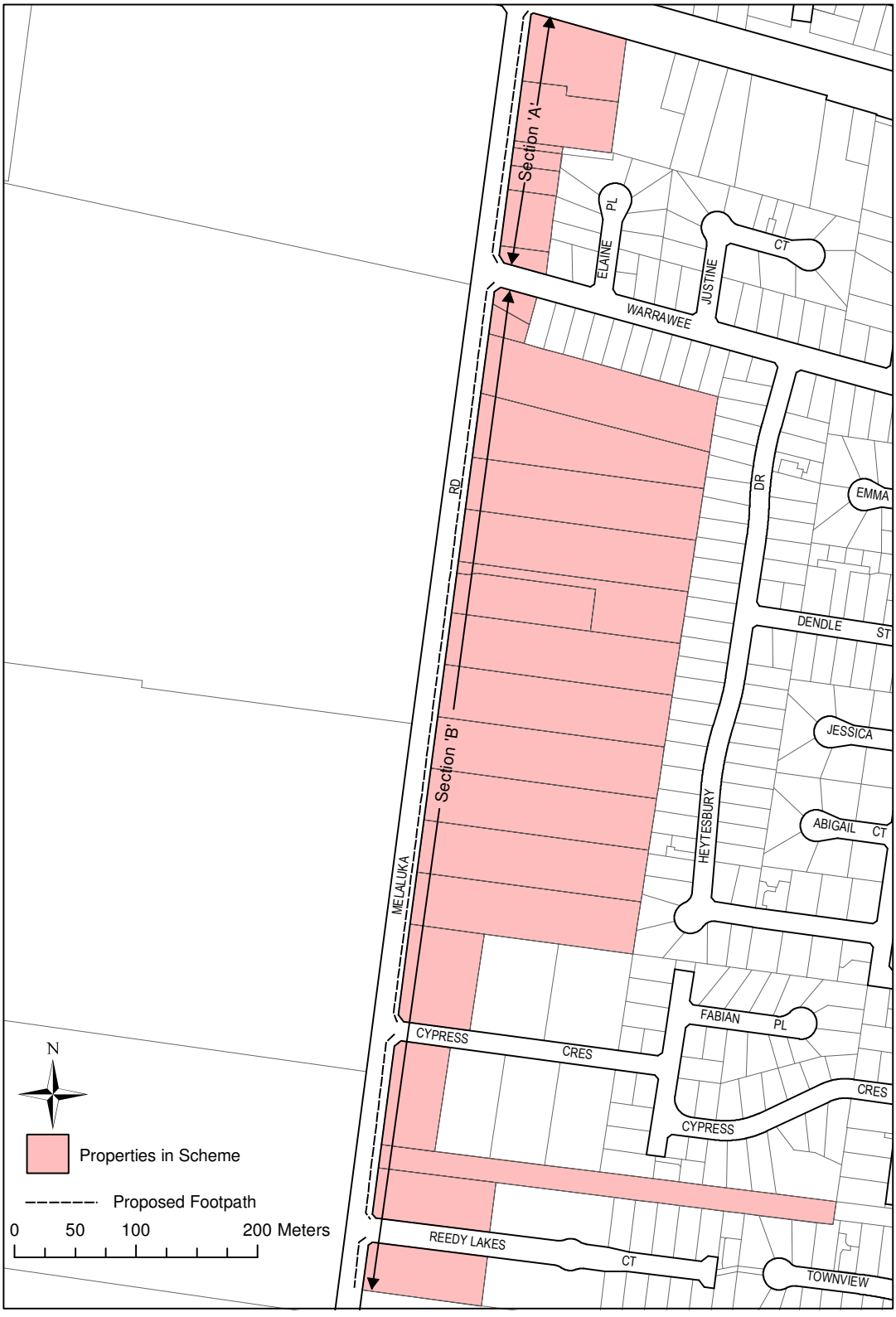
There are no social considerations associated with Council proceeding to finalise the scheme.

Communication

Communication with property owners has taken place during the course of the project. Owners will be advised of Council's decision and the final cost.

Appendix 8-1

PLAN



Appendix 8-2

SCHEDULE 'A'

	ADDRESS	LEGAL DESCRIPTION	ESTIMATED COST ($)	ACTUAL COST ($)
1	670 Bellarine Highway, Leopold VIC 3224	Lot 1 PS 440713	1,322.77	**1,353.70**
2	143-145 Melaluka Road, Leopold VIC 3224	Lot 2 PS 440713, Lot 1 TP 861841	4,125.39	**4,221.85**
3	147 Melaluka Road, Leopold VIC 3224	Lot 1 TP 21930	1,664.21	**1,407.00**
4	149 Melaluka Road, Leopold VIC 3224	Pt CA 15 Sec A	1,662.56	**1,405.31**
5	151-155 Melaluka Road, Leopold VIC 3224	Lot 1 TP 100641	3,858.36	**3,948.57**
6	1 Warrawee Road, Leopold VIC 3224	Lot 1 LP 213430	1,163.21	**978.89**
1	2 Warrawee Road, Leopold VIC 3224	Lot 38 LP 213430	596.48	**606.72**
2	167 Melaluka Road, Leopold VIC 3224	Lot 37 LP 213430	986.97	**842.13**
3	169-171 Melaluka Road, Leopold VIC 3224	Lot 11 LP 137543	1,948.49	**1,981.95**
4	173-177 Melaluka Road, Leopold VIC 3224	Lot 10 LP 137543	2,124.25	**2,160.73**
5	179-181 Melaluka Road, Leopold VIC 3224	Lot 9 LP 137543	1,709.90	**1,739.26**
6	183-185 Melaluka Road, Leopold VIC 3224	Lot 8 LP 137543	1,709.90	**1,739.26**
7	187 Melaluka Road, Leopold VIC 3224	Lot 2 PS 615564	397.65	**404.48**
8	189-191 Melaluka Road, Leopold VIC 3224	Lot 1 PS 615564	1,312.25	**1,334.78**
9	672-678 Bellarine Highway, Leopold VIC 3224	Lot 1 PS 440713	1,709.90	**1,739.26**
10	193-195 Melaluka Road, Leopold VIC 3224	Lot 6 LP 137543	1,709.90	**1,739.26**
11	197-199 Melaluka Road, Leopold VIC 3224	Lot 5 LP 137543	1,709.90	**1,739.26**
12	201-205 Melaluka Road, Leopold VIC 3224	Lot 4 LP 137543	1,709.90	**1,739.26**
13	207-209 Melaluka Road, Leopold VIC 3224	Lot 3 LP 137543	1,709.90	**1,739.26**
14	211-215 Melaluka Road, Leopold VIC 3224	Lot 2 LP 137543	1,709.90	**1,739.26**
15	217-219 Melaluka Road, Leopold VIC 3224	Lot 1 LP 137543	1,717.85	**1,747.35**
16	1-3 Cypress Crescent, Leopold VIC 3224	Lot 1 PS 324202	3,232.90	**2,985.06**
17	2-4 Cypress Crescent, Leopold VIC 3224	Lot 4 PS 324202	3,448.43	**3,507.64**
19	239 Melaluka Road, Leopold VIC 3224	Lot 1 PS 309084, Res 1 PS 306598	768.66	**781.86**
18	2-10 Reedy Lakes Court, Leopold VIC 3224	Lot 52 PS 315317	1,597.36	**1,624.79**
20	1-9 Reedy Lakes Court, Leopold VIC 3224	Lot 37 PS 315317	1,633.55	**1,661.60**

