



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

## **COUNCIL MEETING AGENDA ORDINARY MEETING**

**Meeting to be held at**

**Wellington Centre – Wellington Room**

**Foster Street, Sale and via MS Teams**

**Tuesday 5 September 2023, commencing at 5:00 PM**

**or join Wellington on the Web:  
[www.wellington.vic.gov.au](http://www.wellington.vic.gov.au)**

**ORDINARY MEETING OF COUNCIL  
TABLE OF CONTENTS**

<b>0.1. TABLE OF CONTENTS .....</b>	<b>2</b>
<b>1. APOLOGIES .....</b>	<b>5</b>
<b>2. DECLARATION OF CONFLICT/S OF INTEREST .....</b>	<b>5</b>
<b>3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S.....</b>	<b>5</b>
3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING .....	5
<b>4. BUSINESS ARISING FROM PREVIOUS MEETINGS .....</b>	<b>6</b>
<b>5. ACCEPTANCE OF LATE AND URGENT ITEMS .....</b>	<b>6</b>
<b>6. NOTICE/S OF MOTION .....</b>	<b>6</b>
<b>7. RECEIVING OF PETITION OR JOINT LETTERS.....</b>	<b>6</b>
7.1. OUTSTANDING PETITIONS .....	6
<b>8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS .....</b>	<b>6</b>
<b>9. QUESTION/S ON NOTICE .....</b>	<b>6</b>
9.1. OUTSTANDING QUESTION/S ON NOTICE .....	6
<b>10. DELEGATES REPORT.....</b>	<b>7</b>
<b>11. CHIEF EXECUTIVE OFFICER.....</b>	<b>8</b>
11.1. REMUNERATION COMMITTEE MINUTES .....	8
<b>12. YOUTH COUNCIL REPORT.....</b>	<b>35</b>
12.1. YOUTH COUNCIL REPORT .....	35
<b>13. GENERAL MANAGER CORPORATE SERVICES .....</b>	<b>36</b>
13.1. ASSEMBLY OF COUNCILLORS REPORT .....	36
13.2. COUNCIL EXPENSE AND ADMINISTRATION POLICY REVIEW .....	42
13.3. UPDATE TO INSTRUMENT OF DELEGATION – MEMBERS OF COUNCIL STAFF....	59
<b>14. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT .....</b>	<b>263</b>
14.1. PLACE NAMES COMMITTEE MINUTES .....	263

<b>15. FURTHER GALLERY AND ONLINE COMMENTS .....</b>	<b>296</b>
<b>16. IN CLOSED SESSION .....</b>	<b>297</b>
16.1. CHIEF EXECUTIVE OFFICER'S NEW 2023/24 PERFORMANCE CRITERIA AND KPIS .....	298

## COUNCIL MEETING INFORMATION

*Members of the Public Gallery should note that the Council records and publishes Council meetings via YouTube to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.*

*Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the online webform should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.*

*Please could gallery visitors, Councillors and invited online attendees ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.*

---

## MISSION STATEMENT

*Working together to make a difference. We listen and lead to provide quality services that improve life for all.*

---

## ACKNOWLEDGEMENT OF COUNTRY

*“Wellington Shire Council acknowledges our offices are located on the traditional lands of the Gunaikurnai nation. We pay our deep respects to their Elders past, present and future and acknowledge their ongoing cultural and spiritual connections to their land and waters.”*



## 1. APOLOGIES

## 2. DECLARATION OF CONFLICT/S OF INTEREST

## 3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

### 3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING

**ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE**

#### **PURPOSE**

To adopt the minutes of the Ordinary Council Meeting of 15 August 2023.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

#### **RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 15 August 2023.*

#### **CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

#### **4. BUSINESS ARISING FROM PREVIOUS MEETINGS**

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

#### **5. ACCEPTANCE OF LATE AND URGENT ITEMS**

#### **6. NOTICE/S OF MOTION**

#### **7. RECEIVING OF PETITION OR JOINT LETTERS**

##### **7.1. OUTSTANDING PETITIONS**

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

#### **8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS**

#### **9. QUESTION/S ON NOTICE**

##### **9.1. OUTSTANDING QUESTION/S ON NOTICE**

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

**10. DELEGATES REPORT**

## 11. CHIEF EXECUTIVE OFFICER

### 11.1. REMUNERATION COMMITTEE MINUTES

#### ACTION OFFICER: CHIEF EXECUTIVE OFFICER

#### PURPOSE

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 1 August 2023.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

##### *That Council:*

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 1 August 2023 as attached;*
- 2. Adopt the draft Terms of Reference; and*
- 3. Endorse the actions from the Remuneration Committee meeting held on 1 August 2023 as detailed in the attached minutes.*

#### ATTACHMENTS

1. Remuneration Committee Minutes - 1 August 2023 [11.1.1 - 25 pages]

#### OPTIONS

Council has the following options available:

1. Note and receive the minutes from the Remuneration Committee meeting held on 1 August 2023, adopt the draft Terms of Reference and endorse the actions from the meeting; or
2. Not note and receive the minutes from the Remuneration Committee meeting held on 1 August 2023, adopt the draft Terms of Reference or endorse the actions from the meeting and seek further information for consideration at a future Council meeting.

#### PROPOSAL

It is proposed that Council:

1. Note and receive the minutes from the Remuneration Committee meeting held on 1 August 2023 as attached;
2. Adopt the draft Terms of Reference; and
3. Endorse the actions from the Remuneration Committee meeting held on 1 August 2023 as detailed in the attached minutes.

## **CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

## **FINANCIAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL POLICY IMPACT**

The Remuneration Committee reviews Councillor entitlements, expenses, reimbursements and gifts and ensures alignment with Council policy direction and governance in relation to Councillor benefits.

## **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.



**Tuesday 1 August 2023 – 9.00am**

## **MINUTES**

**PRESENT:** Councillor Ian Bye  
Councillor Marcus McKenzie  
Councillor John Tattersson  
David Morcom (Chief Executive Officer)  
Arthur Skipitaris (General Manager Corporate Services)

**APOLOGIES:** Nil

1. **Declaration of Conflicts of Interest:**  
No Conflicts of Interest were declared.

2. **Minutes of Previous Meeting:**  
The minutes of the previous meeting on 2 May 2023 were accepted.

3. **Actions from previous minutes**  
Election of Chair – it was agreed that a draft Terms of Reference be tabled at the next meeting for review by the Committee, which would also detail the Mayor's role in this Committee.

***Response: the draft Terms of Reference are attached (Attachment 1).***

The Remuneration Committee endorsed the draft Terms of Reference and recommends that Council adopt as attached.

4. **Councillor Costs and Reimbursements**  
Councillor Costs and Reimbursements spreadsheets were reviewed, discussed and accepted.

- Councillor Expense Summary Report YTD – 30 June 2023 (Attachment 2)

5. **Update on Enterprise Agreement (EA) 11**  
Noted.

6. **Superannuation Overpayment**  
Noted.

7. **Remote Area Travel Allowance Update**  
The Committee reviewed the updated Council Expense and Administration Policy and Remote Area Travel Allowance Claim Form (Attachment 3) and it was agreed that a further amendment be made to the Remote Area Travel Allowance wording and that an update be provided to Council at the 15 August Council Workshop.

**8. General Business**

Nil.

**The meeting closed at 9.40am**

## Attachment 1 – Draft Terms of Reference

**WELLINGTON SHIRE COUNCIL**  
**REMUNERATION COMMITTEE**  
**TERMS OF REFERENCE**

**1. ROLE/PURPOSE**

The role of the Remuneration Committee is to :

- Monitor and review Councillor expenses;
- Monitor Councillor allowances in line with the Victorian Independent Remuneration Tribunal determinations for adjustments to the values of the allowances payable to Mayors, Deputy Mayors, and Councillors;
- Monitor Enterprise Bargaining Agreements;
- ~~Provide input into human resources and remuneration policies; and~~
- Consider any other related matters that may arise.

**2. TERM**

These Terms of Reference are effective from date of adoption by Council and will be ongoing until terminated by Council.

**3. MEMBERSHIP**

The Remuneration Committee will comprise:

- The Mayor (Chair)
- Two Councillors
- ~~The Chief Executive Officer~~

The Chief Executive Officer and General Manager Corporate Services (or representatives) will also attend meetings ~~as designated reporting officer~~.

**4. MEETINGS**

The Committee will meet quarterly or as agreed to by the Committee.

All meetings will be chaired by the Mayor. If the Mayor is not available a temporary Chair will be appointed from the two remaining Councillors.

A meeting quorum will be 2 Councillors and either the Chief Executive Officer or General Manager Corporate Services.

Decisions made by consensus (i.e. members are satisfied with the decision even though it may not be their first choice). If not possible, the Chair makes the final decision.

Meeting agenda to be distributed one week prior to the scheduled meeting.

Minutes of all meetings will be presented to Council for noting and receiving at a meeting open to the public.



## Attachment 2 - Councillor Expense Summary Report YTD – 30 June 2023

Councillor Expenses and Reimbursements - Period 01 July 2022 to 30 June 2023					
	YTD Actuals (incl oncosts)	Commitments	Left to spend/ receive after commitments	2022/23 Adopted Budget	2022/23 Adjusted Budget
<b>Councillor and Mayoral Allowances</b>	213,002.61	-	23,082.39	236,085.00	236,085.00
<b>Other Councillor expenses</b>	231,850.18	10,414.00	43,556.82	285,821.00	285,821.00
<b>Grand Total</b>	444,852.79	10,414.00	66,639.21	521,906.00	521,906.00

## Attachment 3 – Council Expense and Administration Policy August 2023

## COUNCIL EXPENSE AND ADMINISTRATION POLICY

<b>Policy Number:</b>	1.1
<b>Approved by:</b>	Council
<b>Date Approved:</b>	<del>December 2022</del> August 2023
<b>Date of Next Review:</b>	<del>December August 2023</del> 2024
<b>Applicable to Unit(s):</b>	Councillors
<b>Responsible Officer:</b>	General Manager Corporate Services
<b>Related Policies:</b>	Provision of Motor Vehicles for Councillors Policy
<b>Related Documents:</b>	Councillor Expense Claim Form Councillor Travel Expense Claim Form Governance Rules Remote Area <del>Travel</del> Allowance Claim Form <del>Remote Area Allowance Guideline</del>
<b>Statutory Reference:</b>	<i>Carers Recognition Act 2012</i> <i>Charter of Human Rights and Responsibilities Act 2006</i> <i>Local Government Act 2020</i> <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i>

## OVERVIEW

~~This policy intends to establish clear expectations for the reimbursement of expenses for both Councillors and members of Delegated Committees; and resources and support that are necessary for Councillors, to enable the effective performance of their Council duties and functions. The objective of this policy is to define and establish the administrative support, resources and facilities to be provided to Councillors and the entitlements for Councillors and members of Delegated Committees to have necessary out-of-pocket expenses incurred while performing their civic, statutory and policy making duties as a Councillor or member of a Delegated Committee either reimbursed or paid direct by Council.~~

Section 41 of the *Local Government Act 2020* ('the Act') provides that a Council must adopt and maintain a policy in relation to reimbursement of expenses of Councillors and members of a Delegated Committee. ~~This policy has been adopted to provide an overview of how assistance and support is provided, as well as appropriate resourcing and facilities to ensure that they can effectively carry out their roles, responsibilities, duties and powers.~~

Councillors are elected as the representatives of residents and ratepayers, to govern the Shire of Wellington in accordance with the ~~Local Government Act 2020 Act~~. To assist them to perform their role and responsibilities as Councillors they will be provided with administrative support, resources and facilities and be reimbursed for the expenses specified in this policy incurred in carrying out their official Council duties.

This policy provides direction on the provision of specific equipment, services, consumables, financial assistance and reimbursement which the Council will provide to the Mayor and Councillors in carrying out their duties. It cannot prescribe for every possible situation that may arise and makes no attempt to do so. Where a situation is not adequately covered by this policy, the test of a "necessary expense" will be whether it was incurred as a consequence of undertaking duties associated with an individual's elected role. Where this test is satisfied and a Councillor has incurred an expense, this will be reimbursed by the Council.

The Council recognises that any expenses reimbursed should not be excessive and must be

related to the actual performance of an individual's civic, statutory and policy making duties.

In addition to reimbursement of expenses and the provision of resources, this policy outlines the eligibility requirements for the base allowance and remote travel area allowance which are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019.

### Legislative Framework

Section 39 of the Act provides for payment of annual allowances to Mayors and Councillors. The allowance framework is determined in accordance with the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Allowances are taxable income and are paid monthly in advance. Personal taxation implications are the responsibility of individual Councillors. Council is required to increase allowances in accordance with any adjustment factor as prescribed by determinations of the Victorian Independent Remuneration Tribunal. The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community'. They are in addition to reimbursements for approved expenses and other support.

~~If a Councillor is appointed to act as Mayor under section 20B for a continuous period exceeding 50 days, the acting Mayor may be paid a Mayoral allowance instead of a Councillor allowance for the period that he or she is acting as Mayor.~~

~~A Council must pay a Councillor allowance or Mayoral allowance as specified in the most recent determination of the Victorian Independent Remuneration Tribunal.~~

~~A Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance.~~

~~A person is only entitled to receive an allowance while he or she holds the office in respect of which the allowance is payable.~~

~~A person elected to be a Councillor is entitled to receive a Councillor allowance from the date the person takes the oath of office under section 30 of the Act.~~

~~A Councillor elected to be Mayor is entitled to receive a Mayoral allowance from the date he or she is elected under section 25 of the Act.~~

~~A Councillor elected to be Deputy Mayor is entitled to receive a Deputy Mayoral allowance from the date he or she is elected under section 27 of the Act.~~

~~The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community'. They are in addition to reimbursements for approved expenses and other support.~~

~~Section 40 of the Act provides for the reimbursement of "necessary out-of-pocket expenses incurred" by Councillors while performing their duties as a Councillor.~~

### REIMBURSEMENT OF EXPENSES OF COUNCILLORS AND MEMBERS OF A DELEGATED COMMITTEE

Section 40 of the Act provides for the reimbursement that Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied —

- (a) are bona fide expenses; and
- (b) have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
- (c) are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

~~of "necessary out-of-pocket expenses incurred" by Councillors while performing their duties as a Councillor. Out-of-pocket expenses are lawfully incurred only when performing Council Duties as defined under "Definition of Council Duties" in this Policy.~~

#### **Definition of "Council Duties"**

For the purpose of this Policy, "Council Duties" is the business of the Council, not of a Councillor.

Section 28 of the Act refers to the role of a Councillor which means duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.

Claims may be submitted by Councillors for expenses under this Policy when performing Council Duties. To this extent, Council duties are defined as the following:

- Meetings of the Council or its Committees;
- Meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council;
- Meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative or is authorised by Council;
- A meeting, function or other official role as a representative of the Mayor or the Council;
- Other meetings, inspections or events attended by a Councillor in an official capacity;
- Conferences, seminars, events and professional development being undertaken by a Councillor.

As a general rule, it is expected that the Mayor or his/her representative will attend functions or events to represent the Council. On occasions where more than one representative is invited to attend a function or event; reimbursement will be payable provided such attendance by multiple representatives has been endorsed at a preceding Councillor Diary Meeting. In the event that it is not practicable to wait until the next diary meeting endorsement may be sought via email request to which the majority of Councillors have responded in the positive. ~~Where attendance is agreed to, the Councillor is expected to attend or to nominate a substitute if he/she becomes unable to attend.~~

The basic test to be applied to determine whether or not an expense is lawfully incurred is whether the expense is related to a clear business need because it is either supplemental to, incidental to, or consequent on the exercise of Council duties.

Where these criteria are satisfied and a Councillor has incurred an out-of-pocket expense, the expense will be paid or reimbursed by the Council.

#### **Note:- Requests outside of the criteria**

For all Council business that falls outside the above criteria; a request will need to be submitted on a Councillor Expense Claim Form at the earliest available Councillor Diary Meeting, for consideration and approval by Council. If approved, this then becomes a Council duty as opposed to a Councillor duty.

~~**Reimbursements Note:- Where attendance is agreed to, the Councillor is expected to attend or to nominate a substitute if he/she becomes unable to attend.**~~



## **ALLOWANCES**

~~Claims are to be submitted where possible but not less than quarterly (by end June, September, December and March). All outstanding claims for the June quarter must be received by no later than ten business days after the end of the financial year. Any claims submitted later than three months after the expense was incurred will not be considered for payment.~~

~~Where out of pocket expenses arise as a result of a Councillor being appointed by the Council to an external body, Councillors are requested to seek reimbursement of necessary out of pocket expenses from the governing body rather than Council.~~

### **Councillor Allowance**

~~Councillor allowance paid as per section 39 of the Act is not a "salary" or payment for time spent performing Council duties. It is an entitlement due to a Mayor or Councillor (payable monthly in advance) on the basis that they hold the office in respect of which the allowance is payable.~~

~~Councillor allowances will be paid at the determined rate prescribed for Council by the Victorian Independent Remuneration Tribunal (VIRT), currently Category 2, plus the amount equivalent to the Superannuation Guarantee (currently 10.5%) where applicable.~~

~~Allowance reviews are conducted by VIRT in December annually and allowances apply from 18 December through to 17 December to following year when the next determination is made.~~

### **Statement of Allowances**

~~In July annually, Councillors will be provided with a summary statement of allowances paid to them in the previous financial year.~~

### Remote Area Allowance

~~Where a Councillor (including a Mayor) normally resides more than 50 kilometers by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary or committee meetings of the Council or any municipal or community functions, he or she shall be entitled to:~~

- ~~• Be paid an additional allowance of \$44.00 per day, up to a maximum of \$5,500 per annum.~~

~~The Remote Area Travel Allowance is classified as Travel Allowance in the Annual Report.~~

~~In addition to the conditions set down in the Guidelines, Councillors attending ANZAC Day and Australia Day events on behalf of Council shall be entitled to claim Remote Area Allowance.~~

~~For further information, refer to: **Remote Area Allowance Guidelines**~~

~~To complete a claim, refer to: **Remote Area Allowance Claim Form**~~

### REIMBURSEMENTS

~~Councillor and Delegated Committee member out-of-pocket expenses are reimbursable as per section 40 of the Act. Out-of-pocket expenses are lawfully incurred only when performing Council Duties (as defined under "Definition of Council Duties" in this Policy).~~

#### Expenses Reimbursed

Reimbursement for out-of-pocket expenses may include payment for:

- Attendance at functions;
- Travel;
- Professional Development;
- Use of Communication Technology and Equipment;
- Dependent Care;
- Meals.

#### Submission of a claim for reimbursement

~~All claims are to be submitted on the prescribed form, authorised by CEO Executive Assistant and forwarded to the Finance Unit for processing and payment.~~

~~Councillors and members of Delegated Committees must ensure that any expense details the following information:~~

- ~~• Number of attendees;~~
- ~~• A clear business reason for claim;~~
- ~~• Parties benefitting from the expense.~~

~~All claims should be accompanied by fully accredited receipts / tax invoices for any expenses claimed. If receipts cannot be produced, there may be a requirement for the provision of a statutory declaration.~~

~~All claims must include sufficient detail to demonstrate, in accordance with the Act, that the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense while serving a clear business need and incurred while performing the duties of a Councillor or member of a Delegated Committee.~~

~~NOTE: Supporting evidentiary documentation will be required for all expense reimbursements and payments.~~

#### Excluded Reimbursements

The following expenses cannot be funded or reimbursed by Council:

- Any expense arising from a breach of road, traffic, parking or other regulations or laws;
- Stationery, furniture or equipment additional to that provided for in this policy;
- Damage to or loss of personal possessions;
- Expenses for a partner which are not expressly provided for within this policy;
- Donations, tips or gratuities, gifts, the purchase of raffle tickets, or tickets or entry fees to events, unless attending on behalf of Council;
- Hotel mini bar, inhouse entertainment, room services or similar;
- Alcohol;
- Reading material and personal consumption items such as confectionery, snacks and drinks;
- Expenses incurred by third parties;
- Expenses claimed as a tax deduction; and
- Expenses which are fully or partly recoverable from a third party.

NOTE: Where out-of-pocket expenses arise as a result of a Councillor being appointed by the Council to an external body, Councillors are requested to seek reimbursement of necessary out-of-pocket expenses from the governing body rather than Council.

~~Payment of allowances and expenses will be paid by Council's Accounts Payable into a nominated bank account.~~

~~To ensure transparency and accountability in the payment and reimbursement of expenses to the Mayor and Councillors, a report will be submitted to the Remuneration Committee and Council's Audit and Risk Committee. These reports will then be presented to Council for consideration and adoption.~~

~~To complete a claim, refer to: Councillor Travel Expense Claim Form~~

#### Attendance ~~charges at for social Functions~~functions

From time to time, all Councillors (and often their partners) are invited to social functions which require the payment of an attendance charge. It is usual for the Mayor to represent the Council at these functions with the cost of the Mayor's attendance (including the Mayor's partner, when invited) being met by the Council. Individual Councillors have the option of attending at their own cost. If another Councillor is requested to attend on behalf of the Mayor, attendance costs will also be met by the Council.

#### TRAVEL



Where practical, travel must be undertaken by the shortest route possible. For accuracy, all reimbursements regarding mileage will be referenced back to Councillor's Diary and the distance claimed against appropriate mapping software / tool. In addition to the duties specified under "Definition of Council Duties" in this Policy, the Council will reimburse Councillors upon request for travel expenses incurred to attend:

- A meeting, function or any other official role, as either a representative of the Council or the Mayor in the Mayor's absence; and
- A meeting of any organisation or deputation to which the Councillor has been appointed as the Council's representative, or where a Councillor is deputising for the Mayor.

#### **Mayoral Vehicle**

The Mayor will be provided with a motor vehicle which is fully maintained by Council for official and personal use during the Mayoral term. The motor vehicle is fully maintained to the standard specified in Council's Motor Vehicle Policy which outlines safety and environmental requirements. A fuel card is provided as part of the Mayoral vehicle package.

If the Mayor of the day elects to use his/her own car, the following will apply:

- The Mayor is responsible for all maintenance of their vehicle;
- A fuel card will be assigned to and provided for their vehicle only;
- The Mayor is responsible for insuring their own vehicle, and it is encouraged that their insurer is advised that their vehicle is being used for business purposes;
- Council will not be responsible for any damage, loss or breakdown that occurs whilst private vehicles are being used for Council purposes;
- Council will not cover or contribute to any insurance excess that may be payable; and
- Council will not be responsible for any infringement notices incurred for road, traffic or parking violations whilst private vehicles are being used for Council purposes or otherwise.

#### **Use of Private Vehicles by Councillors**

Councillors are encouraged to consider whether it is appropriate to use their private vehicle and to consider carpooling and public transport before deciding to use their private vehicles to carry out official duties such as attending meetings, conferences, seminars or inspections outside of the municipality to which the Councillor has been appointed as a representative of the Council.

Reimbursement will be:

For travel by car, reimbursement at the will be at the Motor Car Allowance rate determined by the current RACV Vehicle Expense rates, for tax deduction purposes;

#### **Access to a Council Pool Vehicle**

Where requested a Council fleet vehicle may be provided, subject to availability, for Councillors to perform their duties.

Use of a Council vehicle must be in accordance with relevant Council policies including the Driver's Logbook.

Fleet vehicle bookings can be made via the CEO Executive Assistant.

#### **Tolls**

While travelling on Council business in metropolitan Melbourne, Councillors may incur tolls including those associated with the use of CityLink or EastLink. Councillors may seek reimbursements of costs associated with tolls including the use of CityLink or EastLink passes or those transaction incurred as part of existing personal e-tags accounts.

Claims must be accompanied by copies of receipts or accounts detailing the individual transactions.

#### **Car Parking**

Car parking fees incurred while conducting Council business will be reimbursed on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function. Carpooling is encouraged when a number of Councillors are attending the same meeting. It is recommended that Councillors seek the lowest cost options when choosing paid parking facilities.

#### **Infringement Notices**

A Councillor will not be reimbursed the cost of any infringement incurred for road, traffic or parking violations.

### Myki Card

Council will make available to councilors a Myki card for travel via public transport to and from their Councillor related duties.

When Councillors use their personal Myki card, Council will reimburse the associated cost of travel in line with appropriate receipt documentation.

~~In addition to the duties specified under "Definition of Council Duties" in this Policy, the Council will reimburse Councillors upon request for travel expenses incurred to attend:~~

- ~~• A meeting, function or any other official role, as either a representative of the Council or the Mayor in the Mayor's absence; and~~
- ~~• A meeting of any organisation or deputation to which the Councillor has been appointed as the Council's representative, or where a Councillor is deputising for the Mayor.~~

~~Reimbursement will be:~~

- ~~• For travel by car, reimbursement at the Motor Car Allowance rate determined by the current RACV Vehicle Expense rate for tax deduction purposes;~~
- ~~• For travel by public transport, the fare will be reimbursed upon production of receipt/ticket.~~

~~NOTE: Where practical, travel must be undertaken by the shortest route possible.~~

~~For accuracy, all reimbursements regarding mileage will be referenced back to Councillor's Diary and the distance claimed against appropriate mapping software / tool.~~

~~For further information and to claim, refer to: **Councillor Travel Expense Claim Form**~~

### Interstate and International Travelling

Requests for attendance at interstate and overseas events must be accompanied by a business case, describing the benefits to be gained from attendance and detailing the total costs and Council funds requested at the closest diary meeting to the expected date of travel; within three months of their attendance at an interstate or overseas event, a Councillor must table a report at a Council meeting, detailing the following:

- Details of the event topic, content, location, date and duration;
- Relevance of the event to Council's business and the Councillor's personal development needs;
- Benefits accruing to the Council from attendance; and
- Where two or more Councillors attend an event for which the tabling of a report is required, the Councillors may table a joint report.

Where a Councillor elects to have their partner accompany them to an event, all expenses relating to the partner's attendance will be met by the Councillor.

### PROFESSIONAL DEVELOPMENT

Councillors will invariably opt to undertake professional development to improve their knowledge and ensure they are properly informed on issues of importance to the community. To assist in this education process, the policy encourages Councillors to undertake appropriate professional development (conferences, seminars, workshops and training sessions) that may be of benefit to the individual Councillor and Council as a whole.

In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which includes:

- *Local Government Act 2020*;
- Conflict of Interest;
- Dispute Resolution;
- Fraud and Corruption Awareness training;
- Responsibilities of Councillors; and
- Councillor Code of Conduct.

Councillors undertaking professional development shall have expenses for transport, accommodation, registration fees, meals and refreshments (excluding purchases of alcohol) relating to their attendance paid by Council, as follows:

- The Council may approve expenses of up to \$2000 per financial year per Councillor, for conferences / events within Australia;
- Councillors attending conferences, seminars and other special functions are generally expected to provide a brief written or oral summary to the next formal Council meeting. The summary should outline the benefits of the conference to themselves personally, to Council operations and the Council Plan as applicable;
- The Council must approve all requests for events outside Australia, or for which a Councillor's individual \$2000 limit will be exceeded, either at a Council meeting or through inclusion in an adopted budget.

#### **DEPENDENT CARE EXPENSES**

Councillors incurring bona fide dependent care expenses paid to a recognised provider will be reimbursed expenses when the dependent care is necessary in order to allow the Councillor to perform Council duties (as defined under "Definition of Council Duties" in this Policy).

Dependent care includes childcare, specific home care and any other support provided in the case of a dependent as defined under the meaning of a care relationship under section 4 of the *Carers Recognition Act 2012*.

Where the care relates to dependent adults, the Chief Executive Officer must be satisfied that the expense is warranted.

#### **MEALS**

Meals (generally lunch and dinner) shall be provided to Councillors where meetings are scheduled during mealtimes. Alcohol will not be provided by the Council however Councillors are able to purchase/bring their own alcohol at their own cost.

#### **COUNCILLORS WITH DISABILITIES**

The Council may resolve to meet reasonable additional expenses to assist a Councillor with a disability to perform his or her official Council duties.

### OTHER EXPENSES

~~Expenses not specifically addressed in this Policy as expenditure for which a Councillor is entitled to be reimbursed or paid, may be referred to the Remuneration Committee for consideration as a "necessary expense". Where the Committee considers the expense to be legitimately incurred in the performance of Council duties, a proposal will be minuted and report provided at the next Council meeting recommending reimbursement.~~

#### ~~Insurance~~

~~Councillors are covered under the following Council insurance policies on a 24 hour basis while discharging the duties of office of Councillor including attendance at meetings of external bodies as Council's representative:~~

- ~~• Public Liability and Professional Indemnity;~~
- ~~• Councillors and Officers Liability;~~
- ~~• Personal Accident;~~
- ~~• Motor Vehicle (Council vehicles only);~~
- ~~• Workers Compensation.~~

### RESOURCES, FACILITIES AND SUPPORT

#### **Protective Clothing**

Where requested, Council will lend the Councillors protective clothing required to assist in carrying out duties of office. This includes the provision of hard hats and reflective vests. This clothing must be returned promptly upon the completion of the duty.

#### ~~Hard hats;~~

- ~~• Reflective vests.~~

#### **Equipment**

The demands made upon a Councillor's time can be significant and Council business can be conducted more efficiently if Councillors are provided home access to appropriate facilities and equipment. This access is provided subject to:

- The facilities and equipment being used predominantly for the transaction of Council business (minimal non-Council use of equipment such as computers, that has no direct cost for Council, is allowable);
- The facilities and equipment are not to be used for electioneering purposes;
- Councillors must ensure the integrity and configuration of equipment provided is maintained at all times;
- Personal use which can be separately costed (e.g. personal calls from a mobile phone); will be met from the Councillor Allowance;
- Councillors must ensure the protection and safe keeping of all equipment issued;
- All equipment and stationery issued shall remain the property of Council.

#### **Telecommunications**

Councillors will be provided with a personal computer, printer (incorporating the capability to scan,



copy and fax (if required)), and a "smart phone" or equivalent with email access. All connection fees, rental fees and call charges relating to Council business will be met by the Council. Consumables associated with the equipment (e.g. printer toner (if required)) will be provided by the Council.

Councillors must meet the cost of electricity and reimburse the Council for all personal calls on mobile telephones.

Phone calls relating to Council business made from private home phones shall be reimbursed upon presentation of records to support this.

All equipment remains the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement / resignation of the Councillor.

#### **Stationery**

Councillors will be provided with name tags, business cards and basic stationery needs as required.

#### **Security Access**

Each Councillor will be provided with a security access swipe card authorising 24 hour access and a parking sticker authorising use within the appropriate permit area.

All security access swipe cards remain the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement / resignation of the Councillor.

#### Insurance

Councillors are covered under the following Council insurance policies on a 24 hour basis while discharging the duties of office of Councillor including attendance at meetings of external bodies as Council's representative:

- Public Liability and Professional Indemnity;
- Councillors and Officers Liability;
- Personal Accident;
- Motor Vehicle (Council vehicles only);
- Workers Compensation.

#### Executive support

A Council officer nominated by the Chief Executive Officer will be made available to assist the Mayor and Councillors. A library of reference materials (including electronic) relating to Council policies and practices, policy matters of Local Government significance in Victoria and nationally, and other materials that may be expedient in supporting Councillors in their work will be provided.

#### Councillor's Welfare

Councillors may approach the Chief Executive Officer with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor.

Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor, are able to seek counselling on a confidential basis through Converge International. This service can be contacted on 1800 337 068. Normally, up to three sessions are provided.

however, further sessions can be arranged on an as needed basis.

## **OTHER EXPENSES**

### **Other Expenses**

Expenses not specifically addressed in this Policy as expenditure for which a Councillor is entitled to be reimbursed or paid, may be referred to the Remuneration Committee for consideration as a "necessary expense". Where the Committee considers the expense to be legitimately incurred in the performance of Council duties, a proposal will be minuted and report provided at the next Council meeting recommending reimbursement.

Any expenditure not specified above as expenditure for which a Councillor is entitled to be paid or reimbursed by Council shall be the responsibility of the Councillor.

## **OTHER EXPENSES**

Expenses not specifically addressed in this Policy as expenditure for which a Councillor is entitled to be reimbursed or paid, may be referred to the Remuneration Committee for consideration as a "necessary expense". Where the Committee considers the expense to be legitimately incurred in the performance of Council duties, a proposal will be minuted and report provided at the next Council meeting recommending reimbursement.

### **Other Resources**

- A Council officer nominated by the Chief Executive Officer will be made available to assist the Mayor and Councillors
- Protective clothing on loan, where required to assist in carrying out a Councillors duties, such as reflective vests are to be promptly returned on completion of the duty;
- A library of reference materials (including electronic) relating to Council policies and practices, policy matters of Local Government significance in Victoria and nationally, and any other materials that may be expedient in supporting Councillors in their work.

### **Councillor's Welfare**

Councillors may approach the Chief Executive Officer with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor.

Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor, are able to seek counselling on a confidential basis through Converge International. This service can be contacted on 1800 337 068. Normally, up to three sessions are provided; however, further sessions can be arranged on an as needed basis.

### **Submission of a claim for reimbursement**

All claims are to be submitted on the prescribed form, authorised by CEO Executive Assistant and forwarded to the Finance Unit for processing and payment. The prescribed forms for eligible claims are the:

- Councillor Travel Expense Claim Form
- Councillor Expense Claim Form.

Both forms are available on the Councillor home page.

Councillors and members of Delegated Committees must ensure that any expense claims include

the following information:

- Number of attendees;
- A clear business reason for claim;
- Parties benefitting from the expense.

Supporting evidentiary documentation will be required for all expense reimbursements and payments. All claims should be accompanied by fully accredited receipts / tax invoices for any expenses claimed. If receipts cannot be produced, there may be a requirement for the provision of a statutory declaration.

All claims must include sufficient detail to demonstrate, in accordance with the Act, that the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense while serving a clear business need and incurred while performing the duties of a Councillor or member of a Delegated Committee.

Claims are to be submitted where possible but not less than quarterly (by end June, September, December and March). All outstanding claims for the June quarter must be received by no later than ten business days after the end of the financial year. Any claims submitted later than three months after the expense was incurred will not be considered for payment.

Reimbursements will be paid by Council's Accounts Payable into a nominated bank account.

#### **REVIEW AND REPORTING**

~~Reimbursement of Councillor and Delegated Committee member expenses will be reviewed on a regular basis by the Remuneration Committee and reported to the Council.~~

#### **ALLOWANCES**

Base allowances and remote area allowances are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019. A Council cannot pay an allowance to a Mayor, Deputy Mayor or Councillor that exceeds the amount specified in the relevant Determination.

#### **Base Allowances**

In accordance with section 39 of the Local Government Act 2020, Councillors are entitled to receive an allowance while performing their duty as a Councillor. The Mayor and Deputy Mayor receive a higher allowance. The framework and values of the base allowance are determined in accordance with the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019. Councils are divided into three categories with Wellington Shire Council recognised as a category two council.

Allowances are taxable income and are paid monthly in advance. Personal taxation implications are the responsibility of individual Councillors. Council is required to increase allowances in accordance with any adjustment factor as prescribed by determinations of the Victorian Independent Remuneration Tribunal. The values are inclusive of any Superannuation Guarantee Contribution amount, or equivalent, that may be payable under Commonwealth law.

The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary part time roles in the community'. They are in addition to reimbursements for approved expenses and other support.

#### **Remote Area Travel Allowance**



The purpose of Remote Area Travel Allowance is to provide additional payment for time spent on long distance travel in remote areas.

If a Council member normally resides more than 50 kilometres by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council, or any municipal or community functions which have been authorised by Council resolution for the Council member to attend, the Council member is entitled to be paid an allowance of \$45.90 for each day on which one or more meetings or authorised functions were attended by the Council member, up to a maximum of \$5,738 per annum.

Source: Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022, incorporating changes made by the 2022 and 2023 Annual Adjustment Determinations. This Policy authorises the following attendances for the purpose of claiming the Remote Area Allowance:

- Ordinary Council Meetings or Workshops; or
- Unscheduled Council Meetings; or
- Committee meetings where the Councillor is the delegated representative of Council. Refer to the current Committees/Delegates Register, or
- Civic Receptions; or
- ANZAC Day, Australia Day, NAIDOC week or any national commemorative functions; or
- Any other events, functions or meetings where the CEO and/or General Manager has requested Councillors attendance; or
- Any other municipal or community function which has been authorised by Council resolution.

To complete a claim, refer to: *Remote Area Travel Allowance Claim Form*

#### Statement of Allowances

In July annually, Councillors will be provided with a summary statement of allowances paid to them in the previous financial year.

**B**

#### REVIEW AND REPORTING

Reimbursements of Councillor and Delegated Committee member expenses will be reviewed on a regular basis by the Remuneration Committee and Council's Audit and Risk Committee and reported to the Council. Council also publishes in its Annual Report the details of the expenses, including reimbursement of expenses for each Councillor paid by the council.

Allowances fixed for the Mayor, Deputy Mayor and Councillors during each financial year will be detailed in the Annual Report.

#### **HUMAN RIGHTS**

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and this policy accords with

Council's policy commitment to uphold human rights principles.

#### REVISION HISTORY

VERSION	MAJOR / MINOR UPDATE	SUMMARY OF CHANGES
1.0	Minor update	<p>Inclusion of allowance payable to the Deputy Mayor under "Legislative Framework" as a result of VIRT determinations</p> <p>Inclusion of updated process for determinations of allowances payable to Councillors under "Councillor Allowances"</p> <p>Various minor formatting and grammar</p>
<u>2.0</u>	<u>Major update</u>	<p><u>Distinction between reimbursement and allowances</u></p> <p><u>Updating of the information in relation to the payment of superannuation for allowances. This achieves consistency with the determination by VIRT being that 'the values are inclusive of any Superannuation Guarantee Contribution amount, or equivalent, that may be payable under Commonwealth law'.</u></p> <p><u>Inclusion of the list of attendances which meet the eligibility requirements for payment of the Remote Area Travel Allowances</u></p> <p><u>Various minor formatting and grammar</u></p>

## Attachment 3 – Remote Area Travel Allowance Claim Form



## Remote Area Travel Allowance Claim Form

Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022 - VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL

Ph: 1300 366 244 | 18 Desailly Street, Sale Victoria | 156 Grant Street, Yarram Victoria | PO Box 506, Sale

### **i** Eligibility for Remote Area Allowance

The Remote Area Travel Allowance is payable to Councillors in addition to any vehicle mileage expense reimbursements. The purpose of Remote Area Allowance is to provide additional payment for time spent on long distance travel in remote areas.

*If a Council member normally resides more than 50 kilometres by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council, or any municipal or community functions which have been authorised by Council resolution for the Council member to attend, the Council member is entitled to be paid an allowance of **\$45.90** for each day on which one or more meetings or authorised functions were attended by the Council member, up to a maximum of **\$5,738** per annum.*

Source: Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022, incorporating changes made by the 2022 and 2023 Annual Adjustment Determinations.

<b>Non Acceptable Claim:</b>	Place of residence is less than 50km from eligible meeting/function e.g. Stratford to Sale approx. 18km in distance.
<b>Acceptable Claim:</b>	<p><b>Train travel</b></p> <p>Councillor drove to nearest train station for an eligible meeting/function in Melbourne.</p> <p>Councillor would be entitled to reimbursement of train ticket and would also be eligible to claim remote area allowance.</p> <p><b>Carpooling</b></p> <p>Councillor who is driving is eligible to claim both mileage and remote area allowance.</p> <p>Other attending Councillor(s) who are in the car, can only claim remote area allowance.</p>
<b>Distance:</b>	Must be calculated over the shortest possible practicable road route between residence and meeting venue. Distance is not cumulative if attending numerous meetings regardless of how many kilometres are travelled; i.e. Allowance is not payable if all meeting venues are within 50km of the Councillors residence.

### Eligibility

For the purpose of the payment of this allowance, the following eligibility applies:

<b>Eligible meetings include:</b>	<ul style="list-style-type: none"> <li>• Ordinary Council Meetings or Workshops;</li> <li>• Unscheduled Council Meetings; or</li> <li>• Committee meetings where the Councillor is the delegated representative of Council. Refer to the current Committees/Delegates Register.</li> </ul>
<b>Any municipal or community function which has been authorised by Council resolution for a Councillor to attend:</b>	<p>The Council Expense and Administration Policy authorises the following attendances for the purpose of claiming the Remote Area Allowance:</p> <ul style="list-style-type: none"> <li>• Civic Receptions; or</li> <li>• ANZAC Day, Australia Day, NAIDOC week or any national commemorative functions; or</li> <li>• Any other events, functions or meetings where the CEO and/or General Manager has requested Councillors attendance; or</li> <li>• Any other municipal or community function which has been authorised by Council resolution.</li> </ul>

#### **① How to complete this form**

##### **Step 1 - Complete**

Complete all sections of the form that are relevant to your request for payment of the allowance.

##### **Step 2 – Sign**

Ensure to check the information you provide and sign the declaration

##### **Step 3 - Submit**

Submit a completed application form to the Executive Assistant, CEO. Claims are to be submitted monthly where possible but not less than quarterly (by end June, September, December and March). All outstanding claims from the quarter ending June must be received by no later than ten business days after the end of the financial year. Any claims submitted later than three months after the eligible meeting date will not be considered for payment.

#### **① Privacy**

The personal information requested on this form is being collected by Wellington Shire Council for the purpose of processing the Remote Area Allowance Claim. The personal information will be used solely by Council for that primary purpose or directly related purposes and may be disclosed to third parties if required to do so by the law.

Section 1: Claimant Details and Eligibility Check			
<b>Claimant Name:</b>			
<b>Claimant Address:</b> Usual place of residence (home address)			
Is your place of residence greater than 50km from the Wellington Centre, Port of Sale (must be shortest possible, practicable road distance)?		<input type="checkbox"/> <b>Yes</b> If yes, you may claim the allowance for any eligible attendance(s) by tabling in Section 2.	<input type="checkbox"/> <b>No</b> If no, you are ineligible for the allowance.
Is your current place of residence greater than 50km from a venue that you are required to attend for any Meetings of Committees which you are a delegate (refer to the Council Committees/Delegates Register)?		<input type="checkbox"/> <b>Yes</b> If yes, you may claim the allowance for any eligible attendance(s) by tabling in Section 2.	<input type="checkbox"/> <b>No</b> If no, you are ineligible for the allowance.
Is your current place of residence greater than 50km from a venue for municipal or community functions that has been authorised by Council resolution for a Councillor to attend. The Council Expense and Administration Policy authorises the following attendances for the purpose of claiming the Remote Area Allowance: <ul style="list-style-type: none"> <li>• Civic Receptions; or</li> <li>• ANZAC Day, Australia Day, NAIDOC week or any national commemorative functions; or</li> <li>• Any other events, functions or meetings where the CEO and/or General Manager has requested Councillors attendance*; or</li> <li>• Any other municipal or community function which has been authorised by Council resolution.*</li> </ul>		<input type="checkbox"/> <b>Yes</b> If yes, you may claim the allowance for any eligible attendance(s) by tabling in Section 2.  *Insert Name of CEO/General Manager or details of Council resolution: <hr/> <hr/>	<input type="checkbox"/> <b>No</b> If no, you are ineligible for the allowance.

Section 2: Details of Eligible Claims			
Event attended and location	Date of attendance	Total Kilometres travelled – must be more than 50 kilometres	Total reimbursement claimed - \$45.90 per day
<b>TOTAL (max \$5,738 per annum)</b>			

### Section 3: Declaration by Claimant

- I am aware that any reimbursement payable to me may have taxation implications and that I have been advised to seek independent financial advice in relation to this.
- I am aware the allowance may only be claimed once in any given day, regardless of how many meetings were attended.
- I am aware that I am entitled to Remote Area Travel Allowance, however I may elect not to make a claim.
- I certify that the information provided is correct and I am responsible for the accuracy of the information provided.



**Signature of  
Claimant**

**Date**

**Print Name**

### OFFICE USE ONLY

<b>Date checked</b>		<b>Name &amp; signature</b>	
<b>Date approved for payment</b>		<b>CEO name &amp; signature</b>	



## 12. YOUTH COUNCIL REPORT

### 12.1. YOUTH COUNCIL REPORT

**ACTION OFFICER: YOUTH MAYOR, CHLOE BETHUNE**

#### **RECOMMENDATION**

***That Council receive the Youth Mayor's Quarterly Report.***

Good evening council members. I am Chloe Bethune, the Youth Mayor for the Wellington Shire Youth Council.