Attachment 8-1

PROCESS CHART

SPECIAL CHARGE PROJECTS – (Section 163 – Local Government Act 1989)

MELALUKA ROAD, LEOPOLD

Stage	***Status***	***Description***
Approval to prepare scheme	✓	Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
Intention to Declare Scheme	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process. Resolved at meeting 13/04/2010
Advertisement	✓	The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time. Advertised 23/04/2010
Submissions	N/A	From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
Submissions Review Panel Hearing	N/A	A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme.
Declaration Report	✓	Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
Appeal	N/A	Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
Construction	✓	Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
Final Cost Report	✓	At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

9. COLITE STREET GROUP - BARWON HEADS - PROPOSED ROAD CONSTRUCTION - SRC 316 - INTENTION TO DECLARE

Portfolio: **Transport and Infrastructure - Cr Richards**
Source: **City Services - Engineering Services**
General Manager: **Gary Van Driel**
Index Reference: **Subject: Special Rates and Charges**
Street: Colite Street, Barwon Heads

Summary

- This report relates to a proposed Special Charge scheme for the construction of Colite Street between Hitchcock Avenue and Margate Street, Margate Street from Colite Street to match existing construction to the north and Grandview Parade reconstruction of a short section from Colite Street to the south, in Barwon Heads as shown on Locality Plan – Appendix 9-4.
- Council Officers have been working with, and recently met with the group of property owners
- Council has received enquiries and complaints over a period of time and in particular regarding the intersection which is considered to encourage dangerous behaviour.
- The total estimated cost of the project is $208,283.27 with property owners costs $153,894.05 and Council $54,389.22.
- There are 23 properties in the scheme and the estimated cost varies between $4016.02 and $17,275.45.
- The road layout and in particular proposed road widths have attempted, as much is as possible, to replicate the existing sealed road infrastructure in Barwon Heads.
- The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act, along with Council's Special Rates and Charges Policy.
- The report seeks a resolution by Council to give notice of its "Intention to Declare" a special charge for road construction in Colite Street, Margate Street and Grandview Parade, Barwon Heads in accordance with the special charge scheme process, refer Attachment.

Cr Richards moved, Cr Macdonald seconded -

In accordance with Section 163 of the Local Government Act 1989, Council resolves that:

1) the following declaration of a special charge be proposed ("the proposed declaration"):

a) the special charge be declared for a period until the works have been completed and the scheme finalised.

9. COLITE STREET GROUP - BARWON HEADS - PROPOSED ROAD CONSTRUCTION - SRC 316 - INTENTION TO DECLARE (CONT'D)

b) the special charge be declared for the purposes of defraying any expenses incurred by Council in relation to construction of road pavement, sealing and drainage in Colite Street between Hitchcock Avenue and Margate Street, Margate Street north of Colite Street to the north boundary of 4 Colite Street and Grandview Parade 20 metres south of Colite Street, Barwon Heads which project:

b1) will provide proper sealed vehicular access, improvements to drainage and enhancement to the general amenity for each of the properties included in the scheme;

b2) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and

b3) arises out of Council's function of planning for and providing infrastructure for property owners.

c) The:

c1) total cost of performing the function described in Part b of this Resolution based on estimated cost be recorded as $208,283.27.

c2) total amount of the special charge be levied and be recorded as $153,894.05.

d) it be recorded that, for the purposes of Section 163 (2A) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula (R x C = S), the:

d1) 'benefit ratio' (R) being calculated at 100%, and representing the total benefits of the special charge scheme that will accrue as special benefits to all persons liable to pay the special charge; and

d2) 'community benefit' (C) being assessed as zero for road pavement in Colite Street, Margaret Street and Grandview Parade, Barwon Heads.

e) the following be specified as the area for which the special rate is so declared:

e1) the area within municipal district of Council highlighted in the Locality Plan (Appendix 9-4) attached to this Resolution ("the area").

f) the following be specified as the land in relation to which the special charge so declared:

f1) all land within the area shown on the plan.

g) the following be specified as the criteria which form the basis of the special charge so declared:

g1) ownership of any land described in Part e of this Resolution.

9. COLITE STREET GROUP - BARWON HEADS - PROPOSED ROAD CONSTRUCTION - SRC 316 - INTENTION TO DECLARE (CONT'D)

h) the following be specified as the manner in which the special charge so declared will be assessed and levied:

h1) each lot has been allocated a single access unit;

h2) corner lots with construction on both frontage and sideage, and not reconstruction of existing pavement, allocated access units of 1.33;

h3) each lot with no abutting construction assessed on access units only;

h4) total cost divided equally on area and access unit basis;

h5) for unit development cost to total lot assessed on area and access unit. Cost to individual units based on individual unit frontage to works and cost of common property allocated to all units in accordance with the Schedule of Entitlements and Liabilities as shown on the plan of subdivision; and

h6) the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Local Government Act 1989.

i) having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Local Government Act 1989, it be recorded that;

i1) the owners of the land described in column 1 of Schedule B to the Resolution are estimated liable for the respective amounts set out in column 2 of Schedule B; and

i2) such owners may, subject to any further resolution of Council pay the special charge in the following manner:

i2a) the charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Local Government Act 1989;

i2b) interest will not be charged for six months after the issue of the notice provided the person liable makes timely payment in accordance with any repayment arrangements that may be agreed on by Council; and

i2c) in accordance with Section 172 of the Act, the rate of interest which is payable on the special charge which has not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).