The past quarter has gone by so quickly. With three quarters of the 2023 Youth Council new to their roles we have focused a lot on learning how to run a meeting, council etiquette and proper meeting behaviour. Also, during our meetings, we have been taking turns at public speaking, by doing a short speech each fortnight on a topic decided by the two speaking. The topics have ranged from fun ones like what superpower would you love to have, to tell us about your favourite childhood memory. Each fortnight we try to reflect on what is happening in our lives but also the impact current events have on youth across the region and country. On a personal level I have been educating my peers on my own approach to acknowledgement of country and the importance of finding your own words to express respect and awareness of indigenous connection to our lands and waters.

It hasn't been all meetings though; we have had many opportunities to represent the council in the community. Back in May at the Shakespeare Festival seven youth councillors ran the Wash Against Waste stall, helping to reduce the number of takeaway containers thrown out by washing the reusable plates and cups for vans and coffee carts.

At the end of June, we travelled with East Gippsland Youth Ambassadors to do a tour of Latrobe Youth Space and then met with Latrobe City Youth Council to go bowling at the butter factory in Traralgon. This was a great chance for us to meet with others from neighbouring councils for some fun but also to talk about the difficulties in attracting motivated young people to the roles - we learnt there are only four councillors in La Trobe City Youth Council. In the school holidays, three youth councillors attended a Wellington Shire run project management workshop, where we focused on tools needed to run our upcoming youth festival, Upswing. For NAIDOC week I attended the family day at Nakunbalook and got to be a part of the celebrations plus I spoke with teens about Youth Council and the various youth groups and activities on offer at council.

In August we will have the CEO of Gunaikurnai Land and Waters Aboriginal Corporation (GLAWAC) address the Youth Council to tell us about his organisation's views on the upcoming Voice referendum. Then we have the Wellington Youth Art Prize official opening in September, which I hope you can all attend and see the creative efforts of the youth of the region. Our team will also be busy in the coming months with preparations for Upswing in October.

Thank you for your time.

**CHLOE BETHUNE  
YOUTH MAYOR**

## 13. GENERAL MANAGER CORPORATE SERVICES

### 13.1. ASSEMBLY OF COUNCILLORS REPORT

#### **ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE**

##### **OBJECTIVE**

To report on all assembly of Councillor records received for the period 7 August 2023 to 27 August 2023.

##### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

##### **RECOMMENDATION**

***That Council note and receive the attached Assembly of Councillor records for the period 7 August 2023 to 27 August 2023.***

##### **BACKGROUND**

Section 80A of the *Local Government Act 1989* required a written record be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, matters considered and any conflict of interest disclosures made by a Councillor. These records were required to be reported at an ordinary meeting of the Council and recorded in the minutes. Under the new *Local Government Act 2020*, this requirement is no longer provided for however, under Council's good governance framework, Council will continue to provide records of assemblies of Councillors to ensure that the community are kept informed of Councillors activity and participation.

Following is a summary of all Assembly of Councillor records received for the period 7 August 2023 to 27 August 2023.

##### **ATTACHMENTS**

1. Assembly of Councillors - 14 August 2023 - Strategic Land Use Planning Project Review Group [**13.1.1** - 1 page]
2. Assembly of Councillors - 15 August 2023 - Council Day [**13.1.2** - 2 pages]

##### **OPTIONS**

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records.



## **PROPOSAL**

That Council note and receive the attached assembly of Councillors records during the period 7 August 2023 to 27 August 2023.

## **CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

## **FINANCIAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complied with Section 80A of the *Local Government Act 1989* however, without prescription under the *Local Government Act 2020*, Council will continue to provide these records as part of Council's good governance framework.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

**ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

**RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## ASSEMBLY OF COUNCILLORS – 14 AUGUST 2023

MEETING	COUNCILLORS, OFFICERS AND OTHERS IN ATTENDANCE (NAME AND POSITION)						
STRATEGIC LAND USE PLANNING PROJECT REVIEW GROUP	Councillor Name	Attendance	Conflict of Interest	Officer Name	Attendance	Item No.	Conflict of Interest
	Cr Ian Bye	Yes	N/A	D Morcom, CEO	No		
	Cr Carolyn Crossley	No		A Skipitaris, GMCS	No		
	Cr Marcus McKenzie	No		C Gillings, GMC&C	No		
	Cr Gayle Maher	No		C Hastie, GMB&NE	Yes	ALL	N/A
	Cr Carmel Ripper	No		A Pomeroy, GMD	Yes	ALL	N/A
	Cr Scott Rossetti	No					
	Cr Garry Stephens	No					
	Cr John Tatterson	Yes	N/A				
	Cr Jill Wood	No					
OTHERS IN ATTENDANCE (NAME AND POSITION)			CONFLICT OF INTEREST	MATTERS/ITEMS CONSIDERED AT THE MEETING			
Sam Pye (Manager Built Environment)			No	<b>Meeting Agenda:</b>  1. Meeting Minutes: 14 August 2023 2. Action Table 3. Strategic Planning Work 4. Incoming Correspondence 5. Planning Scheme Amendment Requests 6. Other Business 7. Next Meeting			
Andrew Wolstenholme (Acting Manager Land Use Planning)			No				
Mitch Morelli (Acting Coordinator Infrastructure Development)			No				
Josh Clydesdale (Major Projects and Principal Strategic Planner)			No				
Caragh Button (Strategic Planner)			No				
Miriam Turner (Strategic Planner)			No				

## ASSEMBLY OF COUNCILLORS – 15 AUGUST 2023

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
IT / Diary Meeting	Name	Attendance	Name	Attendance	
	Cr Bye	YES	Cr Stephens	YES	N/A
	Cr Crossley	YES	Cr Tatterson	YES	N/A
	Cr McKenzie ( <i>on leave</i> )	NO	Cr Wood	YES	N/A
	Cr Maher	YES	David Morcom, CEO	YES	N/A
	Cr Ripper	YES	Leah Carubia, EA	YES	N/A
	Cr Rossetti	YES	Damian Norkus, ICT Operations Officer	YES	N/A

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE				CONFLICT/S OF INTEREST OR ACTION ITEMS
Workshops	Name	Attendance	Name	Attendance	
	Cr Bye	YES	Cr Tatterson	YES	N/A
	Cr Crossley	YES	Cr Wood	YES	N/A
	Cr McKenzie ( <i>on leave</i> )	NO	David Morcom, CEO	YES	N/A
	Cr Maher	YES	Chris Hastie, GM Built and Natural Environment	YES	N/A
	Cr Ripper	YES	Arthur Skipitaris, GM Corporate Services ( <i>on leave</i> )	NO	N/A
	Cr Rossetti	YES	Clemence Gillings, GM Community & Culture	YES	N/A
	Cr Stephens	YES	Andrew Pomeroy, GM Development	YES	N/A

Workshops (cont.)	MATTERS/ITEMS CONSIDERED AT THE MEETING	OTHERS IN ATTENDANCE
	1. CAPEX UPDATE	<ul style="list-style-type: none"> <li>Dean Morahan, Manager Assets and Projects</li> </ul> <i>Conflict of Interest: Nil</i>
	2. JUNE 2023 QUARTERLY PERFORMANCE REPORT	<ul style="list-style-type: none"> <li>Ian Carroll, Manager Corporate Finance</li> </ul> <i>Conflict of Interest: Nil</i>
	3. DEVELOPMENT DIVISION UPDATE: PLANNING, MUNICIPAL SERVICES AND ECONOMIC DEVELOPMENT	<ul style="list-style-type: none"> <li>Vanessa Ebsworth, Manager Regulatory Services</li> <li>Andrew Wolstenholme, Acting Manager Land Use Planning</li> <li>Geoff Hay, Manager Economic Development</li> </ul> <i>Conflict of Interest: Nil</i>
	4. COMMERCIAL PROPERTY UPDATE AND SURPLUS LAND SALES	<ul style="list-style-type: none"> <li>Geoff Hay, Manager Economic Development</li> <li>Daniel Gall, Coordinator Commercial Property</li> <li>Brent Setches, Commercial Property Officer</li> </ul> <i>Conflict of Interest: Nil</i>
	5. AERODROMES UPDATE	<ul style="list-style-type: none"> <li>Daniel Gall, Coordinator Commercial Property</li> <li>Theo Christopher, Coordinator Aerodromes</li> </ul> <i>Conflict of Interest: Nil</i>
	6. SALE INTEGRATED CENTRE FOR CHILDREN AND FAMILIES - DESIGN TENDER AWARD	<ul style="list-style-type: none"> <li>Sam McPherson, Manager Communities, Facilities and Emergencies</li> </ul> <i>Conflict of Interest: Nil</i>
	7. WASTE, RECYCLING AND SUSTAINABILITY UPDATE	<ul style="list-style-type: none"> <li>Samantha Nock, Coordinator Waste and Sustainability</li> </ul> <i>Conflict of Interest: Nil</i>
	8. REMOTE AREA TRAVEL ALLOWANCE	<ul style="list-style-type: none"> <li>Carly Bloomfield, Manager Organisation Performance and Governance</li> </ul> <i>Conflict of Interest: Nil</i>

## 13.2. COUNCIL EXPENSE AND ADMINISTRATION POLICY REVIEW

### ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

#### PURPOSE

To adopt the updated Council Expense and Administration Policy.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

***That Council adopt the revised Council Expense and Administration Policy as attached.***

#### BACKGROUND

Policy holds a key role in the good governance of the Council and supports the objectives and functions of Council as described in the *Local Government Act 2020*. The policies adopted by Council are available on the Council Policies page of the Wellington Shire Council website. Periodically, policies are reviewed and modified as required due to legislative, strategic, planning and procedural amendments.

The Council Expense and Administration Policy sets out the level of resources and professional support that Council will provide to Councillors and members of Delegated Committees and supports Council to meet its legislative obligations under the *Local Government Act 2020*. It also outlines the eligibility requirements for the base allowance and remote travel area allowance which are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal.

As part of a recent policy review, several amendments have been made including:

- Various grammar, punctuation and re-ordering changes made throughout;
- Updates to the current listing of authorised functions which are considered to meet the eligibility requirement for claiming the Remote Area Travel Allowance; and
- Alignment to values and definitions provided by the Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022 as varied by (2022) DCMA 01 and (2023) DCMA 01 - Victorian Independent Remuneration Tribunal.

The attached Summary of Amendments table provides further details of the revisions.

#### ATTACHMENTS

1. Council Expense and Administration Policy [13.2.1 - 11 pages]
2. Summary of Amendments [13.2.2 - 3 pages]



## **OPTIONS**

Council has the following options available:

1. To adopt the revised Council Expense and Administration Policy as attached; or
2. Not adopt the revised Council Expense and Administration Policy and request further review of the policy for consideration at a future meeting of Council.

## **PROPOSAL**

That Council adopt the updated Council Expense and Administration Policy as attached.

## **CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

## **FINANCIAL IMPACT**

The costs associated with the implementation of the Council Expense and Administration Policy are funded through the 2023/24 budget and funds will also be provided in future financial years. Council does not currently have any Delegated Committees under Section 63 of the *Local Government Act 2020* and therefore no budget has been allocated for member entitlements. In the event that a delegated committee is formed, the financial implications will be reviewed.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The revised policy remains consistent with the corresponding provisions within the *Local Government Act 2020*.

## **COUNCIL POLICY IMPACT**

The Council Expense and Administration Policy must be adopted in accordance with the *Local Government Act 2020*. The updated policy will be uploaded to the policy library on the Wellington Shire Council website once adopted.

## **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **RISK MANAGEMENT IMPACT**

Through the provision of clear guidance, policy and process for Councillors and delegated committee members, Council significantly reduces its risk of instances of non-adherence to the requirements of the *Local Government Act 2020*.

## COUNCIL EXPENSE AND ADMINISTRATION POLICY

<b>Policy Number:</b>	1.1
<b>Approved by:</b>	Council
<b>Date Approved:</b>	September 2023
<b>Date of Next Review:</b>	December 2024
<b>Applicable to Unit(s):</b>	Councillors
<b>Responsible Officer:</b>	General Manager Corporate Services
<b>Related Policies:</b>	Provision of Motor Vehicles for Councillors Policy
<b>Related Documents:</b>	Councillor Expense Claim Form Councillor Travel Expense Claim Form Governance Rules Remote Area Travel Allowance Claim Form
<b>Statutory Reference:</b>	<i>Carers Recognition Act 2012</i> <i>Charter of Human Rights and Responsibilities Act 2006</i> <i>Local Government Act 2020</i> <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i>

### OVERVIEW

This policy intends to establish clear expectations for the reimbursement of expenses for both Councillors and members of Delegated Committees; and resources and support that are necessary for Councillors, to enable the effective performance of their Council duties and functions. Section 41 of the *Local Government Act 2020* ('the Act') provides that a Council must adopt and maintain a policy in relation to reimbursement of expenses of Councillors and members of a Delegated Committee.

Councillors are elected as the representatives of residents and ratepayers, to govern the Shire of Wellington in accordance with the Act. To assist them to perform their role and responsibilities as Councillors they will be provided with administrative support, resources and facilities and be reimbursed for the expenses specified in this policy incurred in carrying out their official Council duties.

This policy provides direction on the provision of specific equipment, services, consumables, financial assistance and reimbursement which the Council will provide to the Mayor and Councillors in carrying out their duties. It cannot prescribe for every possible situation that may arise and makes no attempt to do so. Where a situation is not adequately covered by this policy, the test of a "necessary expense" will be whether it was incurred as a consequence of undertaking duties associated with an individual's elected role. Where this test is satisfied and a Councillor has incurred an expense, this will be reimbursed by the Council. The Council recognises that any expenses reimbursed should not be excessive and must be related to the actual performance of an individual's civic, statutory and policy making duties.

In addition to reimbursement of expenses and the provision of resources, this policy outlines the eligibility requirements for the base allowance and remote travel area allowance which are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

## **REIMBURSEMENT OF EXPENSES OF COUNCILLORS AND MEMBERS OF A DELEGATED COMMITTEE**

Section 40 of the Act provides that Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied —

- (a) are bona fide expenses; and
- (b) have been reasonably incurred in the performance of the role of Councillor or member of a Delegated Committee; and
- (c) are reasonably necessary for the Councillor or member of a Delegated Committee to perform that role.

Out-of-pocket expenses are lawfully incurred only when performing Council Duties as defined under “Definition of Council Duties” in this Policy.

### **Definition of “Council Duties”**

For the purpose of this Policy, “Council Duties” is the business of the Council, not of a Councillor.

Section 28 of the Act refers to the role of a Councillor which means duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.

Claims may be submitted by Councillors for expenses under this Policy when performing Council Duties. To this extent, Council duties are defined as the following:

- Meetings of the Council or its Committees;
- Meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council;
- Meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative or is authorised by Council;
- A meeting, function or other official role as a representative of the Mayor or the Council;
- Other meetings, inspections or events attended by a Councillor in an official capacity;
- Conferences, seminars, events and professional development being undertaken by a Councillor.

As a general rule, it is expected that the Mayor or their representative will attend functions or events to represent the Council. On occasions where more than one representative is invited to attend a function or event; reimbursement will be payable provided such attendance by multiple representatives has been endorsed at a preceding Councillor Diary Meeting. In the event that it is not practicable to wait until the next diary meeting endorsement may be sought via email request to which the majority of Councillors have responded in the positive. Where attendance is agreed to, the Councillor is expected to attend or to nominate a substitute if he/she becomes unable to attend.

The basic test to be applied to determine whether or not an expense is lawfully incurred is whether the expense is related to a clear business need because it is either supplemental to, incidental to, or consequent on the exercise of Council duties.

Where these criteria are satisfied and a Councillor has incurred an out-of-pocket expense, the expense will be paid or reimbursed by the Council.

### **Requests outside of the criteria**

For all Council business that falls outside the above criteria; a request will need to be submitted on a Councillor Expense Claim Form at the earliest available Councillor Diary Meeting, for consideration and approval by Council. If approved, this then becomes a Council duty as opposed to a Councillor duty.

### **Reimbursements**

Reimbursement for out-of-pocket expenses may include payment for:

- Attendance at functions;
- Travel;
- Professional Development;
- Use of Communication Technology and Equipment;
- Dependent Care;
- Meals.

### **Excluded Reimbursements**

The following expenses cannot be funded or reimbursed by Council:

- Any expense arising from a breach of road, traffic, parking or other regulations or laws;
- Stationery, furniture or equipment additional to that provided for in this policy;
- Damage to or loss of personal possessions;
- Expenses for a partner which are not expressly provided for within this policy;
- Donations, tips or gratuities, gifts, the purchase of raffle tickets, or tickets or entry fees to events, unless attending on behalf of Council;
- Hotel mini bar, inhouse entertainment, or similar;
- Alcohol;
- Reading material and personal consumption items such as confectionery, snacks and drinks;
- Expenses incurred by third parties;
- Expenses claimed as a tax deduction; and
- Expenses which are fully or partly recoverable from a third party.

NOTE: Where out-of-pocket expenses arise as a result of a Councillor being appointed by the Council to an external body, Councillors are requested to seek reimbursement of necessary out-of-pocket expenses from the governing body rather than Council.

### **Attendance charges for social functions**

From time to time, all Councillors (and often their partners) are invited to social functions which require the payment of an attendance charge. It is usual for the Mayor to represent the Council at these functions with the cost of the Mayor's attendance (including the Mayor's partner, when invited) being met by the Council. Individual Councillors have the option of attending at their own cost. If another Councillor is requested to attend on behalf of the Mayor, attendance costs will also be met by the Council.

**TRAVEL**

Where practical, travel must be undertaken by the shortest route possible. For accuracy, all reimbursements regarding mileage will be referenced back to Councillor's Diary and the distance claimed against appropriate mapping software / tool. In addition to the duties specified under "Definition of Council Duties" in this Policy, the Council will reimburse Councillors upon request for travel expenses incurred to attend:

- A meeting, function or any other official role, as either a representative of the Council or the Mayor in the Mayor's absence; and
- A meeting of any organisation or deputation to which the Councillor has been appointed as the Council's representative, or where a Councillor is deputising for the Mayor.

**Mayoral Vehicle**

The Mayor will be provided with a motor vehicle which is fully maintained by Council for official and personal use during the Mayoral term. The motor vehicle is fully maintained to the standard specified in Council's Motor Vehicle Policy which outlines safety and environmental requirements. A fuel card is provided as part of the Mayoral vehicle package.

If the Mayor of the day elects to use their own car, the following will apply:

- The Mayor is responsible for all maintenance of their vehicle;
- A fuel card will be assigned to and provided for their vehicle only;
- The Mayor is responsible for insuring their own vehicle, and it is encouraged that their insurer is advised that their vehicle is being used for business purposes;
- Council will not be responsible for any damage, loss or breakdown that occurs whilst private vehicles are being used for Council purposes;
- Council will not cover or contribute to any insurance excess that may be payable; and
- Council will not be responsible for any infringement notices incurred for road, traffic or parking violations whilst private vehicles are being used for Council purposes or otherwise.

**Use of Private Vehicles by Councillors**

Councillors are encouraged to consider carpooling and/or public transport before deciding to use their private vehicles to carry out official duties such as attending meetings, conferences, seminars or inspections outside of the municipality to which the Councillor has been appointed as a representative of the Council. For travel by car, reimbursement per kilometre will be calculated using the current RACV Car Running Costs.

**Access to a Council Pool Vehicle**

A Council fleet vehicle may be provided upon request, subject to availability, for Councillors to perform their duties. Use of a Council vehicle must be in accordance with relevant Council policies including completing the Driver's Logbook. Fleet vehicle bookings can be made via the CEO Executive Assistant.

**Tolls**

While travelling on Council business in metropolitan Melbourne, Councillors may incur tolls including those associated with the use of CityLink or EastLink. Councillors may seek reimbursement of costs associated with tolls including the use of CityLink or EastLink passes or those transaction incurred as part of existing personal e-tags accounts.

Claims must be accompanied by copies of receipts or accounts detailing the individual transactions.



**Car Parking**

Car parking fees incurred while conducting Council business will be reimbursed on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function. It is recommended that Councillors seek the lowest cost options when choosing paid parking facilities.

**Infringement Notices**

A Councillor will not be reimbursed the cost of any infringement incurred for road, traffic or parking violations.

**Myki Card**

Council will make available to councilors a Myki card for travel via public transport to and from their Councillor related duties. When Councillors use their personal Myki card, Council will reimburse the associated cost of travel in line with appropriate receipt documentation.

**Interstate and International Travelling**

Requests for attendance at interstate and overseas events must be accompanied by a business case, describing the benefits to be gained from attendance and detailing the total costs and Council funds requested at the closest diary meeting to the expected date of travel; within three months of their attendance at an interstate or overseas event, a Councillor must table a report at a Council meeting, detailing the following:

- Details of the event topic, content, location, date and duration;
- Relevance of the event to Council's business and the Councillor's personal development needs;
- Benefits accruing to the Council from attendance; and
- Where two or more Councillors attend an event for which the tabling of a report is required, the Councillors may table a joint report.

Where a Councillor elects to have their partner accompany them to an event, all expenses relating to the partner's attendance will be met by the Councillor.

**PROFESSIONAL DEVELOPMENT**

Councillors will invariably opt to undertake professional development to improve their knowledge and ensure they are properly informed on issues of importance to the community. To assist in this education process, this policy encourages Councillors to undertake appropriate professional development (conferences, seminars, workshops and training sessions) that may be of benefit to the individual Councillor and Council as a whole.

In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which includes:

- *Local Government Act 2020*;
- Conflict of Interest;
- Dispute Resolution;
- Fraud and Corruption Awareness training;
- Responsibilities of Councillors; and
- Councillor Code of Conduct.

Councillors undertaking professional development shall have expenses for transport, accommodation, registration fees, meals and refreshments (excluding purchases of alcohol) relating to their attendance paid by Council, as follows:

- The Council may approve expenses of up to \$2000 per financial year per Councillor, for conferences / events within Australia;
- Councillors attending conferences, seminars and other special functions are generally expected to provide a brief written or oral summary to the next formal Council meeting. The summary should outline the benefits of the conference to themselves personally, to Council operations and the Council Plan as applicable;
- The Council must approve all requests for events outside Australia, or for which a Councillor's individual \$2000 limit will be exceeded, either at a Council meeting or through inclusion in an adopted budget.

### **MEALS**

Meals (generally lunch) shall be provided to Councillors where meetings are scheduled during mealtimes. Alcohol will not be provided by the Council however Councillors are able to purchase/bring their own alcohol at their own cost.

### **DEPENDENT CARE EXPENSES**

Councillors incurring bona fide dependent care expenses paid to a recognised provider will be reimbursed expenses when the dependent care is necessary in order to allow the Councillor to perform Council duties as defined under "Definition of Council Duties" in this Policy. Dependent care includes childcare, specific home care and any other support provided in the case of a dependent as defined under the meaning of a care relationship under section 4 of the *Carers Recognition Act 2012*.

Where the care relates to dependent adults, the Chief Executive Officer must be satisfied that the expense is warranted. Expenses cannot be claimed for care provided by a direct relative or someone who normally or regularly lives with a Councillor.

### **COUNCILLORS WITH DISABILITIES**

The Council will meet reasonable expenses to provide additional support and/or equipment to assist a Councillor with a disability to perform their official Council duties.

### **RESOURCES, FACILITIES AND SUPPORT**

#### **Protective Clothing**

Where requested, Council will lend the Councillors protective clothing required to assist in carrying out duties of office. This includes the provision of hard hats and reflective vests. This clothing must be returned promptly upon the completion of the duty.

#### **Equipment**

The demands made upon a Councillor's time can be significant and Council business can be conducted more efficiently if Councillors are provided home access to appropriate facilities and equipment. This access is provided subject to:

- The facilities and equipment being used predominantly for the transaction of Council

business (minimal non-Council use of equipment such as computers, that has no direct cost for Council, is allowable);

- The facilities and equipment are not to be used for electioneering purposes;
- Councillors must ensure the integrity and configuration of equipment provided is maintained at all times;
- Personal use which can be separately costed (e.g. personal calls from a mobile phone);
- Councillors must ensure the protection and safe keeping of all equipment issued;
- All equipment and stationery issued shall remain the property of Council.

### **Telecommunications**

Councillors will be provided with a laptop, a mobile phone with email access. All connection fees, rental fees and call charges relating to Council business will be met by the Council.

Phone calls relating to Council business made from private home phones shall be reimbursed upon presentation of records to support this.

Councillors must meet the cost of electricity. All equipment remains the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement / resignation of the Councillor.

### **Stationery**

Councillors will be provided with name tags, business cards and basic stationery needs as required.

### **Security Access**

Each Councillor will be provided with a security access swipe card authorising 24 hour access and a parking sticker authorising use within the appropriate permit area.

All security access swipe cards remain the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement / resignation of the Councillor.

### **Insurance**

Councillors are covered under the following Council insurance policies on a 24 hour basis while discharging the duties of office of Councillor including attendance at meetings of external bodies as Council's representative:

- Public Liability and Professional Indemnity;
- Councillors and Officers Liability;
- Personal Accident;
- Motor Vehicle (Council vehicles only);
- Workers Compensation.

### **Executive support**

A Council officer nominated by the Chief Executive Officer will be made available to assist the Mayor and Councillors. A library of reference materials (including electronic) relating to Council policies and practices, policy matters of Local Government significance in Victoria and nationally, and other materials that may be expedient in supporting Councillors in their work will be provided.

### **Councillor's Welfare**

Councillors may approach the Chief Executive Officer with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor.

Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor, are able to seek counselling on a confidential basis through Converge International. This service can be contacted on 1800 337 068. Normally, up to three sessions are provided, however, further sessions can be arranged on an as needed basis.

### **OTHER EXPENSES**

Expenses not specifically addressed in this Policy as expenditure for which a Councillor is entitled to be reimbursed or paid, may be referred to the Remuneration Committee for consideration as a "necessary expense". Where the Committee considers the expense to be legitimately incurred in the performance of Council duties, a proposal will be minuted and report provided at the next Council meeting recommending reimbursement.

Any expenditure not specified above as expenditure for which a Councillor is entitled to be paid or reimbursed by Council shall be the responsibility of the Councillor.

### **Submitting a claim for reimbursement**

All claims are to be submitted on the prescribed form, authorised by CEO Executive Assistant and forwarded to the Finance Unit for processing and payment. The prescribed forms for eligible claims are the:

- ***Councillor Travel Expense Claim Form***
- ***Councillor Expense Claim Form.***

Both forms are available on the Councillor home page.

Councillors and members of Delegated Committees must ensure that any expense claims include the following information:

- Number of attendees;
- A clear business reason for claim;
- Parties benefitting from the expense.

Supporting evidentiary documentation will be required for all expense reimbursements and payments. All claims should be accompanied by fully accredited receipts / tax invoices for any expenses claimed. If receipts cannot be produced, there may be a requirement for the provision of a statutory declaration.

All claims must include sufficient detail to demonstrate, in accordance with the Act, that the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense while serving a clear business need and incurred while performing the duties of a Councillor or member of a Delegated Committee.

Claims are to be submitted where possible but not less than quarterly (by end June, September, December and March). All outstanding claims for the June quarter must be received by no later than ten business days after the end of the financial year. Any claims submitted later than three months after the expense was incurred will not be considered for payment.

Reimbursements will be paid by Council's Accounts Payable into a nominated bank account.

## **ALLOWANCES**

Base allowances and remote area allowances are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. A Council cannot pay an allowance to a Mayor, Deputy Mayor or Councillor that exceeds the amount specified in the relevant Determination.

### **Base Allowances**

In accordance with section 39 of the Local Government Act 2020, Councillors are entitled to receive an allowance while performing their duty as a Councillor. The Mayor and Deputy Mayor receive a higher allowance. The framework and values of the base allowance are determined in accordance with the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Councils are divided into three categories with Wellington Shire Council recognised as a category two council.

Allowances are taxable income and are paid monthly in advance. Personal taxation implications are the responsibility of individual Councillors. Council is required to increase allowances in accordance with any adjustment factor as prescribed by determinations of the Victorian Independent Remuneration Tribunal. The values are inclusive of any Superannuation Guarantee Contribution amount, or equivalent, that may be payable under Commonwealth law.

The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community'. They are in addition to reimbursements for approved expenses and other support.

### **Remote Area Travel Allowance**

The purpose of Remote Area Travel Allowance is to provide additional payment for time spent on long distance travel in remote areas.

*If a Council member normally resides more than 50 kilometres by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council, or any municipal or community functions which have been authorised by Council resolution for the Council member to attend, the Council member is entitled to be paid an allowance of **\$45.90** for each day on which one or more meetings or authorised functions were attended by the Council member, up to a maximum of **\$5,738** per annum.*

Source: Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022, incorporating changes made by the 2022 and 2023 Annual Adjustment Determinations.

This Policy authorises the following attendances for the purpose of claiming the Remote Area Travel Allowance:

- Ordinary Council Meetings or Workshops; or
- Unscheduled Council Meetings; or
- Committee meetings where the Councillor is the delegated representative of Council. Refer to the current Committees/Delegates Register; or
- Civic Receptions; or
- ANZAC Day, Australia Day, NAIDOC week or any national commemorative functions; or
- Any other events, functions or meetings where the CEO and/or General Manager has requested Councillors attendance; or

- An invitation to attend a community function/meeting as detailed in the Council Diary; or
- Any other municipal or community function which has been authorised by Council resolution.

To complete a claim, refer to: ***Remote Area Travel Allowance Claim Form***

### **Statement of Allowances**

Each July, Councillors will be provided with a summary statement of allowances paid to them in the previous financial year.

### **REVIEW AND REPORTING**

Reimbursements of Councillor and Delegated Committee member expenses will be reviewed on a regular basis by the Remuneration Committee and Council's Audit and Risk Committee. Council also publishes in its Annual Report the details of the expenses, including reimbursement of expenses for each Councillor paid by the council.

Allowances fixed for the Mayor, Deputy Mayor and Councillors during each financial year will be detailed in the Annual Report.

### **HUMAN RIGHTS**

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.



**REVISION HISTORY**

VERSION	MAJOR / MINOR UPDATE	SUMMARY OF CHANGES
1.0	Minor update	<p>Inclusion of allowance payable to the Deputy Mayor under "Legislative Framework" as a result of VIRT determinations</p> <p>Inclusion of updated process for determinations of allowances payable to Councillors under "Councillor Allowances"</p> <p>Various minor formatting and grammar</p>
1.1	Minor Update	<p>Various minor formatting and grammar and ordering changes.</p> <p>Distinction between reimbursement and allowances</p> <p>Updating of the information in relation to the payment of superannuation for allowances. This achieves consistency with the determination by VIRT being that 'the values are inclusive of any Superannuation Guarantee Contribution amount, or equivalent, that may be payable under Commonwealth law'.</p> <p>Councillors with disabilities – removed reference to Council will resolve to, to Council will.</p> <p>Telecommunications – reference to personal computer changed to lap top, reference to smart phone changed to mobile phone. Reference to printers removed as printer access available on site.</p> <p>Inclusion of the list of attendances which meet the eligibility requirements for payment of the Remote Area Travel Allowances.</p>

## ATTACHMENT: SUMMARY OF AMENDMENTS

<b>POLICY NUMBER 1.1: Council Expenses and Administration Policy</b>		
<b>PURPOSE:</b> <i>This policy intends to establish clear expectations for the reimbursement of expenses for both Councillors and members of Delegated Committees and resources and support that are necessary for Councillors, to enable the effective performance of their Council duties and functions. This policy also outlines the eligibility requirements for the base allowance and remote travel area allowance which are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal.</i>		
<b>SUMMARY OF AMENDMENTS</b>		
SECTION	AMENDMENT TYPE	AMENDMENT
-	-	Various grammar, punctuation and re-ordering changes made throughout
<b>STATUTORY REFERENCE</b>	<b>INSERTION</b>	<i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i>
<b>OVERVIEW</b>	<b>INSERTION</b>	<i>This policy intends to establish clear expectations for the reimbursement of expenses for both Councillors and members of Delegated Committees; and resources and support that are necessary for Councillors, to enable the effective performance of their Council duties and functions.</i>
<b>OVERVIEW</b>	<b>DELETION</b>	Removed as summarised as per above insertion. <i>The objective of this policy is to define and establish the administrative support, resources and facilities to be provided to Councillors and the entitlements for Councillors and members of Delegated Committees to have necessary out-of-pocket expenses incurred while performing their civic, statutory and policy-making duties as a Councillor or member of a Delegated Committee either reimbursed or paid direct by Council.</i>
<b>OVERVIEW</b>	<b>DELETION</b>	Removed as summarised as per above insertion. <i>This policy has been adopted to provide an overview of how assistance and support is provided, as well as appropriate resourcing and facilities to ensure that they can effectively carry out their roles, responsibilities, duties and powers.</i>
<b>OVERVIEW</b>	<b>INSERTION</b>	This information was previously incorporated in the legislative framework section. <i>In addition to reimbursement of expenses and the provision of resources, this policy outlines the eligibility requirements for the base allowance and remote travel area allowance which are paid in accordance with the determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019.</i>

<b>LEGISLATIVE FRAMEWORK</b>	<b>DELETION</b>	<p>The key points have been incorporated under the 'Allowances' section of the policy.</p> <p><i>Section 39 of the Local Government Act 2020 (the Act) provides for payment of annual allowances to Mayors and Councillors. The allowance framework is determined in accordance with the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019. Allowances are taxable income and are paid monthly in advance. Personal taxation implications are the responsibility of individual Councillors. Council is required to increase allowances in accordance with any adjustment factor as prescribed by determinations of the Victorian Independent Remuneration Tribunal. If a Councillor is appointed to act as Mayor under section 20B for a continuous period exceeding 50 days, the acting Mayor may be paid a Mayoral allowance instead of a Councillor allowance for the period that he or she is acting as Mayor.</i></p> <p><i>A Council must pay a Councillor allowance or Mayoral allowance as specified in the most recent determination of the Victorian Independent Remuneration Tribunal.</i></p> <p><i>A Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance. A person is only entitled to receive an allowance while he or she holds the office in respect of which the allowance is payable.</i></p> <p><i>A person elected to be a Councillor is entitled to receive a Councillor allowance from the date the person takes the oath of office under section 30 of the Act.</i></p> <p><i>A Councillor elected to be Mayor is entitled to receive a Mayoral allowance from the date he or she is elected under section 25 of the Act.</i></p> <p><i>There is no provision for a separate allowance in the Local Government Act 2020 of the position of Deputy Mayor. The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community'. They are in addition to reimbursements for approved expenses and other support.</i></p> <p><i>Section 40 of the Act provides for the reimbursement of "necessary out-of-pocket expenses incurred" by Councillors while performing their duties as a Councillor.</i></p>
<b>CAR PARKING</b>	<b>DELETION</b>	Removed reference to carpooling as this is duplication of sentence under use of private vehicles by Councillors.
<b>MEALS</b>	<b>DELETION</b>	<p>Removed reference to generally lunch and <u>dinner</u>, as Council meeting has been moved to 5pm.</p> <p><i>Meals (generally lunch) shall be provided to Councillors where meetings are scheduled during mealtimes.</i></p>
<b>COUNCILLORS WITH DISABILITIES</b>	<b>AMENDMENT</b>	<p>Wording amended for clarity from 'The Council may resolve to meet reasonable additional expenses to assist a Councillor with a disability to perform his/her official Council duties' to</p> <p><i>The Council will meet reasonable expenses to provide additional support and/or equipment to assist a Councillor with a disability to perform their official Council duties.</i></p>
<b>TELECOMMUNICATIONS</b>	<b>AMENDMENT</b>	Reference to 'smart phone' changed to 'mobile phone'. Reference to printer removed as printer is provided on site. Removed 'Councillors must reimburse the Council for all person calls on mobile phones' as ICT Acceptable Use policy applies.

<b>BASE ALLOWANCES</b>	<b>AMENDMENT</b>	<p>Updated statement on superannuation to align with the current determination from the Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022 as varied by [2022] DCMA 01 and [2023] DCMA 01</p> <p><i>The values are inclusive of any Superannuation Guarantee Contribution amount, or equivalent, that may be payable under Commonwealth law.</i></p>
<b>REMOTE AREA TRAVEL ALLOWANCE</b>	<b>AMENDMENT</b>	<p>Values increased and definition of the Remote Area Travel Allocation amended to align to the current determination from the <a href="#">Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022 as varied by [2022] DCMA 01 and [2023] DCMA 01</a></p>
<b>REMOTE AREA TRAVEL ALLOWANCE</b>	<b>AMENDMENT</b>	<p>To meet the eligibility requirements for the Remote Area Travel Allowance, municipal or community functions must be authorised by Council resolution. The current listing of authorised functions has been amended to:</p> <p><i>This Policy authorises the following attendances for the purpose of claiming the Remote Area Travel Allowance:</i></p> <ul style="list-style-type: none"> <li>• <i>Ordinary Council Meetings or Workshops; or</i></li> <li>• <i>Unscheduled Council Meetings; or</i></li> <li>• <i>Committee meetings where the Councillor is the delegated representative of Council. Refer to the current Committees/Delegates Register; or</i></li> <li>• <i>Civic Receptions; or</i></li> <li>• <i>ANZAC Day, Australia Day, NAIDOC week or any national commemorative functions; or</i></li> <li>• <i>Any other events, functions or meetings where the CEO and/or General Manager has requested Councillors attendance; or</i></li> <li>• <i>An invitation to attend a community function/meeting as detailed in the Council Diary; or</i></li> <li>• <i>Any other municipal or community function which has been authorised by Council resolution.</i></li> </ul>

### 13.3. UPDATE TO INSTRUMENT OF DELEGATION – MEMBERS OF COUNCIL STAFF

#### **ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE**

#### **PURPOSE**

For Council to adopt the updated *Instrument of Delegation - Members of Council Staff*.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

#### **RECOMMENDATION**

***That Council, in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolve that –***

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation - Members of Council Staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument as attached.***
- 2. Notes that the Instrument of Delegation - Members of Council Staff comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer.***
- 3. On the coming into force of the Instrument of Delegation - Members of Council Staff, the current Instrument of Delegation - Members of Council Staff dated 7 March 2023 is revoked.***
- 4. The duties and functions set out in the Instrument of Delegation - Members of Council Staff must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

#### **BACKGROUND**

The *Local Government Act 2020* provides for Council to delegate a power, duty or function of Council to a member of Council staff. Delegations are essential to good governance as it is not practical for Council and the Chief Executive Officer alone to exercise the many statutory powers provided to Council.

Council's Instruments of Delegation are based on 'model delegations' which are provided through a legal firm. Council received the latest update from the legal firm during July 2023. The update applies to the *Instrument of Delegation - Members of Council Staff*.

This is a minor update involving the deletion of text in the delegation under s 181 of the *Planning and Environment Act 1987* as indicated in the attached change table. The amended delegation appears on page 151 of the attached *Instrument of Delegation - Members of Council Staff*.

Additional formatting changes have been made to the *Instrument of Delegation - Members of Council Staff* to improve readability and add the Wellington Shire Council branding.

## ATTACHMENTS

1. Change Table - Instrument of Delegation — Members of Council Staff [13.3.1 - 2 pages]
2. Instrument of Delegation — Members of Council Staff [13.3.2 - 199 pages]

## OPTIONS

Council has the following options available:

1. That Council, in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolve that –
  - There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation - Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument as attached.
  - The *Instrument of Delegation - Members of Council Staff* comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer.
  - On the coming into force of the *Instrument of Delegation - Members of Council Staff*, the previous *Instrument of Delegation - Members of Staff* is revoked.
  - The duties and functions set out in the instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; or
2. That Council resolve that the *Instrument of Delegation - Members of Council Staff* not be updated and seek further information for consideration at a future meeting of Council.

## PROPOSAL

It is proposed that Council adopt the updated *Instrument of Delegation - Members of Council Staff*.

## CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

## FINANCIAL IMPACT

This impact has been assessed and there is no effect to consider at this time.

## COMMUNICATION IMPACT

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The *Local Government Act 2020* provides for Council to delegate a power, duty or function of Council to a member of Council staff.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and it aligns with Council's Delegations Policy.

## **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

## **RESOURCES AND STAFF IMPACT**

Upon notification of the legislative changes, all relevant staff were consulted and have contributed to any necessary updates of these Instruments of Delegation. Following adoption, our processes ensure that all staff with altered or new delegations are notified including updating of Council processes and procedures as required.

## **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENGAGEMENT IMPACT**

The Instruments of Delegation contained within the report have been prepared in consultation with appropriate business units at Council.

## **RISK MANAGEMENT IMPACT**

The utilisation of Instruments of Delegation and Sub-Delegation allow for the provision of powers to be allocated to relevant personnel to allow them to carry out various duties and actions as an extension of Council.



**Changes to the S6 Instrument of Delegation, Council to other Members of Council staff (S6)**

- The following changes have been made to the S6:
  - 2.1. Reference to 'delivery of memorial' has been removed from s 181 of the *Planning and Environment Act 1987*.

**AMENDED**

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181	Duty to apply to the Registrar of Titles to record the agreement <del>and to deliver a memorial to Registrar-General</del>	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	

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



**WELLINGTON**  
SHIRE COUNCIL  
*The Heart of Gippsland*

**Instrument of Delegation**

**to**

**Members of Council Staff**



## Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
  - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 5 September 2023; and
  - 2.2 the delegation:
    - 2.2.1 remains in force until varied or revoked;
    - 2.2.2 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule; and
    - 2.2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
    - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
    - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
      - (a) policy; or
      - (b) strategy
 adopted by Council;
    - 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
    - 2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.



Signed by the Chief Executive Officer or Council )  
in the presence of: )

.....  
**Witness name:**

**DAVID MORCOM**  
**Chief Executive Officer**  
**Wellington Shire Council**

.....

Date: ..... / ..... / 2023



**INDEX**

<b>CEMETERIES AND CREMATORIA ACT 2003</b>	<b>1</b>
<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b>	<b>11</b>
<b>DOMESTIC ANIMALS ACT 1994</b>	<b>15</b>
<b>FOOD ACT 1984</b>	<b>16</b>
<b>HERITAGE ACT 2017</b>	<b>30</b>
<b>LOCAL GOVERNMENT ACT 1989</b>	<b>31</b>
<b>PLANNING AND ENVIRONMENT ACT 1987</b>	<b>32</b>
<b>PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016</b>	<b>162</b>
<b>PLANNING AND ENVIRONMENT REGULATIONS 2015</b>	<b>163</b>
<b>RESIDENTIAL TENANCIES ACT 1997</b>	<b>166</b>
<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020</b>	<b>169</b>
<b>ROAD MANAGEMENT ACT 2004</b>	<b>178</b>
<b>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</b>	<b>193</b>
<b>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</b>	<b>195</b>



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	N/A	
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	N/A	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its functions	N/A	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	N/A	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions	N/A	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	N/A	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	N/A	
s 15(4)	Duty to keep records of delegations	N/A	
s 17(1)	Power to employ any persons necessary	N/A	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	N/A	
s 17(3)	Power to determine the terms and conditions of employment or engagement	N/A	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	N/A	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	N/A	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	N/A	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	N/A	Where Council is a Class A cemetery trust





CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	N/A	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	N/A	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	N/A	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	N/A	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	N/A	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	N/A	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	N/A	Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	N/A	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	N/A	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	N/A	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	N/A	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	N/A	Where Council is a Class A cemetery trust



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	N/A	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	N/A	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	N/A	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	N/A	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year	N/A	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	N/A	
s 20(1)	Duty to set aside areas for the interment of human remains	N/A	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	N/A	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	N/A	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	N/A	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	N/A	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	N/A	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	N/A	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	N/A	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	N/A	



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	N/A	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	N/A	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	N/A	
s 60(2)	Power to charge fees for providing information	N/A	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	N/A	
s 64B(d)	Power to permit interments at a reopened cemetery	N/A	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	N/A	The application must include the requirements listed in s 66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	N/A	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	N/A	
s 70(2)	Duty to make plans of existing place of interment available to the public	N/A	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	N/A	
s 71(2)	Power to dispose of any memorial or other structure removed	N/A	
s 72(2)	Duty to comply with request received under s 72	N/A	
s 73(1)	Power to grant a right of interment	N/A	
s 73(2)	Power to impose conditions on the right of interment	N/A	
s 74(3)	Duty to offer a perpetual right of interment	N/A	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	N/A	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	N/A	



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	N/A	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	N/A	
s 80(2)	Function of recording transfer of right of interment	N/A	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	N/A	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	N/A	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	N/A	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	N/A	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	N/A	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	N/A	
s 84I(4)	Power to exercise the rights of a holder of a right of internment	N/A	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	N/A	
s 84I(6)(a)	Power to remove any memorial on the place of interment	N/A	
s 84I(6)(b)	Power to grant right of interment under s 73	N/A	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	N/A	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	N/A	Does not apply where right of internment relates to remains of a deceased veteran.