2) Any submissions made under Section 223 of the Local Government Act 1989 and the proposed declaration be considered by Council's Submissions Review Panel, and then by Council at its meeting on 29 May 2012, at which time Council will consider whether to make a declaration in the form of the proposed declaration.

9. COLITE STREET GROUP - BARWON HEADS - PROPOSED ROAD CONSTRUCTION - SRC 316 - INTENTION TO DECLARE (CONT'D)

3) Council's Chief Executive Officer be authorised to give public notice of the proposed declaration in accordance with sections 163 (1A) and (1B) of the Local Government Act 1989 and send a copy of the public notice to each person who is liable to pay the special rate in accordance with Section 163 (1C) of the Local Government Act 1989.

Carried.

Report

Background

This project involves some remnant sections of roads in Barwon Heads and part of an original subdivision which dates back as early as 1849. The project initially involved Colite Street, Challis Street, and the southern unconstructed portion of Margate Street.

As discussions evolved however, Challis Street has been omitted.

A number of enquiries have been received by Council over the last 10 years, with the main concern being errant driver behaviour through the intersection. Some instances of fences being knocked over were reported.

In 2003 a survey of owners was undertaken with only 9 responses from the owners of 18 properties and no clear direction for Council regarding street construction. In recent years the number of enquiries and complaints have increased and in 2009 a concept plan for the construction of the various roads was prepared. This was subsequently forwarded to property owners for comment. Various comments were forthcoming with an increase in the support for a street construction scheme. The plan was developed to a further stage and again sent to owners.

In late 2011 Council officers met with property owners and generally the group supported construction however owners of Challis Street properties felt that construction of their street, in any form, was unnecessary. The road construction project was then shown as Option 1, 2, 3, being full construction to part construction. These were sent out in late 2011 and responses supported Option 2 which removed Challis Street and the eastern portion of Colite Street from the scheme.

In the same mail out, details of the proposed method of apportionment were provided. Very little comment was made on the apportionment proposal.

A temporary delineation of the intersection has been carried out and appears to by slowing traffic as it passes through the intersection. A traffic count has also undertaken in the vicinity, late last year with results as follows.

LOCATION	24 HOUR VOLUME	SPEED KM/HR
Margate Street	397	47.5
Grandview Parade	443	45.7
Colite Street	144	26.3

9. COLITE STREET GROUP - BARWON HEADS - PROPOSED ROAD CONSTRUCTION - SRC 316 - INTENTION TO DECLARE (CONT'D)

Discussion

An examination of the subdivision layout of this area indicates a range of lot sizes and configurations. The unit cost method of apportionment was ruled out in this instance due to the irregularity of the lot sizes. Lot area was considered to be an important element as it governs the level of future development and the manner in which the road may be utilised by a lot developed at some future stage.

It was considered appropriate to apportion costs by means of area (50% of the cost) and access units (remaining 50% of the cost). This results in an equitable cost distribution with corner lots with works to both frontage and sideage given a one third loading.

As indicated the proposal commenced with the inclusion of Challis Street which was Councils preference. Omitting small section of roads can be short sighted. To return in the future and construct a small section, as a scheme, is often difficult. The property owners in Challis Street were strongly of the opinion their street should not be constructed. Redevelopment of properties in this street at some future stage, may necessitate street construction. Properties in Challis Street use either Colite Street or Margate Street for access and it is standard practice for all properties benefiting to share the costs. In this instance Challis Street properties have no works fronting the property via the proposed works, yet benefit and consequently a charge needs to be levied. A fair means to make this charge is to apply one access unit to each property, which represents $4,016.02. Correspondence to owners has mentioned this unusual circumstance.

Property owners benefit as a result of road construction in the following manner:

- Proper sealed access to properties;
- Improvements to drainage of area;
- Removal of nuisance, being dust and mud at various times of the year;
- Improvements to road safety;
- Enhancement to the general amenity of the area; and
- Likely increase in property values.

There are no Council properties in this scheme.

Grandview Parade south of Colite Street is already constructed but needs to be redesigned for approximately 20m to suit the intersection layout. Given this is existing construction, it is reasonable for Council to pay for this section. It is unknown but unlikely, owners have paid for this in the past.

The actual intersection works are also proposed to be funded by Council. This is the deviation from Grandview Parade through to Margate Street as the road reserves are offset. This decision is based on the fact that there is a traffic management issue more of a general nature and not in the sole domain of property owners in the scheme. This approach has been conveyed to property owners.

9. COLITE STREET GROUP - BARWON HEADS - PROPOSED ROAD CONSTRUCTION - SRC 316 - INTENTION TO DECLARE (CONT'D)

Financial details are as follows:

Property Owners Cost	$153,894.05
Council Cost	$ 54,389.22
Total Cost	$208,283.27

Drainage capture is by means of a soak pit at the north-west of the intersection with a high level outfall to Grandview Parade storm water pump system to the south.

During the course of discussions with property owners the issue of creating one way traffic flow was raised. One-way street systems generally have issues firstly in gaining agreement and acceptance from users and secondly the longer term issue of compliance.

The works proposed however do not preclude the possible future consideration of a one-way system. Some rearrangement works would be required at the Margate Street/ Colite Street / Grandview Parade intersection as well as the appropriate signage.

Environmental Implications

The provision of a sealed road surface provides a permanent and safe means of access. Dust is eliminated and storm water runoff is not contaminated with silt.

The generation of dust from unmade roads can exacerbate or lead to, health problems for some individuals.

During the course of construction and the manufacture and procurement of materials there is expenditure of energy and some greenhouse emissions occur. This does cease however, when construction is complete.

The project does not create waste with the exception of some excavated material.

The proposal does not affect any natural habitats.

Financial Implications

The project is a one off capital cost and there will be minimal ongoing maintenance costs. If approved, the scheme could proceed in the next financial year.