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; Remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	N/A	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	N/A	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	N/A	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	N/A	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	N/A	
s 86(4)	Power to take action under s 86(4) relating to removing and re-intering cremated human remains	N/A	
s 86(5)	Duty to provide notification before taking action under s 86(4)	N/A	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	N/A	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	N/A	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	N/A	
s 91(1)	Power to cancel a right of interment in accordance with s 91	N/A	
s 91(3)	Duty to publish notice of intention to cancel right of interment	N/A	



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	N/A	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	N/A	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	N/A	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	N/A	
s 100(1)	Power to require a person to remove memorials or places of interment	N/A	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	N/A	
s 100(3)	Power to recover costs of taking action under s 100(2)	N/A	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	N/A	
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	N/A	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	N/A	
s 103(1)	Power to require a person to remove a building for ceremonies	N/A	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	N/A	
s 103(3)	Power to recover costs of taking action under s 103(2)	N/A	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	N/A	



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 106(2)	Power to require the holder of the right of interment to provide for an examination	N/A	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	N/A	
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	N/A	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	N/A	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	N/A	
s 108	Power to recover costs and expenses	N/A	
s 109(1)(a)	Power to open, examine and repair a place of interment	N/A	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	N/A	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	N/A	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	N/A	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	N/A	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	N/A	



CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	N/A	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	N/A	
s 112	Power to sell and supply memorials	N/A	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	N/A	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	N/A	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	N/A	
s 119	Power to set terms and conditions for interment authorisations	N/A	
s 131	Function of receiving an application for cremation authorisation	N/A	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	N/A	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	N/A	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	N/A	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	N/A	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	N/A	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	N/A	
s 151	Function of receiving applications to inter or cremate body parts	N/A	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	N/A	





CEMETERIES AND CREMATORIA ACT 2003 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	N/A	
sch 1 cl 8(8)	Power to regulate own proceedings	N/A	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	N/A	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	N/A	Where Council is a Class A cemetery trust Subject to cl 8

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).



CEMETERIES AND CREMATORIA REGULATIONS 2015 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	N/A	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	N/A	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	N/A	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	N/A	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	N/A	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	N/A	
r 30(2)	Power to release cremated human remains to certain persons	N/A	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	N/A	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	N/A	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	N/A	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	N/A	



CEMETERIES AND CREMATORIA REGULATIONS 2015 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	N/A	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	N/A	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	N/A	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	N/A	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	N/A	
r 40	Power to approve a person to play sport within a public cemetery	N/A	
r 41(1)	Power to approve fishing and bathing within a public cemetery	N/A	
r 42(1)	Power to approve hunting within a public cemetery	N/A	
r 43	Power to approve camping within a public cemetery	N/A	
r 45(1)	Power to approve the removal of plants within a public cemetery	N/A	
r 46	Power to approve certain activities under the Regulation if satisfied of regulation (1)(a)-(c)	N/A	
r 47(3)	Power to approve the use of fire in a public cemetery	N/A	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	N/A	



CEMETERIES AND CREMATORIA REGULATIONS 2015 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	N/A	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	N/A	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	N/A	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	N/A	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	N/A	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	N/A	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	N/A	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	N/A	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	N/A	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	N/A	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	N/A	See note above regarding model rules



CEMETERIES AND CREMATORIA REGULATIONS 2015 ##			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	N/A	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	N/A	See note above regarding model rules

##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).



DOMESTIC ANIMALS ACT 1994			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	724   General Manager Development 198   Coordinator Local Laws 740   Manager Regulatory Services	Council may delegate this power to a Council authorised officer



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	If s 19(1) applies



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution





FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority  Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19N(2)	Function of receiving notice from the auditor	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
---	Power to register or renew the registration of a food premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 36A	Power to accept an application for registration or notification using online portal	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 38A(4)	Power to request a copy of a completed food safety program template	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 38E(4)	Duty to register the food premises when conditions are satisfied	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority





FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a food premises despite minor defects	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority  Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 40E	Duty to comply with direction of the Secretary	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	
s 40F	Power to cancel registration of food premises	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 43	Duty to maintain records of registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority
s 45AC	Power to bring proceedings	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	
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	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer	Where Council is the registration authority



HERITAGE ACT 2017			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Must first obtain Executive Director's written consent  Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation



LOCAL GOVERNMENT ACT 1989			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	1   Chief Executive Officer <sup>1</sup>	

---

<sup>1</sup> The only member of staff who can be a delegate in Column 3 is the CEO.



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 41(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 8A(5)	Function of receiving notice of the Minister's decision	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 524   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 552   Senior Statutory Planner 22   Environmental Planner 499   Compliance Officer 907   Principal Planner	
s 12B(1)	Duty to review planning scheme	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 12B(2)	Duty to review planning scheme at direction of Minister	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		524   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 552   Senior Statutory Planner 22   Environmental Planner 499   Compliance Officer 907   Principal Planner	
s 17(1)	Duty of giving copy amendment to the planning scheme	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 17(2)	Duty of giving copy s 173 agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 951   Senior Strategic Planner 656   Strategic Planner 706   Strategic Planner	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	Until the end of 2 months after the amendment comes into operation or lapses



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 21A(4)	Duty to publish notice	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 746   Major Land Use Planning Project Coordinator 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 746   Major Land Use Planning Project Coordinator 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 28(1)	Duty to notify the Minister if abandoning an amendment	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 30(4)(a)	Duty to say if amendment has lapsed	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 30(4)(b)	Duty to provide information in writing upon request	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 32(2)	Duty to give more notice if required	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 33(1)	Duty to give more notice of changes to an amendment	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 36(2)	Duty to give notice of approval of amendment	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 38(5)	Duty to give notice of revocation of an amendment	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 40(1)	Function of lodging copy of approved amendment	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	N/A	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46AW	Function of being consulted by the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	22   Environmental Planner 142   Statutory Planner 499   Compliance Officer 524   Statutory Planner 552   Senior Statutory Planner 573   Coordinator Statutory Planning 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner	Where Council is a responsible public entity



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 541   Statutory Planner	
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GP	Function of receiving a notice under s 46GO	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	Where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 907   Principal Planner	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 907   Principal Planner	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	142   Statutory Planner 22   Environmental Planner 524   Statutory Planner 552   Senior Statutory Planner 573   Coordinator Statutory Planning 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner	Where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 541   Statutory Planner	
s 46GV(3)(b)	Power to enter into an agreement with the applicant	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner	Where Council is the development agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner	Where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning	Where Council is the collecting agency





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GY(1)	Duty to keep proper and separate accounts and records	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning	Where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GZ(2)(a)	Function of receiving the monetary component	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GZ(2)(b)	Function of receiving the monetary component	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning	Where Council is the collecting agency under an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning	Where Council is the development agency specified in the approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is the collecting agency under an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4)  Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GZA(1)	Duty to keep proper and separate accounts and records	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner	Where Council is a development agency under an approved infrastructure contributions plan





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	If the VPA is the collecting agency under an approved infrastructure contributions plan  Where Council is a development agency under an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	552   Senior Statutory Planner 640   Coordinator Strategic Planning 724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the development agency under an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GZF(3)	Function of receiving proceeds of sale	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 552   Senior Statutory Planner 640   Coordinator Strategic Planning 907   Principal Planner	Where Council is the collecting agency under an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 640   Coordinator Strategic Planning 573   Coordinator Statutory Planning 907   Principal Planner	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46Q(1)	Duty to keep proper accounts of levies paid	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 907   Principal Planner	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 907   Principal Planner	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Must be done in accordance with Part 3





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46Q(4)(e)	Duty to expend that amount on other works etc.	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 723   General Manager Corporate Services 420   Manager Corporate Finance	
s 46QD	Duty to prepare report and give a report to the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	N/A	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	N/A	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	N/A	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	N/A	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	N/A	
s 47	Power to decide that an application for a planning permit does not comply with that Act	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 50(4)	Duty to amend application	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 50(5)	Power to refuse to amend application	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 50(6)	Duty to make note of amendment to application in register	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 50A(1)	Power to make amendment to application	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 50A(4)	Duty to note amendment to application in register	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 52(3)	Power to give any further notice of an application where appropriate	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 54(1)	Power to require the applicant to provide more information	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 54(1B)	Duty to specify the lapse date for an application	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 57A(5)	Power to refuse to amend application	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 57A(6)	Duty to note amendments to application in register	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 57B(1)	Duty to determine whether and to whom notice should be given	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 57C(1)	Duty to give copy of amended application to referral authority	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 58	Duty to consider every application for a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 58A	Power to request advice from the Planning Application Committee	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 60	Duty to consider certain matters	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 60(1A)	Duty to consider certain matters	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 62(1)	Duty to include certain conditions in deciding to grant a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 62(2)	Power to include other conditions	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	This provision applies also to a decision to grant an amendment to a permit – see s 75



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 64(3)	Duty not to issue a permit until after the specified period	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	This provision applies also to a decision to grant an amendment to a permit – see s 75



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 69(1)	Function of receiving application for extension of time of permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 69(1A)	Function of receiving application for extension of time to complete development	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 69(2)	Power to extend time	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 70	Duty to make copy permit available in accordance with public availability requirements	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 71(1)	Power to correct certain mistakes	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 71(2)	Duty to note corrections in register	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 73	Power to decide to grant amendment subject to conditions	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 74	Duty to issue amended permit to applicant if no objectors	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 83	Function of being respondent to an appeal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 83B	Duty to give or publish notice of application for review	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 84AB	Power to agree to confining a review by the Tribunal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 499   Compliance Officer 907   Principal Planner 541   Statutory Planner	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 91(2)	Duty to comply with the directions of VCAT	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 93(2)	Duty to give notice of VCAT order to stop development	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 95(3)	Function of referring certain applications to the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 95(4)	Duty to comply with an order or direction	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 96F	Duty to consider the panel's report under s 96E	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	142   Statutory Planner 524   Statutory Planner 541   Statutory Planner 552   Senior Statutory Planner 573   Coordinator Statutory Planning 640   Coordinator Strategic Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		656   Strategic Planner 706   Strategic Planner 724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner	
s 96H(3)	Power to give notice in compliance with Minister's direction	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 96J	Duty to issue permit as directed by the Minister	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 541   Statutory Planner	
s 97C	Power to request Minister to decide the application	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 97L	Duty to include Ministerial decisions in a register kept under s 49	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	1   Chief Executive Officer	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	1   Chief Executive Officer	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		142   Statutory Planner 22   Environmental Planner 907   Principal Planner	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 97Q(4)	Duty to comply with directions of VCAT	724   General Manager Development	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	724   General Manager Development 730   Manager Land Use Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 101	Function of receiving claim for expenses in conjunction with claim	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 103	Power to reject a claim for compensation in certain circumstances	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 107(1)	Function of receiving claim for compensation	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 107(3)	Power to agree to extend time for making claim	724   General Manager Development 730   Manager Land Use Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	
s 114(1)	Power to apply to the VCAT for an enforcement order	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	724   General Manager Development 730   Manager Land Use Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 123(1)	Power to carry out work required by enforcement order and recover costs	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	724   General Manager Development	Except Crown Land
s 129	Function of recovering penalties	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 130(5)	Power to allow person served with an infringement notice further time	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 149A(1)	Power to refer a matter to the VCAT for determination	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		142   Statutory Planner 499   Compliance Officer 907   Principal Planner	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	573   Coordinator Statutory Planning 640   Coordinator Strategic Planning 724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 22   Environmental Planner 907   Principal Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 171(2)(g)	Power to grant and reserve easements	724   General Manager Development 730   Manager Land Use Planning 746   Major Land Use Planning Project Coordinator 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 541   Statutory Planner 524   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 22   Environmental Planner 907   Principal Planner	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is a collecting agency specified in an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	1   Chief Executive Officer	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	1   Chief Executive Officer	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 573   Coordinator Statutory Planning 22   Environmental Planner 142   Statutory Planner 524   Statutory Planner 541   Statutory Planner	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 573   Coordinator Statutory Planning 22   Environmental Planner 142   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		524   Statutory Planner 541   Statutory Planner	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 178A(1)	Function of receiving application to amend or end an agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178A(5)	Power to propose to amend or end an agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 178C(4)	Function of determining how to give notice under s 178C(2)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	724   General Manager Development 730   Manager Land Use Planning	If no objections are made under s 178D Must consider matters in s 178B



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning	If no objections are made under s 178D Must consider matters in s 178B





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner	After considering objections, submissions and matters in s 178B



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner	After considering objections, submissions and matters in s 178B



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		907   Principal Planner 541   Statutory Planner	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 181	Duty to apply to the Registrar of Titles to record the agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 182	Power to enforce an agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		22   Environmental Planner 499   Compliance Officer 907   Principal Planner 541   Statutory Planner	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		541   Statutory Planner	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 184G(2)	Duty to comply with a direction of the Tribunal	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 184G(3)	Duty to give notice as directed by the Tribunal	724   General Manager Development 730   Manager Land Use Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 907   Principal Planner 541   Statutory Planner	
s 198(1)	Function to receive application for planning certificate	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 199(1)	Duty to give planning certificate to applicant	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 201(1)	Function of receiving application for declaration of underlying zoning	142   Statutory Planner 22   Environmental Planner 524   Statutory Planner 552   Senior Statutory Planner 573   Coordinator Statutory Planning 724   General Manager Development 730   Manager Land Use Planning	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		971   Major Projects and Principal Strategic Planner 907   Principal Planner 541   Statutory Planner	
s 201(3)	Duty to make declaration	142   Statutory Planner 22   Environmental Planner 524   Statutory Planner 552   Senior Statutory Planner 573   Coordinator Statutory Planning 724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 541   Statutory Planner	
-	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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 573   Coordinator Statutory Planning 22   Environmental Planner 142   Statutory Planner 524   Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		541   Statutory Planner	
	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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 573   Coordinator Statutory Planning 22   Environmental Planner 552   Senior Statutory Planner 142   Statutory Planner 524   Statutory Planner 541   Statutory Planner	
	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	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 573   Coordinator Statutory Planning 22   Environmental Planner 552   Senior Statutory Planner 142   Statutory Planner 524   Statutory Planner 541   Statutory Planner	
-	Power to give written authorisation in accordance with a provision of a planning scheme	724   General Manager Development	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 573   Coordinator Statutory Planning 22   Environmental Planner 552   Senior Statutory Planner 142   Statutory Planner 524   Statutory Planner 541   Statutory Planner	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		524   Statutory Planner 541   Statutory Planner 142   Statutory Planner 907   Principal Planner	





PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 907   Principal Planner	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 907   Principal Planner	



PLANNING AND ENVIRONMENT REGULATIONS 2015			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	1   Chief Executive Officer	Where Council is not the planning authority and the amendment affects land within its municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	142   Statutory Planner 22   Environmental Planner 524   Statutory Planner 552   Senior Statutory Planner 573   Coordinator Statutory Planning 724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 907   Principal Planner 541   Statutory Planner	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner	Where Council is the responsible authority



PLANNING AND ENVIRONMENT REGULATIONS 2015			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
		22   Environmental Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner 541   Statutory Planner	
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 22   Environmental Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner 541   Statutory Planner	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	724   General Manager Development 730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or



PLANNING AND ENVIRONMENT REGULATIONS 2015			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS AND LIMITATIONS
		573   Coordinator Statutory Planning 552   Senior Statutory Planner 524   Statutory Planner 142   Statutory Planner 640   Coordinator Strategic Planning 656   Strategic Planner 706   Strategic Planner 907   Principal Planner 541   Statutory Planner	Where the amendment will amend the planning scheme to designate Council as an acquiring authority.



RESIDENTIAL TENANCIES ACT 1997			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	724   General Manager Development 144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
s 522(1)	Power to give a compliance notice to a person	724   General Manager Development 144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	724   General Manager Development 144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES ACT 1997			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 525(4)	Duty to issue identity card to authorised officers	730   Manager Land Use Planning 971   Major Projects and Principal Strategic Planner 421   Manager People and Capability 965   Coordinator Governance and Council Business 967   Governance and Council Business Officer	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	724   General Manager Development 144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
s 526A(3)	Function of receiving report of inspection	724   General Manager Development 144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES ACT 1997			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	724   General Manager Development 144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 10	Function of receiving application for registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 11	Function of receiving application for renewal of registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer	





RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		830   Environmental Health Officer 740   Manager Regulatory Services	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 12(4) & (5)	Duty to issue certificate of registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 14(1)	Function of receiving notice of transfer of ownership	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 14(3)	Power to determine where notice of transfer is displayed	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		830   Environmental Health Officer 740   Manager Regulatory Services	
r 15(1)	Duty to transfer registration to new caravan park owner	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 15(2)	Duty to issue a certificate of transfer of registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 17	Duty to keep register of caravan parks	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 18(4)	Power to determine where the emergency contact person's details are displayed	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 18(6)	Power to determine where certain information is displayed	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 22(2)	Duty to consult with relevant emergency services agencies	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
		830   Environmental Health Officer 740   Manager Regulatory Services	
r 25(3)	Duty to consult with relevant floodplain management authority	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 26	Duty to have regard to any report of the relevant fire authority	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 41(4)	Function of receiving installation certificate	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	144   Coordinator Environmental Health 145   Environmental Health Officer 146   Environmental Health Officer 559   Environmental Health Officer 830   Environmental Health Officer 740   Manager Regulatory Services	





ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 489   Manager Assets & Projects	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 489   Manager Assets & Projects	
s 11(9)(b)	Duty to advise Registrar	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 489   Manager Assets & Projects	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 733   Manager Built Environment 489   Manager Assets & Projects	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 733   Manager Built Environment 489   Manager Assets & Projects	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 733   Manager Built Environment 489   Manager Assets & Projects	Where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 733   Manager Built Environment 489   Manager Assets & Projects	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 733   Manager Built Environment 489   Manager Assets & Projects	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	725   General Manager Built & Natural Environment 433   Coordinator Asset Management 733   Manager Built Environment 489   Manager Assets & Projects	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	725   General Manager Built & Natural Environment 733   Manager Built Environment 489   Manager Assets & Projects 433   Coordinator Asset Management	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 433   Coordinator Asset Management 733   Manager Built Environment	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



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 433   Coordinator Asset Management 733   Manager Built Environment	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	433   Coordinator Asset Management 489   Manager Assets & Projects 725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	489   Manager Assets & Projects 725   General Manager Built & Natural Environment	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 433   Coordinator Asset Management	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 733   Manager Built Environment	
s 15(2)	Duty to include details of arrangement in public roads register	733   Manager Built Environment 617   Coordinator Road Planning	
s 16(7)	Power to enter into an arrangement under s 15	725   General Manager Built & Natural Environment	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 16(8)	Duty to enter details of determination in public roads register	733   Manager Built Environment 617   Coordinator Road Planning	
s 17(2)	Duty to register public road in public roads register	733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	733   Manager Built Environment 617   Coordinator Road Planning	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 19(4)	Duty to specify details of discontinuance in public roads register	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 36   Coordinator Infrastructure Development 733   Manager Built Environment	
s 19(5)	Duty to ensure public roads register is available for public inspection	733   Manager Built Environment 617   Coordinator Road Planning	
s 21	Function of replying to request for information or advice	725   General Manager Built & Natural Environment 733   Manager Built Environment	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 22(5)	Duty to give effect to a direction under s 22	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 40(1)	Duty to inspect, maintain and repair a public road	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	725   General Manager Built & Natural Environment 733   Manager Built Environment 489   Manager Assets & Projects	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 42(1)	Power to declare a public road as a controlled access road	725   General Manager Built & Natural Environment 733   Manager Built Environment	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	725   General Manager Built & Natural Environment 733   Manager Built Environment	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 49	Power to develop and publish a road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 51	Power to determine standards by incorporating the standards in a road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 54(2)	Duty to give notice of proposal to make a road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 54(6)	Power to amend road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 54(7)	Duty to incorporate the amendments into the road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 63(1)	Power to consent to conduct of works on road	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	724   General Manager Development 198   Coordinator Local Laws 740   Manager Regulatory Services	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	724   General Manager Development 198   Coordinator Local Laws 740   Manager Regulatory Services	Where Council is the coordinating road authority
s 67(3)	Power to request information	724   General Manager Development 198   Coordinator Local Laws 740   Manager Regulatory Services	Where Council is the coordinating road authority
s 68(2)	Power to request information	724   General Manager Development 198   Coordinator Local Laws 740   Manager Regulatory Services	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	1   Chief Executive Officer	
s 72	Duty to issue an identity card to each authorised officer	1   Chief Executive Officer	





ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 85	Function of receiving report from authorised officer	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 86	Duty to keep register re s 85 matters	1   Chief Executive Officer	
s 87(1)	Function of receiving complaints	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
s 87(2)	Duty to investigate complaint and provide report	1   Chief Executive Officer	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	1   Chief Executive Officer	
s 112(2)	Power to recover damages in court	725   General Manager Built & Natural Environment 733   Manager Built Environment	
s 116	Power to cause or carry out inspection	725   General Manager Built & Natural Environment 733   Manager Built Environment 661   Built Environment Planning Systems Officer 617   Coordinator Road Planning	
s 119(2)	Function of consulting with the Head, Transport for Victoria	1   Chief Executive Officer	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	439   Manager Natural Environment & Parks 489   Manager Assets & Projects 725   General Manager Built & Natural Environment	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	36   Coordinator Infrastructure Development 617   Coordinator Road Planning	
s 121(1)	Power to enter into an agreement in respect of works	725   General Manager Built & Natural Environment 733   Manager Built Environment 489   Manager Assets & Projects	
s 122(1)	Power to charge and recover fees	1   Chief Executive Officer	
s 123(1)	Power to charge for any service	1   Chief Executive Officer	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	1   Chief Executive Officer	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	1   Chief Executive Officer	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	1   Chief Executive Officer	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	1   Chief Executive Officer	
sch 2 cl 5	Duty to publish notice of declaration	1   Chief Executive Officer	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the infrastructure manager or works manager



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
	infrastructure or related works on a road or road reserve of any road		
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
sch 7 cl 16(4)	Duty to consult	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
sch 7 cl 18(1)	Power to enter into an agreement	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 36   Coordinator Infrastructure Development 733   Manager Built Environment 617   Coordinator Road Planning	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 36   Coordinator Infrastructure Development 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 36   Coordinator Infrastructure Development 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	725   General Manager Built & Natural Environment 489   Manager Assets & Projects 36   Coordinator Infrastructure Development 733   Manager Built Environment 617   Coordinator Road Planning	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)



ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment	
r 9(2)	Duty to produce written report of review of road management plan and make report available	725   General Manager Built & Natural Environment 733   Manager Built Environment	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	725   General Manager Built & Natural Environment 733   Manager Built Environment	
r 13(1)	Duty to publish notice of amendments to road management plan	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	
r 16(3)	Power to issue permit	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority





ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 23(2)	Power to make submission to Tribunal	725   General Manager Built & Natural Environment 733   Manager Built Environment 489   Manager Assets & Projects	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	725   General Manager Built & Natural Environment 733   Manager Built Environment 617   Coordinator Road Planning 36   Coordinator Infrastructure Development	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	198   Coordinator Local Laws 724   General Manager Development 740   Manager Regulatory Services	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	725   General Manager Built & Natural Environment 733   Manager Built Environment	



ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
PROVISION	THING DELEGATED	POSITION CODE & NAME	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	725   General Manager Built & Natural Environment 733   Manager Built Environment	Where Council is the coordinating road authority

## 14. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

### 14.1. PLACE NAMES COMMITTEE MINUTES

#### ACTION OFFICER: MANAGER ASSETS AND PROJECTS

#### PURPOSE

The purpose of this report is for Council to receive the minutes of the Place Names Committee meeting held on 8 August 2023 and to consider the recommendations from that meeting.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

*That:*

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 8 August 2023.**
- 2. The following names be listed on the Council Approved Names Register:**
  - i) Webb (Sale) – in recognition of Gwen Webb OAM, who was the inaugural director of Sale Regional Art Centre and for her services to the arts community; and**
  - ii) Widdis (Nambrok, Rosedale) – in recognition of Edith Widdis, who became the first woman and Gippslander to own a Melbourne Cup winner, Patrobas.**
- 3. The names Anson Court, Beaufighter Court and Cullen Way be approved for the subdivision at 76 Tyson Road, Heyfield.**
- 4. The name Breheny, in recognition of Michael Breheny Jr. who served as Sale Councillor from 1912 to 1927 and managed a brewery in Sale for 35 years, be added to the Council Approved Names Register.**

#### BACKGROUND

The Place Names Committee is an advisory committee of Council that meets quarterly to make recommendations to Council on geographical place name issues.

#### ATTACHMENTS

1. Place Names Committee - 8 August 2023 - Minutes of Meeting [14.1.1 - 30 pages]

#### OPTIONS

Council has the following options available:

1. To receive the minutes of the Place Names Committee and consider the recommendations; or

2. Not to receive the minutes of the Place Names Committee and consider the recommendations and seek further information for consideration at a future meeting.

## **PROPOSAL**

That:

1. Council receive and note the minutes of the Place Names Committee meeting held on 8 August 2023.
2. The following names be listed on the Council Approved Names Register:
  - i) Webb (Sale) – in recognition of Gwen Webb OAM, who was the inaugural director of Sale Regional Art Centre, for her services to the arts community; and
  - ii) Widdis (Nambrok, Rosedale) – in recognition of Edith Widdis, who became the first woman and Gippslander to own a Melbourne Cup winner, Patrobas.
3. The names Anson Court, Beaufighter Court and Cullen Way be approved for the subdivision at 76 Tyson Road, Heyfield.
4. The name Breheny, in recognition of Michael Breheny Jr. who served as Sale Councillor from 1912 to 1927 and managed a brewery in Sale for 35 years, be added to the Council Approved Names Register.

## **CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

## **FINANCIAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The Local Government Act provides Council the power to approve, assign or change the name of a road, but in doing so Council must act in accordance with the guidelines provided under the *Geographical Place Names Act 1998*.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN IMPACT**

The Council Plan 2021-25 Theme 3 “Liveability and Wellbeing” states the following strategic outcome:

**Strategic Outcome 3.2: "An actively engaged community."**

This report supports the above Council Plan strategic outcome.

**RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

**COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

**ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

**ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

**RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.



**PLACE NAMES COMMITTEE MEETING  
8 AUGUST 2023 AT 1:00 PM  
MACALISTER RIVER ROOM / TEAMS  
MINUTES**

---

**ATTENDEES:**

Councillor Scott Rossetti (Chair)  
Councillor Carolyn Crossley  
Dean Morahan (Manager Assets & Projects)  
Sandra Rech (Coordinator Asset Management)  
James Blythe (GIS Officer)

**APOLOGIES:** Councillor Gayle Maher

**MEETING OPENED:** 1:00 p.m.

**CONFLICT OF INTEREST:** Nil

**1.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**

It was moved:  
Cr Crossley / Cr Rossetti

That the minutes of the previous Place Names Committee meeting on 9 May 2023 be accepted.

**CARRIED**

**2.0 CURRENT ISSUES**

**2.1 Recognition of indigenous females**

The names of three indigenous women were nominated by a local historian. The names have been forwarded to Gunaikurnai Land and Waters Aboriginal Corporation for endorsement.

**Parley** – one of two wives of Thomas Bungelene. Imprisoned with the rest of his family in Dandenong Police Paddocks. In June 1848 she and her two young sons were separated from the family, to the Merri Creek Orphanage.

**Mumbalk** (died 5 August 1848) – one of two wives of Thomas Bungelene. Died in captivity during imprisonment of Bungelene and his family in the search for the White Woman.

Bessie **Cameron** nee **Flower** (1851-1895) Aboriginal educator at Ramahyuck.

Refer to Attachment 2.1.

A response has not been received however a naming committee comprised of Elders is being established by GLAWAC and this matter is expected to be considered by them.

## **2.2 Proposed road names for subdivision PS904015 off Mill Lane, Rosedale**

The following road names are proposed by the developer for a subdivision off Mill Lane, Rosedale:

- Angus Place;
- Edith Street;
- Rhys Crescent;

The developer has been asked to provide background information on the names to ensure that they meet 'Principle H - Using Commemorative Names' of the Naming Rules for places in Victoria.

Furthermore, confirmation is sought as to whether the roads designated as Street and Crescent will eventually be open-ended roads in future stages of subdivision.

It should be noted that the use of first names in road naming is now permitted under the revised naming rules although last name is still preferred.

Refer to Attachment 2.2 for the plan of subdivision.

No response has been received from the developer to date.

## **2.3 Naming of unnamed road off Swing Bridge Drive, Sale**

Sale Field and Game Association Inc has requested that the unnamed road off Swing Bridge Drive, Sale, be named so that a street number can be assigned to a property for identification in the event of emergency.

Sale Field and Game Association Inc was invited to propose names but it instead suggested that Sale Rotary Club be contacted for names due to their involvement in the upgrade/maintenance of the unnamed road.

Sale Rotary Club was contacted for naming suggestions and the name 'Heart Morass Lane' was proposed, on the basis that the road provides direct access to the southern side of the Sale Common (contiguous with the Heart Morass) and is the main access to the Heart Morass managed by Field and Game Inc.

Furthermore, historian and author Patrick Morgan in "The Settling of Gippsland " writes that the Heart took its name from three meanings including being the central area between the Latrobe and Avon Rivers. The Morass (or marsh) takes its name from the adjacent Heart

squatting run which evolved with closer settlement and subdivision, in 1856, into a distinct farming area.

The name Heart Morass Lane will not meet the duplicate name rule and therefore will not be accepted by Geographic Names Victoria.

It was moved at the 10 May 2022 Place Names Committee meeting that this item remains open.

It was moved at the 9 August 2022 Place Names Committee meeting that the Sale Rotary Club be informed that Heart Morass Lane is an unsuitable name as it does not meet the duplicate name rule and be asked for new naming suggestions.

Sale Rotary Club were notified of the outcome and encouraged to propose another name. As an option, they were provided with a list of birds of the Sale Common Wetlands to select from but declined to have any further involvement in the naming.

The proposed naming was referred back to Sale Field and Game Association. The following names were submitted with Eliza Ball Lane the preferred name:

- Waterhen Track
- Latrobe Lane
- Bridge Keepers Lane
- Williamson Lane - recognises Hugh Williamson, whose foundation has provided the majority of funding for the purchase of Heart Morass property.
- George Bailey Lane - recognises the first bridge keeper of the Swing Bridge.
- Tom Kivilghan Lane - recognises the last bridge keeper of the Swing Bridge.
- Eliza Ball Lane - recognises the only female bridge keeper of the Swing Bridge.

Duplicate name checks were conducted in VicNames.

It was moved at the 8 November 2022 Place Names Committee meeting that:

- Due to duplicate names in the area, in-principle support be sought from Geographic Names Victoria for the unnamed road off Swing Bridge Drive, Sale, to be named Eliza Ball Lane or if rejected then Ball Lane, in recognition of the only female bridge keeper of the Swing Bridge; and
- If endorsed, the proposed name be advertised and if no negative response is received within 30 days, then apply to the Registrar of Geographic Names to formalise these names.

Geographic Names Victoria advised that only the first name or surname can be used in naming roads, but not both. The name Eliza Ball Lane was rejected and approval was given for the names Eliza Lane and Ball Lane.

It was moved at the 14 February 2023 Place Names Committee meeting that:

- the unnamed road off Swing Bridge Drive, Sale, be named Eliza Lane in recognition of the only female bridge keeper of the Swing Bridge; and
- the proposed name be advertised and if no negative response is received within 30 days, then apply to the Registrar of Geographic Names to formalise the name.

Council ratified the above recommendation at its meeting on 21 March 2023.

Eliza Lane was advertised and two submissions were received, one for and one against. The Committee considered the submissions and upheld the recommendation to name the



unnamed road Eliza Lane on the basis of historical significance and recognising more women in place naming.

It was moved at the 9 May 2023 Place Names Committee meeting that:

- having considered both submissions that the submitters be thanked for their contributions; and
- the unnamed road off Swing Bridge Drive, Sale be named Eliza Lane on the basis of historical significance in being the only female bridge keeper in Victoria and recognising more women in place naming; and
- Eliza Lane be submitted to the Registrar of Geographic Names for registration and gazettal.

The above recommendations were approved at the Council meeting on 20 June 2023.

Both submitters were contacted. The naming proposal was submitted to Geographic Names Victoria and Eliza Lane will be gazetted on 10 August 2023.

**It was moved:**

**Cr Crossley / Cr Rossetti**

**That this item be closed.**

**CARRIED**

## **2.4 Proposal to name Gallery 1 at Gippsland Art Gallery, John Leslie Gallery**

The Director of Gippsland Art Gallery has put forward a proposal to name Gallery 1 in honour of the gallery's patron, John Leslie OBE.

Edited excerpt of biography by Brian Castles:

*John Leslie was born and raised in Sale, a third generation resident. John is the only individual to be awarded the Keys to the City of Sale in recognition of his significant contribution to civic life and his generous philanthropy.*

*John joined Apex and Rotary and was elected to Council in 1958, serving as Mayor three times until 1967. When a movement to establish an Art Gallery in Sale began, John as Mayor led it to fruition and donated the first group of art works for the collection.*

*His influence reached beyond Sale when he was chosen by the Premier Sir Rupert Hamer to join his Arts Advisory Council and John chaired three State-wide Arts Festivals beginning in 1975.*

*John set up a Foundation to maximise his contribution and leveraged any further support required to make projects viable. Through his generosity, Sale gained an elderly citizens village, sporting complexes, nature trails, a theatre, sound shell, and many other facilities too numerous to mention.*

*In 2000 John instigated the bi-annual John Leslie Art Prize to raise the profile of the Gallery and provide acquisitions for the collection. He continued to be the major benefactor to the collection and this was recognised when he was made the Patron of the Gippsland Art Gallery.*

*His donation of \$1.55 million to the Port of Sale Project made the project possible and it will remain a monument to his passion for Sale. His patronage continues through the John Leslie Foundation.*

Note: the theatre at The Wedge is currently named after John Leslie.

Refer to Attachment 2.4.

It was moved at the 14 February 2023 and 9 May 2023 Place Names Committee meetings that this item be held over to allow for further discussion.

As an informal naming request, the proposal is to be referred back to Director Gippsland Art Gallery and Gippsland Art Gallery Committee for resolution.

**It was moved:  
Cr Crossley / Cr Rossetti**

**That this item be closed.**

**CARRIED**

**2.5 Request to name a street in Sale in recognition of Prestney family**

A request has been received to consider naming a street Prestney Drive in the Cobains estate in Sale after the Prestney family.

Kevin Prestney is the only remaining original family member who is involved in Prestney Bros Motors, originally established in 1922 as Sale Motor Garage, the pioneer Ford dealership.

Prestney Bros has been a prominent fixture in the town and in addition to its commitment to the auto industry, has provided employment to large numbers of the community over the years. The Prestney family has been involved in the community through participation in various church and sporting groups and charitable causes.

It was moved at the 9 May 2023 Place Names Committee meeting that the name Prestney, in recognition of the Prestney family's contribution to the auto industry and local community, be added to the Council Approved Names Register for the Sale area and that the proponent be notified.

The above recommendation was approved at the Council meeting on 20 June 2023. The proponent was notified and the name Prestney was added to the Council Approved Names Register.

**It was moved:  
Cr Crossley / Cr Rossetti**

**That this item be closed.**

**CARRIED**

**2.6 Proposed road name for subdivision PS913921 at 35 Lyons Street, Rosedale**

The following road name options are proposed by the developer for a road in a subdivision off Lyons St, Rosedale, with Poppets Lane being the preferred name:

- Poppets Lane: nickname referring to the developer's two young children;
- Royce Lane: to commemorate Royce Moncur (dec. 2014), who once owned all properties that the road services. Was a local farmer and primary school teacher for

40 years, working as a shared specialist teacher across small community schools across Gippsland;

- Cockatoo Close: reference to the local cockatoos that frequent the trees in the area.

Note that the naming rules only allow first or last names to be used in commemorative naming, not initials or nicknames.

It was moved at the 9 May 2023 Place Names Committee meeting that:

- the name Poppets not be approved for road naming as it does not comply with the naming rules; and
- the name Royce, in recognition of Royce Moncur's contribution to education across the Gippsland community, be added to the Council Approved Names Register for the Rosedale area; and
- the name Cockatoo, after a local bird species, be added to the Council Approved Names Register; and
- the proponent may select either Royce Lane or Cockatoo Close for the subdivision at 35 Lyons Street, Rosedale.

The above recommendation was approved at the Council meeting on 20 June 2023.

The names Cockatoo and Royce were added to the Council Approved Names Register. The developer was notified of the outcome and selected Royce Lane.

**It was moved:**

**Cr Crossley / Cr Rossetti**

**That this item be closed.**

**CARRIED**

## **2.7 Request to name a laneway in Sale in recognition of James Russell Mullens**

A request has been received to either name the private laneway off Cunninghame Street mall behind the Post Office, Jimmy "PO" Lane or consider installing signage and a placard referring to him acquiring the nickname "PO".

James Russell Mullens worked for Australia Post for 57 years. From 1970 to his retirement in 1994 he worked in the Gippsland area - 20 years in Sale and 4 years in Maffra.

An Aboriginal Elder thumbed the nickname 'PO', for which he would be known for the remainder of his career.

During his 30+ years in Sale, he was a member and advocate of Rotary for several years before serving as the secretary of the Sale Maffra Junior Cricket Association for 14 years. He passed away in 2018.

Note that the naming rules only allow first or last names to be used in commemorative naming, not initials or nicknames.

Refer to attachment 2.7.

It was moved at the 9 May 2023 Place Names Committee meeting that:

- the laneway off Cunninghame Street adjacent to the post office not be named as it is a private laneway; and

- the name Jimmy 'PO' not be approved for road naming as it does not comply with the naming rules; and
- with consent from the proponent's family, the name Mullens, in recognition of James (Jimmy 'PO') Russell Mullens for his contribution to postal services across the Sale and Maffra, be added to the Council Approved Names Register for the Sale area; and
- the proponent be notified of the decision.

The above recommendation was approved at the Council meeting on 20 June 2023.

The proponent was notified of the outcome and consent was sought to add the Mullens name to the Council Approved Names Register but no response has been received.

**It was moved:**  
**Cr Crossley / Cr Rossetti**

**That this item be closed.**

**CARRIED**

### **3.0 GENERAL BUSINESS**

#### **3.1 Proposal to commemorate Gwen Webb OAM and Edith Widdis in road naming**

A proposal has been put forward to Council to name roads in commemoration of Gwen Webb OAM and Edith Widdis.

(Following extract from *Gippsland Times*, published 30 November 2020)

Gwen Webb OAM was the Sale Regional Arts Centre inaugural director from 1976-1990. In her 15 years as director, Gwen formulated a collection focus on Gippsland and the natural environment, which remains in place today. Gwen achieved much during her time in the role, including promoting visual arts across the region, providing a platform for craft (especially textiles and woodwork), and bringing art to a wide audience. She fought tirelessly for the recognition of regional artists in the broader arts community, but it was Sale and more broadly Gippsland that benefitted most from Gwen's lifetime's work. In 1993 she was awarded an Order of Australia for her services to the community.

Edith Widdis was born in 1894 in Rosedale. She married William Coupar Leslie in 1916, in Sale. They were the parents of at least 2 sons. She died in 1964 in Sale, at the age of 70. Edith was grandmother of the late Sale arts patron and philanthropist John Leslie.

In 1915, Edith Widdis became the first woman to own a Melbourne Cup winner when her horse, Patrobas, won. Patrobas was the first and only Gippsland horse to win a Melbourne Cup and the first horse to win the Melbourne Cup, Caulfield Guineas and Derby in the same year.

Refer to Attachment 3.1.

**It was moved:**  
**Cr Crossley / Cr Rossetti**

**That that the following names be listed on the Council Approved Names Register:**

- **Webb (Sale) – in recognition of Gwen Webb OAM, who was the inaugural director of Sale Regional Art Centre, for her services to the arts community;**

- **Widdis (Nambrok, Rosedale) – in recognition of Edith Widdis, who became the first woman and Gippslander to own a Melbourne Cup winner, Patrobas.**

CARRIED

### **3.2 Proposed road names for subdivision PS905311 at 76 Tyson Road, Heyfield**

The following road names were selected by the developer from the Council Approved Names Register for a subdivision off 76 Tyson Road, Heyfield.

- Anson Court (similar names Anderson, Avon, Denison, Masons within 15km)
- Beaufighter Court (meets duplicate name rule)
- Cullen Way (meets duplicate name rule)

Should Anson Court not be approved as a result of not meeting the duplication rule, then Heyne Court (from the Council Approved Names Register, meets duplication rule) was selected as a backup name.

Refer to Attachment 3.2.

**It was moved:  
Cr Crossley / Cr Rossetti**

**That the names Anson Court, Beaufighter Court and Cullen Way be approved for the subdivision at 76 Tyson Road, Heyfield.**

CARRIED

### **3.3 Recognition of family name Breheny for Sale area**

A request has been received to name a street in Sale after the family name Breheny.

Michael Breheny Jr. was one of six brewing brothers and managed Breheny Bros. Gippsland Brewery on York Street, Sale for 35 years (1901-1936).

Michael Jr. was president of the Sale Football Club Magpies for 3 seasons (1906,1911,1912). He was also a Sale Councillor from 1912 to 1927.

Refer to Attachment 3.3.

**It was moved:  
Cr Crossley / Cr Rossetti**

**That the name Breheny, in recognition of Michael Breheny Jr. who served as Sale Councillor from 1912 to 1927 and managed a brewery in Sale for 35 years, be added to the Council Approved Names Register.**

CARRIED

### **3.4 Late Item – Indigenous names**

At the previous Place Names Committee meeting, Cr. Crossley presented a list of Gunai place names that could be used in future naming. The names were approved by a Gunaikurnai language expert.

Refer to Attachment 3.4.

**It was moved:  
Cr Crossley / Cr Rossetti**

**That the Place Names Committee write to GLaWAC seeking comment and approval to use the list of Gunai place names (verified by a Gunaikurnai language expert) relevant to Wellington Shire in future naming proposals and to enquire if there are any other names that they would like included on the Council Approved Names Register.**

**CARRIED**

**4.0 NEXT MEETING**

14 November 2023

**5.0 CLOSE**

Meeting closed at 1:20 p.m.

**Attachment for item 2.1**

From: [REDACTED]  
 Sent: Wednesday, 19 August 2020 12:31 PM  
 To: [REDACTED]  
 Subject: Putting her Name on it - Wellington - Indigenous

Hello [REDACTED],

Here is a formal nomination of three names for Indigenous Women. However I believe the first two at least should be subject to consultation with someone with speciality in 1840s Indigenous History. Possibly [REDACTED] may be the one to consult as to where that would be best sourced. I know [REDACTED] sourced their names from original documents, but I think it will still need some sort of corroboration / support.

So I am sending this in earlier than others, so that can commence.

[REDACTED]

---

**Names of Indigenous Women for consideration for recognition**

**Parley** – one of two wives of Bungelene. Imprisoned with the rest of his family in Dandenong Police Paddocks. June 1848 she and her two young sons were separated from the family, to the Merri Creek Orphanage.

**Mumbalk** (died 5 August 1848) – one of two wives of Thomas Bungelene – died in captivity during imprisonment of Bungelene and his family in the search for the White Woman.

Both the above should be referred to an appropriate Indigenous authority for a formal response as to their history and support for naming.