Policy/Legal/Statutory Implications

The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act along with Council's Special Rates and Charges Policy. The project does not impinge on any Human Rights Charter issues.

Officer Direct or Indirect Interest

There are no Council Officers involved in the administration or subsequent construction of the works, who have a direct or indirect interest in the project.

9. COLITE STREET GROUP - BARWON HEADS - PROPOSED ROAD CONSTRUCTION - SRC 316 - INTENTION TO DECLARE (CONT'D)

Risk Assessment

There are no risks associated with Council proceeding to adopt the recommendation which would result in advertising the special charge scheme and inviting submissions/objections.

Social Considerations

There are social benefits in the provision of appropriate improvements, to infrastructure such as road construction.

Communication

A survey of owners was undertaken as indicated and correspondence has been forwarded out on several occasions.

Should Council resolve its intention to declare charges, the scheme will be advertised and submissions invited.

Appendix 9-1

SCHEDULE 'A'

The works for the construction of road pavement in Colite Street, Margate Street and Grandview Parade, Barwon Heads which consists of excavation, reinstatement of nature strip, pavement works, sealing, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

COLITE STREET GROUP, BARWON HEADS

A. PROPERTY OWNER FUNDED WORKS

ITEM	DESCRIPTION	QUANTITY	UNIT	RATE $	AMOUNT $
1.00	**General**				
1.01	Site establishment and setup		Item		10,378.10
1.02	Traffic Management		Item		3,706.46
1.03	Set out of works		Item		1,482.59
2.00	**Earthworks:**				
2.01	Excavation	410	cm	60	24,600.00
3.00	**Pavement Works**				
3.01	Supply and place 150mm compacted depth of Class 3 40CR, sub base	60	cm	100	6,000.00
3.02	Supply and place 150mm compacted depth of Class 2 20 CR, base	60	cm	120	7,200.00
3.03	Re use existing pavement for shoulder	160	cm	50	8,000.00
3.04	Supply and place 30mm compacted depth asphalt	400	sqm	20	8,000.00
4.00	**Drainage**				
4.01	Supply and place 300mm pipe	100	m	160	16,000.00
4.02	Supply and place 30 Atlantis single storage units	1	no	5,000	5,000.00
4.03	Supply and place 900mm by 600mm grated pit 1.2m deep with HD type cover	1	no	130	1,750.00
4.04	Supply and place 900mm by 600mm SE pit 1.3m deep with gatic type cover	3	no	1,500	4,200.00
5.00	**Concrete**				
5.10	Supply and place M1 mountable kerb	120	m	118	14,160.00
5.20	Supply and place SM2 semi-mountable kerb and channel	68	m	124	8,432.00
5.30	Supply and place concrete layback	1	no	300	300.00
5.40	Supply and place 150mm concrete paving	43	sqm	135	5,805.00
6.00	**Landscaping**				
6.10	Topsoiling and seeding nature strips	300	sqm	8.00	2,400.00
7.00	**SIGNING AND LINEMARKING**				
7.10	Bollards	12	no	150	1,800.00
Sub Total					
8.00	Contingency 10%				12,291.41
9.00	Design and Administration of Special Charge Scheme				11,758.49
Total					**153,894.05**

Appendix 9-2

SCHEDULE 'A'

COLITE STREET GROUP, BARWON HEADS

B. COUNCIL FUNDED WORKS

ITEM	DESCRIPTION	QUANTITY	UNIT	RATE $	AMOUNT $
1.00	**GENERAL**				
1.10	Initial site establishment		item		3,621.90
1.20	Traffic Management		item		1,293.54
1.30	Setting out		item		517.41
2.00	**EARTHWORKS**				
2.10	Excavation	100	cm	60	6,000.00
3.00	**PAVEMENT WORKS**				
3.10	Supply and place 150mm compacted depth of Class 3 40 CR, sub base	40	cm	100	4,000.00
3.20	Supply and place 150mm compacted depth of Class 2 20 CR, base	40	cm	120	4,800.00
3.30	Supply and place 30mm compacted depth asphalt	255	sqm	20	5,100.00
4.00	**CONCRETE**				
4.10	Supply and place SM2 semi-mountable kerb and channel	108	m	124	13,392.00
4.20	Supply and place SM1 mountable kerb	10	m	118	1,180.00
4.30	Supply and place concrete layback	1	no	300	300.00
5.00	**LANDSCAPING**				
5.10	Topsoiling and seeding nature strips	100	sqm		800.00
6.00	**SIGNING AND LINEMARKING**				
6.10	Erection of permanent signs and posts	5	no	250	1,250.00
6.20	Linemarking		item		2,000.00
6.30	RRPM single direction	8	no	10	80.00
6.40	RRPM two way direction	11	no	12	132.00
6.50	Bollards	8	no	150	1,200.00
7.00	**CONTINGENCY 10%**				4,566.69
8.00	**DESIGN & ADMINISTRATION**				4,155.69
	TOTAL				**54,389.22**

Appendix 9-3

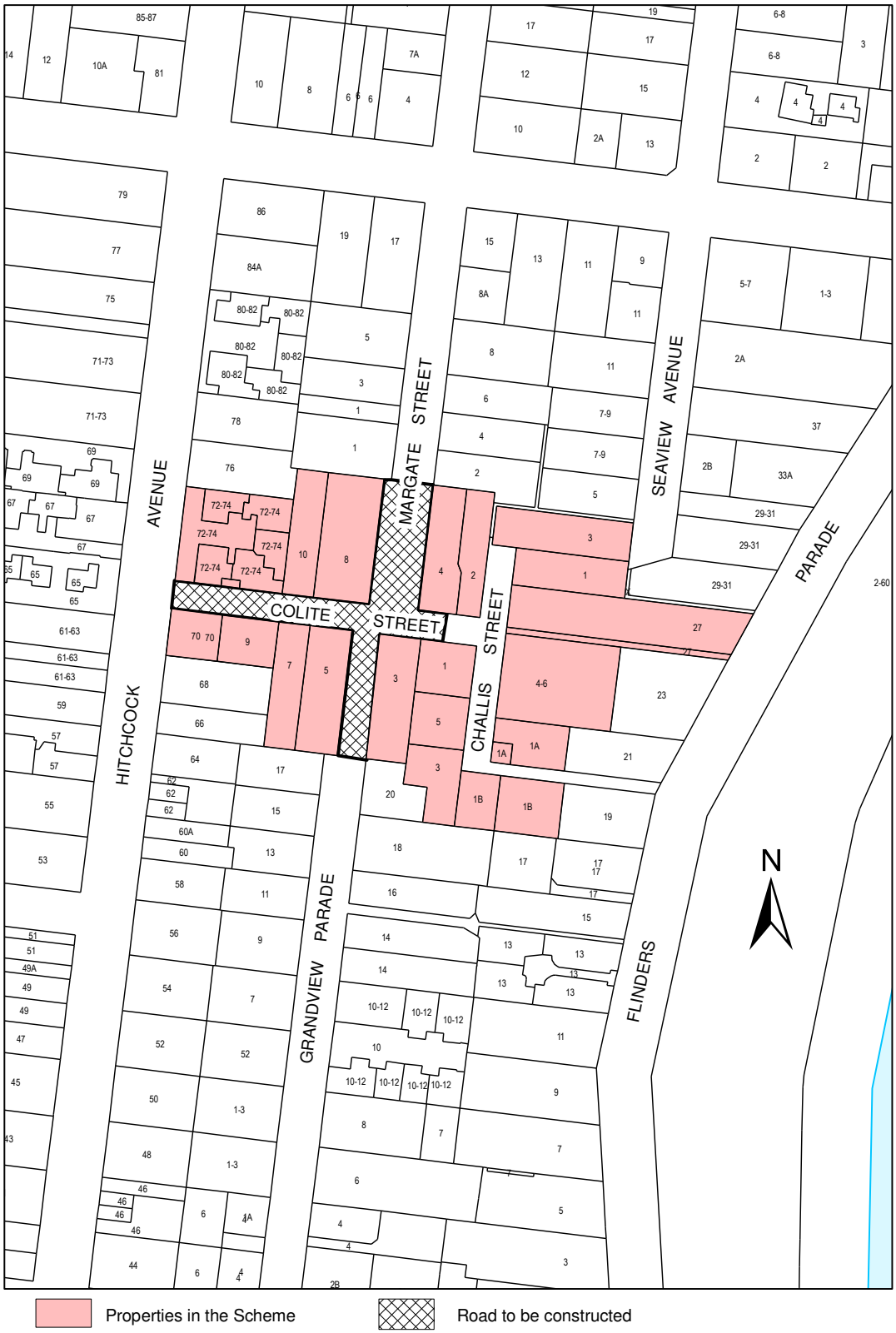
SCHEDULE "B"

PROPOSED SPECIAL CHARGE SCHEME ROAD CONSTRUCTION OF COLITE STREET GROUP, OCEAN GROVE

DESCRIPTION OF PROPERTY	ESTIMATED COST ($)	PROPERTY REFERENCE	PROPERTY DETAILS
Lot 1 SP 20332	**$4,292.53**	229809	1/72 Hitchcock Avenue, Barwon Heads VIC 3227
Lot 2 SP 20332	**$4,292.53**	229810	2/72 Hitchcock Avenue, Barwon Heads VIC 3227
Lot 3 SP 20332	**$4,292.53**	229811	3/72 Hitchcock Avenue, Barwon Heads VIC 3227
Lot 4 SP 20332	**$4,292.53**	229812	4/72 Hitchcock Avenue, Barwon Heads VIC 3227
Lot 5 SP 20332	**$4,292.53**	229813	5/72 Hitchcock Avenue, Barwon Heads VIC 3227
Lot 1 TP 388549	**$10,710.15**	224211	10 Colite Street, Barwon Heads VIC 3227
Lot 16 LP 1773	**$17,275.45**	224210	8 Colite Street, Barwon Heads VIC 3227
Lot 1 PS 404952	**$12,900.04**	224206	4 Colite Street, Barwon Heads VIC 3227
Lot 1 TP 6385	**$4,016.02**	224204	2 Colite Street, Barwon Heads VIC 3227
Lot 6 LP 9338, TP 0000Ppsd PC 366301	**$2,008.01**	238123	3 Seaview Avenue, Barwon Heads VIC 3227
Lot 5 LP 9338	**$4,016.02**	238121	1 Seaview Avenue, Barwon Heads VIC 3227
Lot 3 LP 1773	**$4,016.02**	226689	27 Flinders Parade, Barwon Heads VIC 3227
Lot 2 LP 144579	**$4,016.02**	223461	4 Challis Street, Barwon Heads VIC 3227
Lot 1 TP 430856, Lot 1 TP 441609	**$4,016.02**	223459	1A Challis Street, Barwon Heads VIC 3227
Lot 1 TP 574345, Lot 2 TP 574345	**$4,016.02**	223460	1B Challis Street, Barwon Heads VIC 3227
Lot 2 PS 606280	**$4,016.02**	335499	3 Challis Street, Barwon Heads VIC 3227
Lot 2 PS 538383	**$4,016.02**	333968	5 Challis Street, Barwon Heads VIC 3227
Lot 1 PS 538383	**$4,016.02**	333967	1 Colite Street, Barwon Heads VIC 3227
Lot 8 LP 1773	**$12,727.55**	224205	3 Colite Street, Barwon Heads VIC 3227
Lot 1 TP 431793	**$13,055.05**	224207	5 Colite Street, Barwon Heads VIC 3227
Lot 1 TP 414471	**$10,710.15**	224209	7 Colite Street, Barwon Heads VIC 3227
Lot 1 PS 640546	**$8,116.34**	347406	70 Hitchcock Avenue, Barwon Heads VIC 3227
Lot 2 PS6405476	**$8,784.44**	347407	9 Colite Street, Barwon Heads VIC 3227
	$153,894.06		

Appendix 9-4

PLAN



Attachment 9-1

PROCESS CHART

SPECIAL CHARGE PROJECTS – (Section 163 – Local Government Act 1989)

Colite Street Group, Barwon Heads

Stage	***Status***	***Description***
Approval to prepare scheme	✓	Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
Intention to Declare Scheme	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process.
Advertisement		The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time.
Submissions		From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
Submissions Review Panel Hearing		A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme.
Declaration Report		Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
Appeal		Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
Construction		Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
Final Cost Report		At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

NOTICE OF MOTION – Cr E Kontelj

REALLOCATION OF DISBURSEMENT

As part of the 2011/12 budget, an amount of $12,000 was allocated to develop a Master Plan for Sutcliffe Reserve. Preliminary investigations have identified that this funding amount is insufficient to achieve the Master Plan.