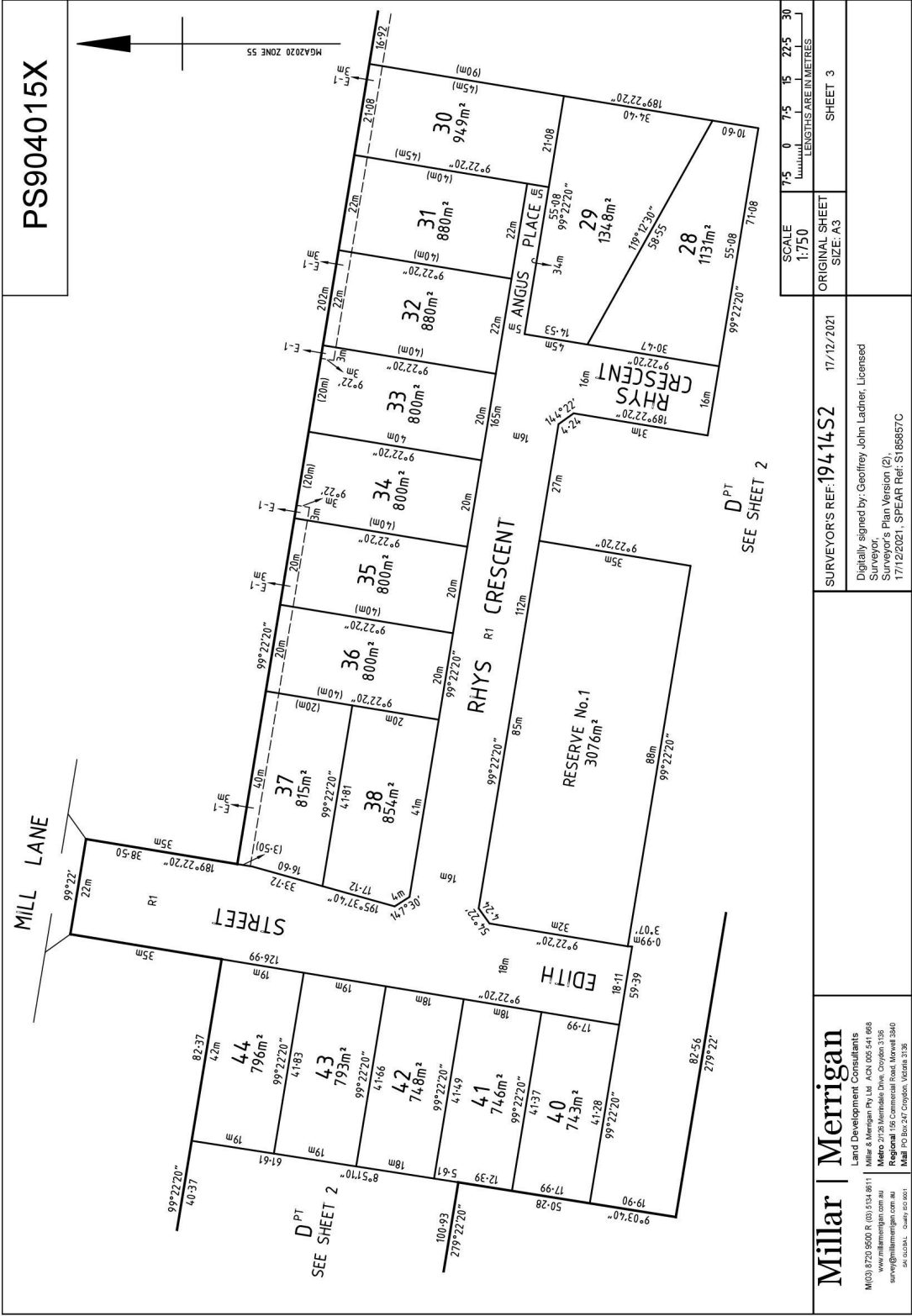
My source: Peter Gardner "Gippsland Biographies: Bungelene (died 1848)" in *Gippsland Heritage Journal* #10, June 1991, page 58. Primary sources are given there.

Bessie **Cameron** nee **Flower** (1851-1895) Aboriginal educator at Ramahyuck. The Cameron name may be in use, but Flower may not. I am in contact with family who are providing a biography.

In the meantime, see Australian Dictionary of Biography online:  
<http://adb.anu.edu.au/biography/cameron-elizabeth-bessy-12834>

I am sure local consultation would lead to more names being suggested.

Attachment for item 2.2





**Attachment for item 2.4**

**From:** [REDACTED]  
**Sent:** Monday, 12 December 2022 5:13 PM  
**To:** PlaceNames <placenames@wellington.vic.gov.au>  
**Subject:** John Leslie Gallery

Dear Place Names Committee,

I would like to put forward the recommendation that Gallery 1 at the Gippsland Art Gallery (the first, large space with the high ceiling) be formally named the John Leslie Gallery, in honour of the Gallery's Patron and in many ways founder, John Leslie OBE.

This recommendation is based on the following:

- It was John Leslie's personal contribution of \$1.55 million that paid for the ceiling in this space – without John's generous financial contribution, it would not be a gallery space today (it would still be an open courtyard).
- When John was Mayor of Sale from 1962 to 1964, it was he who successfully won a State Government Grant of £20,000 from the Premier, Henry Bolte, to cover the cost of construction of the first Gallery on Macalister Street.
- It was John who chaired the initial Gallery Committee.
- John purchased the first five artworks, from his own pocket, and donated them to the Gallery in 1965 to begin the Gallery's permanent collection.
- In the years since John donated over \$500,000 to the cost of purchasing 148 artworks for the Gallery's collection – more than any other single person.
- The original Gallery, when it opened in 1965, was named the 'Widdis Leslie Gallery', in honour of John's mother Dorothy Widdis, who acted as his Mayoress while John (a bachelor) was Mayor.
- John's name has been synonymous with the Gallery from Day 1. He was made Patron of the Gallery in 1975, and the John Leslie Art Prize was named after him in 2000. His Foundation continues to pay the costs of hosting this exhibition every second year.
- At his request (in his will), the John Leslie Foundation have committed the first \$500,000 towards the new Gippsland Art Gallery Foundation. The Gallery also received 60 artworks from his estate.
- In formally acknowledging John's longstanding and extensive generosity to the Gallery in renaming the first space as the 'John Leslie Gallery', the Gallery will also provide a formal plaque with a short biography on John to explain to visitors his substantial legacy.
- None of the spaces at the Gallery have any formal naming – Gallery 1, Gallery 2, etc, are given as for wayfinding purposes. As the largest and grandest space, it is befitting that this Gallery is named in acknowledgement of the man who did so much to shape the Gallery, from its foundations in the early 1960s to the present day. It would also give further impetus to future donors to 'walk in his footsteps' by supporting the Gallery, and would acknowledge the extent to which private benefaction plays a role in the life of the Gallery.
- In a very real way, the Gallery today owes its existence to John Leslie, and this needs to be formally acknowledged by naming the space that he personally covered the cost of building, in his honour.

No doubt the name John Leslie will be familiar to the Place Names Committee Members, however I have attached a couple of documents – the Mayor's Statement on the passing of John Leslie in 2016 (including the portrait of John taken by Gallery staff in 2015), and a short biography written by [REDACTED], member of the John Leslie Foundation, as an introduction to the John Leslie Art Prize catalogue.

Kind regards

[REDACTED]

## JOHN LESLIE OBE



John Leslie OBE was born and raised in Sale, a third generation resident whose family had pastoral and business interests. John is the only individual to be awarded the Keys to the City of Sale in recognition of his significant contribution to civic life and his generous philanthropy.

After war service he became responsible for the family department store in Raymond Street and following family tradition he quickly became involved in civic affairs. John joined Apex and Rotary and was elected to Council in 1958, serving as Mayor three times up till 1967. John was modest, articulate and cultured, always well groomed, a true gentleman. He was regarded as a visionary in Council and achieved a great deal for the community of Sale. When a movement to establish an Art Gallery in Sale began, John as Mayor led it to fruition and donated the first group of art works for the collection.

In 1969 W.D. Leslie Pty Ltd was wound up and John had the freedom to indulge in his many interests. He spent a great deal more time in Melbourne enjoying the theatre, ballet and other cultural pursuits. An inveterate traveller, his great friend Graham Chalmer always said, 'he had been to more countries than Marco Polo'.

His influence reached beyond Sale when he was chosen by the Premier Sir Rupert Hamer to join his Arts Advisory Council and John chaired three State-wide Arts Festivals beginning in 1975.

In his wisdom, John set up a Foundation to maximise his contribution and used his business acumen and Council experience to leverage any further support required to make projects viable. Through his generosity, Sale gained an elderly citizens village, sporting complexes, nature trails, a theatre, sound shell, and many other facilities too numerous to mention.

In 2000 John instigated the bi-annual John Leslie Art Prize to raise the profile of the Gallery and provide acquisitions for the collection. He continued to be the major benefactor to the collection and this was recognised when he was made the Patron of the Gippsland Art Gallery.

Sadly, John did not live to see the completion of his greatest project, the Port of Sale, with its superb new Art Gallery. His donation of \$1.55 million made the project possible and it will remain a monument to his passion for Sale. Thankfully, his patronage continues through the John Leslie Foundation, and will enable this wonderful Art Prize to continue into the future.

# Media Statement



15 December 2016  
Media Contact:



## Statement from Mayor Carolyn Crossley on the passing of John Leslie OBE



**John Leslie OBE**  
**06.02.1919 – 14.12.2016**

Wellington Shire Council is deeply saddened by the passing of John Leslie OBE, Freeman of the City and Patron of the Gallery and of Sale.

This very modest and gentle man left his beloved city of Sale last night.

He will be sadly missed, not only by his extended family but by the broader community of Wellington Shire.

His patronage extended across many interests, from the arts to sporting facilities. John was present at many of our recent announcements of funding for new community facilities, as he, through his trust had contributed significantly. No other community in Regional Victoria has had such a generous Patron.

John Leslie has been an integral part of the Sale, and wider Wellington community for many years. He will forever be remembered as one of our community's most important sons.

Over decades, John Leslie has been a vibrant asset to the city of Sale. His sense of joy and community spirit sits at the very heart of Wellington Shire.

Though today, John is known for his great philanthropic works, it is important that we remember too that John was a great businessperson and a generous employer. His generosity of spirit extended throughout his entire life.

Mr Leslie played a fundamental role as a Sale City Councillor during the 1960s and was Mayor from 1961 to 1964.

The biennial John Leslie Art Prize, one of the most prestigious landscape art prizes in Australia, has only been possible thanks to his ongoing generous support. John has long been an esteemed Patron of the Gippsland Art Gallery as well as its benefactor.

Not only was John a patron of the arts, he has played a central role within our local arts community.

People know of his philanthropy but he did so much more. We must remember that John played a fundamental role in the establishment of the Gippsland Art Gallery; it was Mr Leslie that convinced Sir Rupert Hamer of our need here for a regional gallery.

John generously supported many Council initiatives. Most recently, Stage 2 of the Gippsland Regional Sports Complex received a generous \$1 million donation from John to assist the project get off the ground and without John's support of \$1.5 million, the Port of Sale Cultural Hub would not be possible.

John was always great raconteur and a generous host. John's wealth of knowledge and infectious sense of humour made him one of the most delightful people to spend time with. We are truly blessed that Mr John Leslie OBE has been part of our lives.

His is not just a name that will be forever associated with the arts but with our entire community.

We will miss the man, and we will forever celebrate the extraordinary contributions he has made to our community and our way of life.

Vale John Leslie OBE.

### ENDS



### **Attachment for item 3.1**

Published in *Gippsland Times*, 30 November 2020


## Vale, Sale's greatest art advocate

30/11/2020



Gippsland Art Gallery director Simon Gregg with assistance from Evan and Marian Webb, Annemieke Mein OAM and Phillip Mein, and Brian Castles.

WITH the [passing of Gwen Webb OAM at the age of 98](#), Gippsland has lost one of its greatest advocates and a friend to artists everywhere.

A true one-of-a-kind, Gwen was a champion of the region, putting the Sale Regional Arts Centre (now Gippsland Art Gallery) on the cultural map during her 15-year tenure as the gallery's inaugural director from 1976 to 1990. 

Gwen achieved much during her time in the role, including promoting visual arts across the region, providing a platform for craft (especially textiles and woodwork), and bringing art to a wide audience.

Gwen earned the title of 'the lady who opens doors for people' because, as her friend Pam Frew wrote in 1993, 'her vast experience and knowledge of the arts, accounting, natural history and the environment was always eagerly shared to help others achieve success'.

Gwen earned the respect of all who came to know her for her courage and dedication to her many causes, which aside from the arts included education and the natural environment.

It was, however, as the inaugural director of the Sale Regional Arts Centre that she is likely to be best remembered.

During Gwen's employment from 1976 to 1990 she provided transformational leadership not only within the gallery, but across the wider art scene.

Her achievements were in spite of extremely limited resources, which she overcame by uniting the community behind her and the gallery to an extent that has not been seen before or since.

Gwen's directorship followed four additional years as treasurer of the committee of management from 1971 to 1975.

Gwen fearlessly steered the gallery through a period of tremendous growth and transition, and of equally tremendous challenges, which never seemed to daunt her.

Six directors have followed Gwen since her retirement in 1990, and yet she is the one who is most often cited, and most often recalled. Opposed to elitism in all its forms, it was Gwen who claimed the gallery as being 'for the people'.

The move from its original premises above the Sale Library in Macalister St to a shopfront space in Raymond St in 1989 was, according to Gwen, the best thing for the gallery as it made the arts much more accessible.

Among the many highlights of Gwen's career was the annual exhibition of Gippsland craft artists, which in the late 1970s led to the debut exhibition of world-acclaimed, Sale-based environmental textile artist Annemieke Mein OAM. Gwen and Annemieke enjoyed a close friendship for more than 40 years.

The craft exhibitions also led, in the 1980s, to residencies for weaver Ann Greenwood and woodworker John Woollard.

She fought tirelessly for the recognition of regional artists in the broader arts community, but it was Sale and more broadly Gippsland that benefitted most from Gwen's lifetime's work.



Gwen was born at Rochester (near Echuca) in 1922 and moved to Traralgon with her family at the age of four. In 1936, she left home to study accounting in Melbourne. She worked at the Council for Adult Education for a number of years as the assistant director of classes and courses.

In 1950, she married Rick Webb and the couple relocated back to Gippsland, initially living in Yarragon and then Heyfield, in a house on her grandfather's property where her father had been born, and finally to a soldier-settlement dairy farm in Nambrok-Denison.

During the 1960s, Gwen – who always had an interest in art – began to attend evening painting classes at the Council for Adult Education, taught by Harold Farey from Sale Technical School.

While Gwen also joined the Sale Art Group around this time, she was not initially active with the Sale Regional Arts Centre (established in 1965) because of her distance from Sale, and her commitment to providing daily physiotherapy to her handicapped daughter Thea.

In 2015, Harold Farey remembered Gwen as "a real character. She was a strong-willed woman".

Her strong will would come to serve Gwen well in the years ahead.

Notably it was at her painting classes in the 1960s that Gwen met and became firm friends with fellow student and proprietor of the W.D. Leslie department store in Sale, John Leslie, who later became the first patron of the gallery.

In 1971, Gwen and Rick moved permanently into Sale and she joined the gallery's voluntary committee of management, putting her accounting training to good use as the treasurer.

As she once said, "I wasn't much of an artist, but I was a great administrator".

In 1975, changes made by the Ministry of Arts meant that only galleries with a paid full-time director would be eligible to receive government funding.

Gwen was appointed permanently to the role from January 1, 1976 (having been acting in the role since June 1975).

She had a gift for coercing others into helping her at the gallery, assembling a loyal army of volunteers to help with hanging exhibitions (including members of her family).

While not joining the voluntary committee herself until 1971, she was "always involved with the gallery", and she was fond of reminding people that when the subscriber program began in 1965 (today's 'Friends of the Gallery'), she was the first to join.



In her 15 years as director, Gwen formulated a collection focus on Gippsland and the natural environment, which remains in place today.



She rallied the entire community behind the gallery, built up an enviable annual visitation, created the largest membership of any public gallery in Victoria (more than 600 at one point), and implemented an increasingly ambitious exhibition program.

Marianne Alcock (Parasiuk), a volunteer with the gallery during that period, recalls: "... she was a catalyst for excellence, and it was her drive and vision that took the gallery forward. It was exciting".

It could be said that Gwen's longevity was in spite of her lifestyle, not because of it.

She has seemed for so long to have been untouchable by mortality, too strong, and too defiant.

Visitors to the gallery in the 1970s and 80s recall having to navigate through clouds of her cigarette smoke to locate the artworks, and yet she was always there, awaiting visitors, ready to greet them with a smile.

No challenge was too great for Gwen, and many of her greatest triumphs were born from adversity.

In May 1989, hours before the biggest opening night of the year, she and her voluntary staff were told to immediately close the gallery by the Department of Labour and Industry, because of concerns about asbestos in the ceiling.

Gwen successfully negotiated to hold the opening that night, but the following day the gallery was literally homeless. With remarkable tenacity she quickly found a short-term home in the Gippsland Centre before moving into the Spotlight Plaza for six months.

It was here that the gallery staged the first retrospective exhibition of Annemieke Mein's artwork to large crowds – many never having visited the first gallery on Macalister St.

After her retirement in December 1990, Gwen continued to be seen as a figurehead for the gallery and for the arts in Gippsland.

She embodied the essential characteristics of a good gallery director, being approachable, compassionate, well-connected and diplomatic.

It is not an exaggeration to say that Gwen inspired a generation of artists and art lovers through her passionate stewardship of the gallery, and Sale has much to thank her for.

The Gwen Webb Art Activity Centre on Market St, Sale, was named in her honour, and in 1993 she was awarded an Order of Australia for her services to the community.

As Pam Frew wrote fittingly, "It was Gwen Webb's vision and ability to draw out the very best in people, be they artists or otherwise, which is certain to endure beyond the four walls of the gallery".

Gwen kept herself busy with community activities with regular bridge nights, U3A and bushwalking with the Field Naturalists, where she maintained her close friendships.

She is remembered by the staff of the Gippsland Art Gallery and all who knew her as an exemplary leader within her field, and as a generous, big-hearted friend to all who knew her. She is survived by her children Evan and Marian, two grandchildren and six great-grandchildren.



## 1915 Patrobas

John Widdis bought Patrobas as a yearling at the Sydney sales and offered it to his wife, Edith, who hit the jackpot when the colt won the Caulfield Guineas, VRC Derby and Melbourne Cup in 1915.

However the Cup trophy was not initially presented to the winning owner at Flemington on the day as Edith, who watched the race from the back of the Members Ladies' Stand with her daughter Muriel, was unable to reach the mounting yard in time, stuck in a crowd who could not believe she (the first woman to own a cup winner) was the horse's owner and were unwilling to create an easy passage for her.

John Widdis was handed the large two-handled 'square silver Wedgwood bowl' with a silver shield and figure of a horse and jockey on the base when the presentations took place. Later, when the Governor heard what had occurred, he repeated a version of the ceremony with Edith present. Edith played another role, dispensing with the traditional 'opening of the bar' in the Victorian Club during celebrations that night, instead donating 200 pounds to the Patriotic Fund.

Initially the Cup stood at the Widdis' Melbourne home, a large two-storey home called Cambria located at the southern end of the Caulfield racetrack – you could see the track from the first floor. John passed away in 1917, and in the mid-1940s Edith returned with the Cup to Nambrok House, a grand property about 20 kilometres west of Sale.

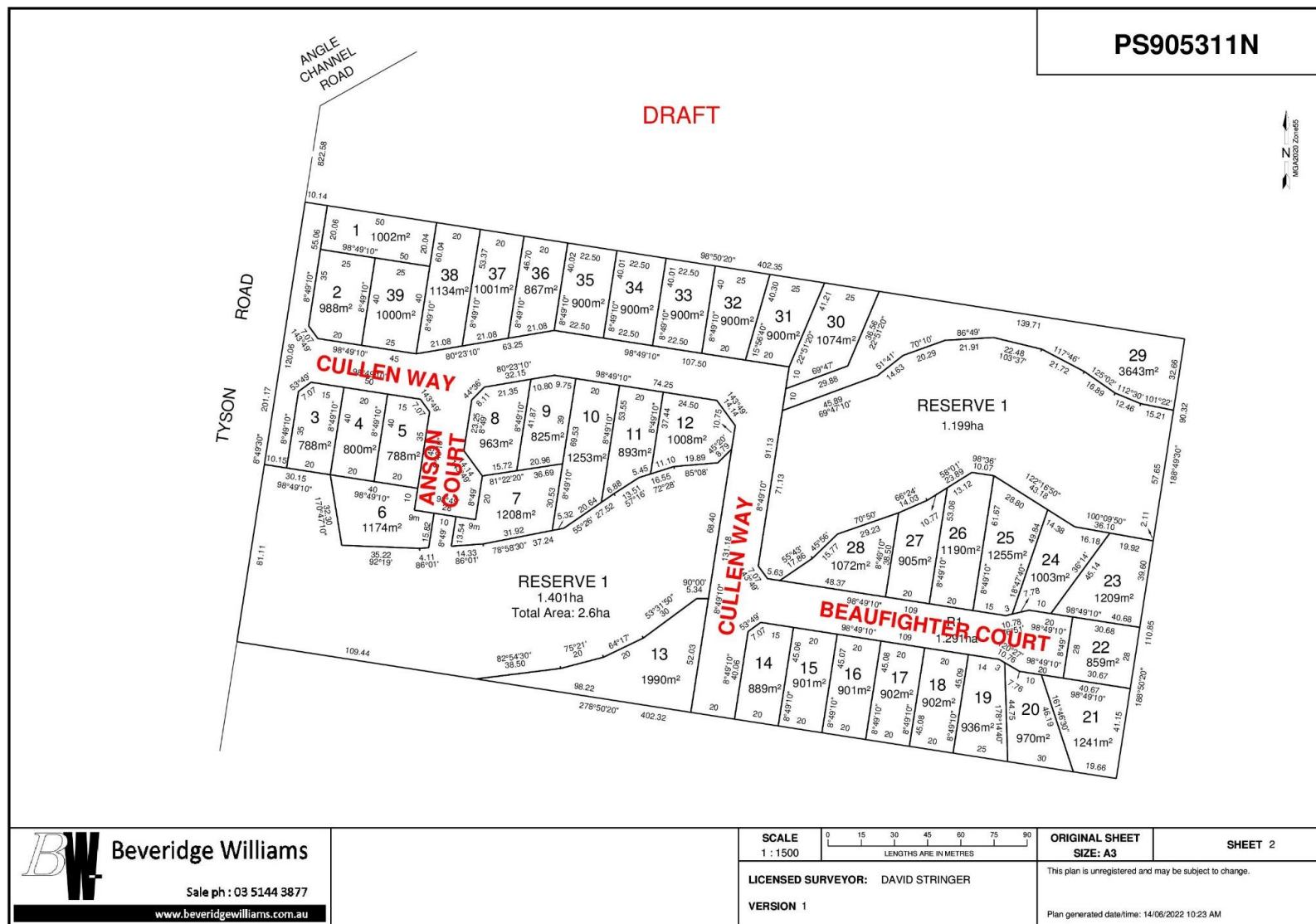
Nambrok house is a classic building that had large columns and brown, red and ochre tiled veranda providing a spectacular entrance. The cup sat in the hallway leading from this grand entrance, a location fitting for such a huge trophy. But the cup was not left untouched – it was used when appropriate, in a practical manner. John Leslie, the 90-year-old grandson of Edith Widdis, recalls the 1915 Cup being part of activities at Nambrok House. "It was used as a baptismal font, a punch cup and sometimes at weddings for champagne, so it was useful," he said. Leslie could not recall who was baptised using the Cup, admitting it was probably not a fact someone would own up to.