To support the current tenants at the Sutcliffe Reserve, it is proposed to re-allocate this $12,000 to the Austrian Club for the purpose of upgrading their car park facilities.

Cr E Kontelj moved, Cr Abley seconded -

That Council support the following Ward re-allocation as follows:

Ward name	Project	Allocation
Cowie	**Sutcliffe Reserve Master Plan**	**-$12,000**
Cowie	**Austrian Club car park upgrade**	**$12,000**

Carried.

NOTICE OF MOTION – Cr Kylie Fisher

SCHOOLS REGENERATION - NORTHERN BAY P–12 COLLEGE

Background

In 2010, the then Labour government allocated $10 million, as part of a broader regeneration agenda, for Stage 1 funding of the re-configuration of nine government schools in Corio Norlane.

The first step of the school regeneration program has been completed and in 2011 the nine schools joined together to form a new multi-campus school, comprising five campuses, now known as Northern Bay P-12 College.

It is now evident that the State Government has not committed funding for any future part of the regeneration program.

Council is disappointed that such an ambitious program which has been deliver successes to date is now no longer a priority for the State Government.

Much good work has been undertaken in Corio and Norlane. Council itself has committed significant funds to regeneration activities in the northern suburbs.

Council now calls upon the State Government to give its commitment through future budgets to completing the education regeneration in this area of Geelong. It is vital that momentum is maintained in the process of regeneration, with provision of fully realised educational opportunities forming a critical component.

Cr Fisher moved, Cr Abley seconded -

That Council:

a) write to the Hon Martin Dixon MP, Minister for Education, seeking a commitment to school regeneration in the North, and to prioritise funding in future budgets for the completion of Northern Bay P–12 College:

b) ensures that this matter is raised with the Hon Martin Dixon MP, Minister for Education for consideration in the 2013/2014 State Government budget.

Procedural Motion:

Cr S Kontelj moved, Cr E Kontelj seconded –

That the Notice of Motion be deferred.

Carried.

Division Requested:
For: **Crs Doull, Harwood, E Kontelj, S Kontelj, Farrell, Nelson**
Against: **Crs Fisher, Abley, Granger, Macdonald, Richards**

NOTICE OF MOTION – Cr Andy Richards

Upgrade and Maintenance of Pioneer Road, Grovedale

Pioneer Road, Grovedale is a major VicRoads' controlled arterial road in southern Geelong. It links Torquay Road with the Princes Highway, along with the Waurn Ponds LeisureLink, the new Waurn Ponds Library, the baseball centre and Waurn Ponds Shopping Centre. It also links eastern Grovedale with the Geelong Ring Road. At it's western end, Pioneer Road is a significant bottleneck and

Upgrade:
In 2010, the current state government committed to substantially upgrading Pioneer Road from Princes Highway to Meadowvale Drive. This upgrade will ensure better access to all the facilities at the western end of Pioneer Road. The estimated project cost was $14 million. In the 2011/2012 State government budget, $5 million was allocated for this project, realizing a shortfall of $9 million. If the project is staged is staged in two parts, the project cost will significantly increase by over $1 million. As the project needs to be fully funded to $14 million to make any significant difference to traffic in the area, the state government should allocate the remaining $9 million to the project as soon as possible, so that the project can commence.

Maintenance:
As a major arterial road, it is the state government's responsibility to maintain Pioneer Road. In 2010, the current state government committed to increasing funding for maintenance of VicRoads controlled roads. Pioneer Road is currently in a very poorly maintained state, and requires significant maintenance work from Torquay Road to Meadowvale Drive.

Cr Richards moved, Cr Abley seconded -

That Council writes to Member for South Barwon, Andrew Katos, State and Shadow ministers for Transport, and all state upper house members for Western Victoria requesting:

a) that the remaining $9 million in funding be allocated for the upgrade of Pioneer Road, Grovedale, from Princes Highway to Meadowvale Drive as soon as possible;

b) that funding be allocated to significantly improve the maintenance of Pioneer Road from Torquay Road to Meadowvale Drive.

Procedural Motion:

Cr S Kontelj moved, Cr E Kontelj seconded –

That the Notice of Motion be deferred.

Carried.

NOTICE OF MOTION – Cr Jan Farrell

SUBMISSION TO THE VICTORIAN COMMISSION FOR GAMBLING AND LIQUOR REGULATION – UPDATE

Background

Council has been notified by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) that it has received an application from PJ Cook Investments Pty Ltd to establish a gaming venue with 40 electronic gaming machines (EGMs) at the Fyansford Hotel. The applicant has also submitted to Council for a planning permit to develop and extend the Fyansford Hotel to include an enlarged bistro, sports and lounge bar, accommodation facility and a gaming venue.

At the Council meeting held on 27 March 2012, Council resolved:
That Council endorses the actions of the Manager of Community Development in sending a letter to the VCGLR on 22 March 2012, informing the Commission that Council will lodge a submission in response to the application by PJ Cook Investments Pty Ltd, for the establishment of a gaming venue with 40 EGMs at the Fyansford Hotel.

The CEO lodged a submission to the VCGLR on 17 April 2012 in line with Council's resolution of 27 March.

Results of a survey assessing community attitudes towards the proposal, due for completion within the week, will also be submitted to VCGLR by Council at a later date.

Cr Farrell moved, Cr E Kontelj seconded -

That Council endorses the CEO's submission of a Social and Economic Impact Statement (SEIA) to the VCGLR, in response to the application by PJ Cook Investments Pty Ltd, for the establishment of a gaming venue with 40 EGMs at the Fyansford Hotel.

Carried.

NOTICE OF MOTION – Cr C Granger

REALLOCATION OF DISBURSEMENT FUNDS – WINDERMERE WARD

Council allocated $10,000 as part of the 2010/11 budget for project D57625 - Welcome to Geelong Entrance Artwork.

Following consultation with the Arts and Culture Department it was established that funds required for this project were in excess of the available budget. Accordingly, this project is on hold pending the allocation of sufficient funds.

At its meeting of 10 April 2012 Council resolved to reallocate $3,000 from D57625 to another project and now need to reallocate the remaining funds.

A reallocation of the remaining $7,000 in D57625 to the Corio Sporting Club is recommended to assist the club whilst building works are being completed.

Cr Richards moved, Cr Nelson seconded -

That Council support the following reallocation of funds:

Ward name	Project	Allocation	Budget ID
Windermere	**Welcome to Geelong Entrance Artwork**	**-$7,000**	**D57625**
Windermere	**Corio Sporting Club**	**$7,000**	

Carried.

COMMON SEAL REGISTER

Cr Harwood moved, Cr Macdonald seconded -

That the following documents be signed and sealed by Council.

Carried.

1. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND VILLAWOOD HOMES PTY LTD FOR 9-13 COLLINS STREET, GEELONG WEST

Portfolio:	**Planning – Cr Macdonald**
Source:	**Economic Development, Planning & Tourism**
General Manager:	**Peter Bettess**
Property:	**9-13 Collins Street, Geelong West**
Application No:	**805/2009/A**

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 7 b) of Planning Permit No. 805/2009/A issued on 8 February 2010 with the original permit issued on 14 December 2009 which allowed the construction of five (5) dwellings and five (5) Lot Subdivision.

The purpose of the Agreement is prior to the issue of Statement of Compliance the owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority which provides for all development to be in accordance with the endorsed plans forming part of Planning Permit 805/2009 (or any amendment to that permit) or any subsequent Planning Permit.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

The owner's obligations are that they must develop the land in accordance with the approved planning permit being 805/2009/A.

Council Obligations

Nil.

2. TRANSFER OF LAND: GREATER GEELONG CITY COUNCIL TO MURRELL AND BARKER, DARKES ROAD LARA

Portfolio:	**Finance – Cr Harwood**
Location/Context:	**Windermere Ward – Cr Granger**
Source:	**Corporate Services – Corporate Strategy and Property Management**
General Manager:	**Jeff Wall**
Property:	**Darkes Road Lara**

Officers' Comments

In 2005 the Council entered into a s173 Agreement with Murrell and Barker the developers of land at the northern end of Darkes Rd Lara. The purpose of the Agreement was to allow the developers to create temporary road access to their residential subdivision by extending Darkes Road to allow development to proceed in advance of a larger development to the south which would eventually provide an alternative connecting road in the form of Benetti Drive.

Under the s173 Agreement once Benetti Drive was completed the Council is required to discontinue the temporary road and return the land to the developers. Benetti Drive is completed and the statutory processes for the discontinuance of the temporary road have also been completed.

An additional 2m wide strip on Darkes Road has also been discontinued. The strip will be returned to Council as a reserve in a simultaneous plan of subdivision and is intended to prevent access from 3 lots with dual frontage to both Merger Court and Darkes Road

Owner's Obligations

The owner is required to pay Council's costs.

Council's Obligations

The Council is required to provide its title to the road to be discontinued.

3. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND BRETT MACDONALD AND LYNNE MCBRIDE FOR 270 CLARKES ROAD, ANAKIE, VICTORIA

Portfolio: **Planning – Cr Macdonald**
Source: **Economic Development, Planning & Tourism**
General Manager: **Peter Bettess**
Property: **270 Clarkes Road, Anakie**
Application No: **1427/2010**

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 3 of Planning Permit No. 1427/2010 issued on 5 August 2011 which allowed the construction of a replacement dwelling on a rural allotment.

The purpose of the Agreement is to register the existing dwelling on site to be wholly removed within three (3) months of the new dwelling hereby permitted, being occupied on the abovementioned site. Before construction commences on site for the dwelling, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

The owner will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Subject Land or any part of it without first disclosing to its successors the existence and nature of this Agreement.

Council Obligations

Nil

4. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND NEIL KENNETH MCPHERSON AND BERNADETTE SHANTI MCPHERSON FOR 26 BOND STREET, NEWTOWN

Portfolio: **Planning – Cr Macdonald**
Source: **Economic Development, Planning & Tourism**
General Manager: **Peter Bettess**
Property: **26 Bond Street, Newtown**
Application No: **31/2011**

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 11 of Planning Permit No. 31/2011 issued on 17 June 2011 which allowed the construction of a second dwelling and two (2) lot subdivision.

The purpose of the Agreement is to register all development must be in accordance with the endorsed plans forming part of planning permit 31/2011 (or any amendment to that permit). Before construction commences on site for the dwelling, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

a) All development of the Land will be in accordance with the endorsed plans forming part of the Permit or any amendment to the Permit or any subsequent planning permit issued by the Responsible Authority with respect to the Land;

b) That they will bring this Agreement to the attention of all prospective purchasers, mortgagees, transferees and assigns of the Land;

c) That they will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Land or any part thereof without first providing to their successors a copy of this Agreement;

d) That they will do all things necessary to five effect to this Agreement;

and

e) That this Agreement may, in accordance with clause 14 of this Agreement, be ended by the Responsible Authority at the written request of the Owners and at no cost to the Responsible Authority.

Council Obligations

Nil.

ASSEMBLY OF COUNCILLORS RECORD

Portfolio: **Democracy and Governance – Cr Mitchell**
Source: **Corporate Services**
General Manager: **Jeff Wall**

Summary

- Section 80A (2) of the Local Government Act 1989 requires the record of an Assembly of Councillors be reported to the next practicable Ordinary Meeting of Council.
- A record of Assembly of Councillors meeting(s) is attached as an Appendix to this report.

Cr Harwood moved, Cr Macdonald seconded –

That the information be received.

Carried.