When Edith died, her daughter Dorothy took possession of the Cup. Dorothy was nervous about the Cup being in her house so she placed it in safekeeping at the National Bank in Sale. When Leslie suggested it was a shame the Cup was hidden away Dorothy was happy for him to display it at his house so he took it out of the bank in about 1958 and placed it on a table in the front entrance of his Sale home. Again it was more than an ornament, being used for flowers and the punch during parties.

In 1979 Leslie moved to a smaller house in Sale and the Cup came with him, this time finding a resting place on the dining room table. In 1993, the legal owner of the Cup, Dorothy – at Leslie's suggestion – agreed to loan the Cup in perpetuity to the Gippsland Art Gallery, Sale where it now stands exhibited in the performance centre foyer.

Patrobas remains the only horse from Gippsland to have won the Melbourne Cup and an important figure in Gippsland history. As well as the Cup, a statue of the horse now stands in Rosedale, a town near Sale, to commemorate the victory.

## Attachment for item 3.2



**Attachment for item 3.3**

<sup>JNR.</sup>  
MICHAEL, JOSEPH BREHENY. DUNDAS ST., SALE. VIC .3850.

b. 6 NOV. 1859 STANLEY, HORTON, TAS. d. 22 JUNE 1942 SALE. VIC. (Age-- 82 )

MARRIED :--- STANLEY , HORTON. TAS .1888. to

ELLEN, AGNES CARROLL.

b. 19 MAY 1865 STANLEY, HORTON. TAS. d. 10 OCT. 1951. PRAHRAN. VIC. (Age- 85 )

<sup>JNR</sup> MICHAEL, the Eldest SON to----<sup>SNR</sup> MICHAEL BREHENY. b. 9 OCT. 1828 TYNAGH, GALWAY.

d. 1 JULY 1885. BLACK RIVER, . TAS. (Age- 56 )

MARRIED—ST. FRANCIS. MELBOURNE. 9 MAY 1855. to

<sup>his mother</sup>  
BRIDGET BARRY.

b.1835 TIPPERARY, IRE. d. 9 NOV. 1900 GEELONG. VIC (Age—65 )

<sup>JNR</sup> MICHAEL, One of SIX BREWING BROTHERS, was BREWER / MANAGER of BREHENY BROS. GIPPSLAND BREWERY , YORK ST., SALE. 1901 --- 1936 For 35 YEARS.

MICHAEL Jnr, was PRESIDENT of the SALE FOOTBALL CLUB MAGPIES  
1906, 1911, 1912. SEASONS.

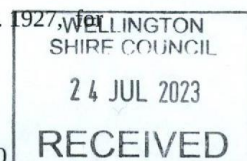
MICHAEL Jnr. was a SALE COUNCILLOR , from 20th JAN. 1912 to 15<sup>th</sup> AUG. 1927, WELLINGTON  
OVER 15 YEARS.

IT IS RECORDED IN COUNCIL ARCHIVES, THAT IN 1913 HE WAS ONE OF 20

COUNCILLORS, UNDER MAYOR TOM CULLANAN.. WHEN SALE WAS PROCLAIMED  
A TOWN ON 17TH SEPT. 1924, MICHAEL WAS STILL ON A COUNCIL OF 10, UNDER  
MAYOR TOM CULLANAN..

IN 1919, FOLLOWING THE END OF WW1 , 4 CATHOLIC COUNCILLORS, INCLUDING  
MICHAEL BREHENY, STAGED A WALK-OUT, OVER THE TREATMENT OF ARCHBISHOP  
DANIEL MANNIX, ON HIS STANCE ON CONSCRIPTION & THE COUNCIL'S SUPPORT  
OF THE KAISER., FROM THE MAINLY PROTESTANT COUNCIL MAJORITY.

*NB. From 1891 to 1936  
the BREHENY Family operated BREWERIES AT SALE, WARRENITEP, BENDIGO & DOONBIA.*



THE MEETING WAS THEN CANCELLED, DUE TO A LACK OF A QUORAM.

NB.

Further ARCHIVAL photos  
& data is available from  
Sole Historical Society.  
JB.





To  
**Michael Breheny Esquire,**  
**SALE.**

Dear Sir,

On the eve of your retirement from this Council after practically sixteen years service to the ratepayers of this Town, we cannot allow you to vacate the position you have filled in such a capable manner without bearing testimony to your good work as a Councillor.

You were first elected to this body at an extraordinary election on the 20th. January 1912. and you have held the position continuously since.

It is a matter for regret that, owing to a physical affliction, you could not see your way to accept the position of Mayor, although a member of the Council for such a long period.

In the discharge of your duties as a Councillor, the interests of the Town for which you have a strong regard, have always been your paramount concern; whilst as a citizen your knowledge and experience have been given at all times and in all places, for the betterment of the Town.

We wish you, Mrs Breheny, and family, the best of health and happiness in the future.

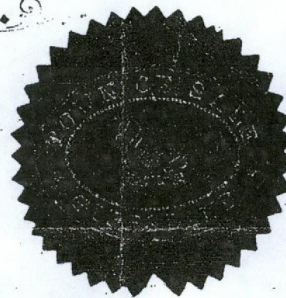
Signed for and on behalf of the  
 Town of Sale.

*William Stevens*  
 Mayor.

*[Signature]*  
 Town Clerk.

Town Hall, Sale.

25th. August. 1927.



**Attachment for item 3.4**

Gunai place names verified by [REDACTED]

## APPENDIX P: GUNAI PLACE NAMES

Aberfeldy River	Nambruc (black possum)
Albert River	Lurt-bit
Anderson's Inlet	Toluncan (stringybark)
Bairnsdale	Wy-yung
Bairnsdale backwater	cow-wung
Black Mountain	Woorarra
Boggy Creek	Narka kowera or Ngurke-yow-wilt
Brodribb	Wrak Thum Balluk
Bruthen	Brewdthan Mungie
Buchan	Bukkan Mungie
Buchan River	
- 20 miles north of Buchan	Gellingall
Buchan Station	Tirtalack
Bulgurback Creek	Crung gruk
Bushy Park	Kutbuntaura (fire carrier)
Cabbage Tree Creek	Can-tohin
Cann River	Kam (Robinson 1844)
Cann River near mouth	Tambun (Robinson 1844)
Cape Conran	Kerlip or Murrow-gunnie
Cape Howe	Werregauno (Robinson 1844)
Castle Hills	Browit-dar-darnda
Castleburn Creek	War-dur
Clifton Morass	Nen-duck
coast between Latrobe and	Wea wuk
Yarra Rivers	
Cobbannab Creek	Boolloot
Cowwarr	Cowwarr (mountain)?
Cowwarr Creek	Bandow'ara
Creek at Dargo Inn	Lown gurrut (mountain ash)
Crooked River	Naylong or Dow wirra
Dargo	to have patience, to wait
Dargo River	Daingo
Dargo town	Boulung-deera
Darry's Noo	Dam-gwennet (bell miner)
Dead Horse Creek	gurrun-gurran-yarn
deep creek at Bruthen	Nyelling
Deighton	Yowundeet (waterhole)
Donnelly's Creek	Darliban
east bank of Snowy mouth	Murloo (white pipeclay)
Eagle Point	Nur-rung
Ewen's Morass	Boom'boy
Ewing's Morass	Ya yung
Flooding Creek (Sale)	Way-put
Franklin River (at mouth)	Lung Lung Praren or Lang Lang



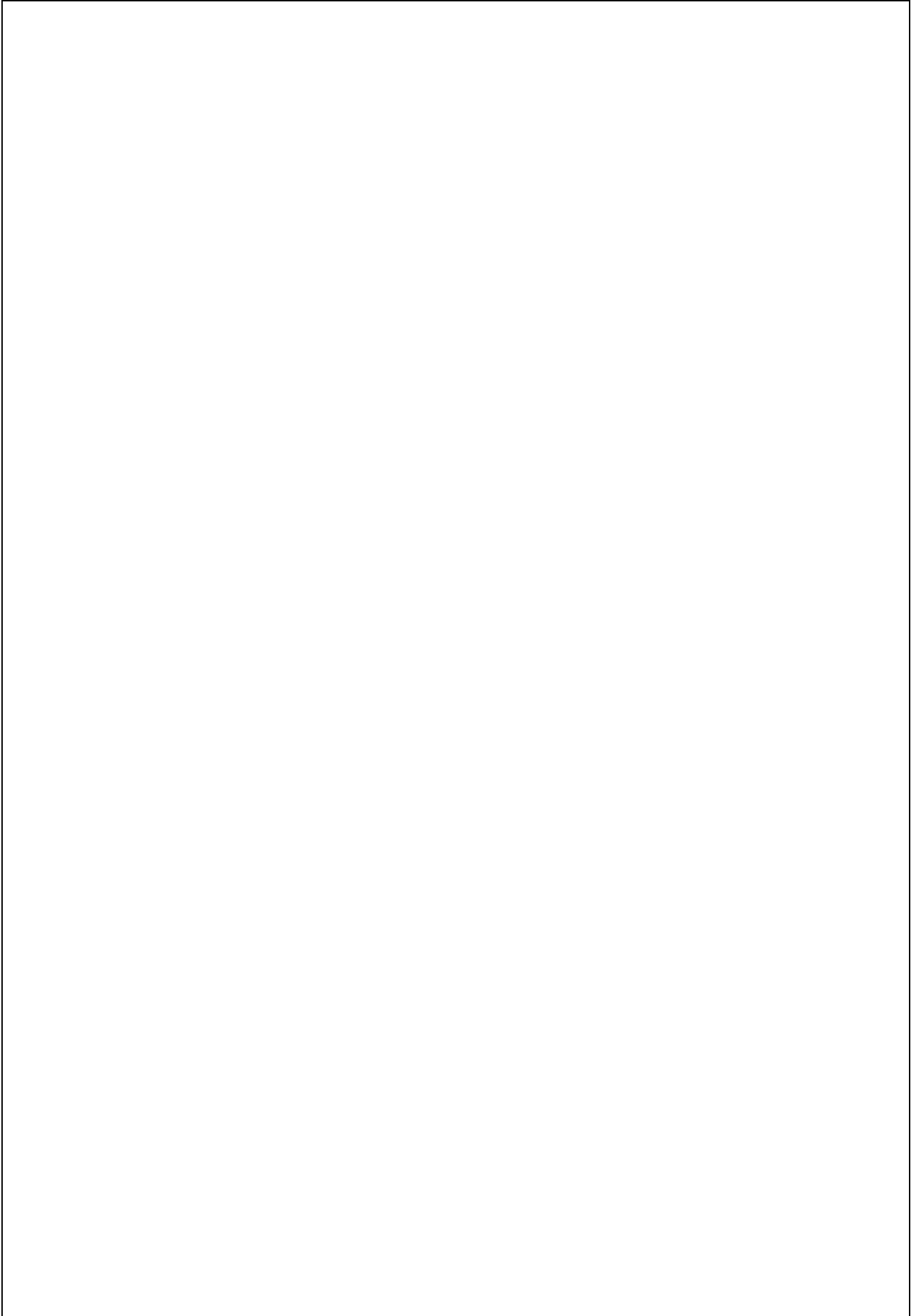
Freestone Creek	Berin
Genoa River (Mallacoota)	Wurrundyan'garla
Goat Island	Tinnor
Good-luck Creek	Me-mel
Grant	Groggin (quartz crystal)
Healesville	Poork-poork-gill-yarn (head waters)
Iguana Creek	Corranderrk (Woiworung)
Inlet from Tambo River to	Callad-euro
Kilmore Morass	Toole-ne-yarn (water come in)
Jimmy's Point	Brt britta
Jindivick	burst asunder, consume
Jones' Bay	Dahduck or Nepoa daduck
Junerow	40 miles east? of Omeo
Lake Bunga	Wundoang or Lane beuk or
- Lake King	La-en-Buke
Lake Reeve	Narran or Ngarran (moon)
Lake Tyers	Walmunyeera or Walmunyeera
-creek running into west side	Wannang-gatty or Warrngatta
-below station	Talla-bowee
-at Tarloo arm	Wirtgwirri
-at Nowa Nowa	Tarloo (penguin)
-deep hole in the lake	Nowre Nowre
-point on shore	Ngrung (den of monster)
Lake Victoria north shore	Danjanda
Lake Wellington	Munji
Lakes Entrance	Muria
Latrobe River	Nrungit (between present entrance
-at Lake Wellington	and Lake Bunga)
Latrobe River hilltop	Tangil (Woiworung word)
Lindenow Flat	Durtyowan
MacAlister River	Woollum-woollum
Mallacoota	Wuk-wuk
Marlo	Wirriwirndook yeerung woorindook
Merriman's Creek	(song of the emu-wren)
Mitchell River (at Lucknow)	Mallekotar (Robinson 1846)
Mitchell River (at Wy Yung)	Murraroo
Mitchell River silt jetties	Dur'lin or Boung-warl
Mitta Mitta River (lower)	Nibbor
Mitta Mitta River (upper)	Wahyang
Morwell	Wangan (at mouth)
Mossiface	Noorengong
	Nida-moolunga
	More Willie
	Marlung-dun (mussell shell)

Mount Alfred (Boggy Creek)	Nuggor-yowatie
Mount Ararat	Nar-ri-uk (hairy, scrubby)
Mount Baldhead	Tarl-darn (a little snow)
Mount Bindi Range	Nonniyong
Mount Birregun	Gner-ing (gang-gang cockatoo)
Mount Cann	Berrn
Mount Cobberas	Cobbera
Mount Dawson	Barrat puck (bald head)
Mount Ellery	Bur-umpa
Mount Goongerah	Gungura
Mount Howitt	Toot-buck-nulluck (like a rope)
Mount Kent	Migga-the-rook (a yellow snake)
Mount Raymond	Dubbie
Mount Steve	Koor-nung-gatty (kangaroo apple)
Mount Tambo	Tambo
Mounts Taylor and Lookout	Bullung-warl (two spears)
Mount Victoria	Chalebrogen
Mount Wellington	Nap Nap Marra
Mount Willie	Nowr Nowr
Murrandale	Tooruk (bullrush)
Murrandale Hill	Koorag angy (deep stony gully)
Mystic Park	Wallert (possums)
Neerim	tall, elevated, long, spear (Bunerong)
Newlands Backwater	Bram-ar-rung
Nicholson River	Dart-yung
Nicholson River backwater	Yowen-burru
Nicholson River mouth	Ngarka-wallung (east bank)
Noojee	cease, exactly, content (Bunerong)
Notch Hill	Der-nung (skin or hide)
Numbla Mungie,	Omeo tribe name
Omeo	Jaitmathang (also tribe name)
Orbest	Dura
Orr's Creek	Dal-gowut (reeds)
Oven's River	Burwang
Pearl Point	Tarlo wyack or Py-yoot (small
seagull)	
Perry Point/River	Goomballa or Goombeela (climbing)
Point Ricardo	Marout ganny (rocky point)
Port Albert	Tarrawarrackel
Pretty Boy's Pinch	Tullo bowie (Lory-tailed wallaby)
Quack Mungia Creek	Bannur-ghur (white gum)
Quack Mungie hills	kou-ark-munjee (kookaburra)
Ramahyuck	Nyeeboon
Ramrod Creek	Boung warl (camp spear)
Raymond Island	Grag-in



Red Bluff	Ninnie
Rourke's River	Inja gut barapa
Sale	Wayput
Sandy Creek	warribatt (water holes)
Sarsfield	Tut toong
Seacombe or Straits?	Boollum boollum
Snake Island	Ngima
Snowy Bluff	Gelling-brook-wollung
Snowy River	
-above falls	Doorack
-the falls or rapids	Coongulla
-long water hole below falls	Gwurruc Gwurruc
-lower section	Karang gil (lots of water weed)
-east bank at mouth	Murloo
-small creek entering west side near mouth	Thuroong (snakes)
-west side of mouth	
-bluff	Mardgee-long
-two islands in mouth	Gelling-brook-wollung
-sand bar at mouth	Bulla bowl bowl
-jutting land near mouth	Margelong
-bay at the mouth	Cut wort (pigface)
-morass nearby	Giddi (swans)
-hill in swamp	Thalugada (tea tree swamp)
-lagoon on sea coast	Wort wort
Stony Creek (at Bruthen)	Bunjil Tambun
Stony Creek (at Lake Tyers)	Crocken (quartz crystal)
Stony Creek (Lake Wellington)	Lane glan (edible root)
Stratford	Darlimuria (little bit of clay)
Swan Reach	Nuntin
Tallangatta Creek	Wook-gook (mopoke)
Tambo River	Ginning matong
-mouth	
-near Tongio	Gwammung-bourn (pelican)
-upper	Tongio memial
- 25 miles downstream from high point	Tambo (perch)
-near Bindi	
-at Ensay	Jillun
-lower	Bindi memial (the stomach)
-inlet to Kilmore Morass	Numbla munjee (black fish)
-bluff	Ber'rawan
Tarli Karng	Tool-ne-yarn (water come in)
-creek flowing into it	Kookoondalook (wasps in the trees)
Tarra River	
	Nigothoruk
	Blindit'yin (platypus)

Tarra River mouth	Tarkira (place of shells)
Tarwin River	Toto-warra-warra or Jota-warra-warra-thun
Tarwin River mouth	Toluncan (stringy bark trees)
Thompson River	Carrang-carrang (brackish water), Carran Carran
Thurra River	Turrer (Robinson 1844)
Tolunyarry	point on coast near Ram Head
Tom's Cap region	Dambo-byo (hills south of
Merriman's Creek)	
Tom's Creek	Warrigallac
Tongio East	Carrara wira
Tongio Gap	Mungobabba
Tongio Mungie	Omeo clan name
Traralgon	Traralgon (plain's wanderer-a bird)
Tynong	Tynong (plenty of fish)
Upper Boggy Creek	Tallo-lumbruck (tadpole)
Wallagarough River	Tooroonoo (at Mallacoota)
Warrigal Creek	Yau-ung
Waterford	Dalu-miarng (yam)
Wentworth River	Dabera'bara (rocky bank)
White Rock (SE of Yiruk)	Bunjill Borun (mister pelican)
Wilson's Promontory	Yiruk (Gunai), Wamoom (Bunerong)
Wongungarra River	Gwannam-o-rook (eagle-hawk)
Wonnangatta River	Wontwun
Woodside	Bellum bellum
Wuk Wuk	ground or earth
Wy Yung	duck
Yallourn	flat tray of plaited grass for collecting manna
Yarra River	Bira-amung
Yarragon	Yarragongatha (hair of head)
Yarram	river



## 15. FURTHER GALLERY AND ONLINE COMMENTS

*Gallery comments are an opportunity for members of the public to raise any particular matter they wish. This allows those in the gallery to speak directly to Councillors but is not a forum designed for open discussion or debate. We will listen respectfully to what you have to say and make the commitment that if your query requires a written response, we will advise you that a response will be forthcoming, and a copy of that response will be circulated to all Councillors.*

*This is not a forum for members of the public to lodge complaints against individuals, including Councillors and staff, particularly as that individual gets no public right of reply to any matter raised. We take complaints seriously, and in line with the guidance from the Victorian Ombudsman and the local Government Inspectorate, we request that any specific complaint against an individual be put in writing. This way, your concern can be properly dealt with while ensuring fairness to all parties concerned.*

*If you wish to speak, we remind you that this part of the meeting is being recorded and broadcast on our website. Council's official Minutes will record that you have spoken to Council and the subject you spoke to Council about but will not record specific comments. We ask you to state your name in full, where you are from, and you have three minutes.*

ONLINE COMMENTS –

FURTHER GALLERY COMMENTS –

Meeting declared closed at:

The live streaming of this Council meeting will now come to a close.

## 16. IN CLOSED SESSION

### COUNCILLOR

*That the meeting be closed to the public pursuant to Section 66(2) of the Local Government Act 2020 to consider matters under Section 66(5)(b) as defined by Section 3(1) being:*

- a) Council business information*
- b) Security information*
- c) Land use planning information*
- d) Law enforcement information*
- e) Legal privileged information*
- f) Personal information*
- g) Private commercial information*
- h) Confidential meeting information*
- i) Internal arbitration information*
- j) Councillor Conduct Panel confidential information*
- k) Information prescribed by the regulations to be confidential information*
- l) Information that was confidential information for the purposes of section 77 of the Local Government Act 1989*

---

IN CLOSED SESSION

---

### COUNCILLOR

*That Council move into open session and ratify the decision made in closed session.*

## 16.1. CHIEF EXECUTIVE OFFICER'S NEW 2023/24 PERFORMANCE CRITERIA AND KPIs



WELLINGTON  
SHIRE COUNCIL

*The Heart of Gippsland*

### ORDINARY COUNCIL MEETING 5 SEPTEMBER 2023

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. On this day 28 August 2023, pursuant to sections 3(1) Confidential Information and 66(5) of the *Local Government Act 2020*; I, Arthur Skipitaris declare that the information contained in this report **CHIEF EXECUTIVE OFFICER'S NEW 2023/24 PERFORMANCE CRITERIA AND KPIs** is designated as confidential because it relates to the following grounds:

- (f) *personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;***

The grounds for designation under section 3(1)(f) have been made as the information is deemed confidential to protect the privacy and personal information about any person or their personal affairs.

.....  
**ARTHUR SKIPITARIS**  
**GENERAL MANAGER CORPORATE SERVICES**