RECORD OF ASSEMBLIES OF COUNCILLORS
(Council Meeting 24 April 2012)

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Budget Briefing **16 April 2012**	Crs Mitchell, Richards, Abley, Harwood, E Kontelj, Nelson, Fisher, S Kontelj, Macdonald, Doull	S Griffin (CEO) P Bettess (GM) G Van Driel (GM) D Frost (GM) J McMahon (GM) J Wall (GM) M Kelly (MGR) K Fulton (CO ORD)	• Draft Budget • Review of matter raised from previous meeting • Rating Strategy • Carbon Tax and Waste Management • Fees and Charges	Cr Abley declared a Conflict of Interest in relation to the Rating Charitable Housing (Uniting Church in Australia Property Trust), and left the room prior to discussion.
Councillor Briefing **17 April 2012**	Crs Mitchell, Abley, Doull, Farrell, Fisher, Granger, Harwood, E Kontelj, S Kontelj, Macdonald, Nelson, Richards	S Griffin (CEO) P Bettess (GM) G Van Driel (GM) D Frost (GM) J McMahon (GM) J Wall (GM) R Bourke (CO ORD)	• Presentation by Barwon Regional Waste Management Group: John Burgess (Chair and Enzo Bruscella • Department of Sustainability and Environment – Waste Policy Review • Barwon River Rowing Mile – Dredging • Amendments to Council Policies • Delegations to Council Staff • Public Toilet Upgrade Strategy and Design Guidelines • The Gordon 125th Anniversary Sponsorship Request • Colite Street Group of Streets, Barwon Heads – Road Construction – Intention to Declare • Fyansford Hotel Approval for Gaming Premises Application • Amendment C245 – Changes to the Design and Development Overlay 14 – Adoption of Amendment • Amendment C239 – Changes to the Design and Development Overlay in Ceres, Anakie and Batesford – Adoption of Amendment • Melaluka Road, Leopold – Finalisation of Footpath Scheme	S Griffin (CEO) declared a Conflict of Interest in relation to the Gordon 125th Anniversary Sponsorship Request and left the room prior to discussion.

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Graffiti Reference Group **17 April 2012**	Crs Farrell, Fisher	H Manzl (CO ORD) M McKenzie (OFF) J Wager (CO ORD) L Armstrong-Rowe (OFF)	• Presentation on Draft Report • Audit Update • Budget • Police and Court Report • Graffiti Team Leader Report • Budget and Councillor Art Projects • Councillor Notification of Project Opportunities	Nil.

PLANNING DELEGATIONS – MARCH 2012

Portfolio: **Planning - Cr Macdonald**
Source: **Economic Development, Planning & Tourism - City Development**
General Manager: **Peter Bettess**
Index Reference: **Delegation**

Summary

- Section 98 of the Local Government Act 1989 and section 188 of the Planning and Environment Act 1987 empower Council to delegate its powers, duties and functions under relevant legislation to members of Council staff.
- Council may also delegate to committees comprising Councillors and staff or a combination of both, pursuant to sections 86 and 87 of the Local Government Act and section 188 of the Planning and Environment Act.
- At its meeting on 13 March 2007 Council established a Planning Committee and a Development Hearings Panel with delegated powers to determine upon any development applications which have been the subject of an objection or in circumstances where officers have recommended refusal of the application.
- At its meeting on 23 September 2008 Council adopted a recommendation to allow Officers (restricted to Manager, Coordinator and Team Leader level) the ability to consider and approve applications with five or less objections.
- The appendix to this report contains a schedule of all applications determined under these delegations.

Cr Macdonald moved, Cr Harwood seconded -

That the information be received.

Carried.

Planning Decision Report – March 2012

App No	Location	Application Type	Decision Date	Description	Authority Description
1040/2009	16 Hutcheson Avenue, Highton	Construct three dwellings and three lot subdivision and variation of drainage easement	16 March 2012	Notice of Decision to Grant a Planning Permit	Development Hearings Panel
1312/2011	8 Booral Court, Grovedale	Construction of Three (3) Dwellings and Three (3) Lot Subdivision	16 March 2012	Refusal to Grant a Planning Permit	Development Hearings Panel
1435/2011	5 Miles Street, Newtown	Partial demolition and alterations and additions to an existing dwelling above 7.5m in height	16 March 2012	Notice of Decision to Grant a Planning Permit	Development Hearings Panel
1560/2011	PARENT - 130-132 The Terrace, Ocean Grove	Removal of vegetation (Three (3) trees on site and one (1) street tree)	16 March 2012	Notice of Decision to Grant a Planning Permit	Development Hearings Panel
68/2012	2-6 Victoria Terrace, Belmont	Removal of Restrictive Covenant U362287Q from Lot 1 on PS400008E which prevents the Construction of more than One Dwelling	16 March 2012	Notice of Decision to Grant a Planning Permit	Development Hearings Panel
742/2007/C	100 Wandana Drive, Wandana Heights	Staged Multi Lot Subdivision	16 March 2012	Notice of Decision - Amended Permit/Plans	Development Hearings Panel
1391/2011	1 Lintwaithe Close, Highton	Construction of Three (3) Dwellings and Three (3) Lot Subdivision	2 March 2012	Notice of Decision - Amended Permit/Plans	Development Hearings Panel
1048/2011	7 Trewheela Avenue, Manifold Heights	Construction of Four (4) Dwellings	27 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
1308/2011	2 Wesona Place, Grovedale	Construction of Three (3) Dwellings and Three (3) Lot Subdivision	2 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
1340/2011	105 Fyans Street, South Geelong	Construction of Two (2) Dwellings, Two (2) Lot Subdivision and Creation of Access from Road Zone Category 1	23 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
1358/2011	146 West Fyans Street, Newtown	Construction of Three (3) Dwellings, Subdivision of Land into Three (3) Lots and Creation of a New Access to a Road Zone Category 1	5 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors

Planning Decision Report – March 2012

App No	Location	Application Type	Decision Date	Description	Authority Description
1379/2011	66 McCurdy Road, Herne Hill	Construction of a Second Dwelling, Alteration to the Existing Dwelling and Subdivision of Land into Two (2) Lots	14 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
1415/2011	102 Shannon Avenue, Geelong West	Display of a Business Identification Sign	23 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
1459/2011	3 Aberdeen Street, Newtown	Change of Use to Part of Building (Hall No.2) as a Medical Centre	7 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
1545/2011	4 Langdon Street, Portarlington	Construction of Two (2) Dwellings	13 March 2012	Notice of Decision to Grant a Planning Permit	Delegated Authority - 3 objectors

CLOSE OF MEETING

As there was no further business the meeting closed at 8.36pm. Tuesday, 24 April 2012.

Signed: _____
Chairperson

Date of Confirmation: _____