



MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD AT THE COUNCIL CHAMBER, NHILL ON WEDNESDAY 21 DECEMBER 2016, COMMENCING AT 3.00PM.

AGENDA

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Confirmation of Minutes

4. Declaration of Interests

5. Public Question Time

6. Correspondence

7. Assembly of Councillors

7.1 Record of Assembly

8. Planning Permit Reports

- 8.1 Application for planning permit 1525-16
- 8.2 Application for planning permit 1536-16
- 8.3 Application for planning permit 1535-16
- 8.4 Application for planning permit 1537-16
- 8.5 Application for planning permit 1541-16

9. Reports Requiring a Decision

9.1 Chief Executive Officer

- 9.1.1 No report

9.2 Director Corporate and Community Services

- 9.2.1 Riverside Holiday Park
- 9.2.2 Councillor Code of Conduct
- 9.2.3 2017 Volunteering Recognition Awards – Local Government Awards

9.3 Director Infrastructure Services

- 9.3.1 Yanac Hall Storage Facility

10. Special Committees

No report

11. Late Reports

No report

12. Other Business

No report

13. Confidential Matters

- 13.1 Australia Day awards 2017
- 13.2 Contract 2016/17–02 Reconstruction of Lorquon East and Lorquon Station Rd, Lorquon

14. Meeting Close

Present: Crs. D. Nelson (Mayor), R. Lowe (Deputy Mayor), D. Colbert, T. Schneider, R. Gersch, R. Ismay

In Attendance:

Greg Wood, (Chief Executive Officer), Ms. Anne Champness (Director Corporate and Community Services), Miss Taegan Salt (Executive Assistant).

Peter Jewell: Town Planner

Attended –

- 8.1 Application for planning permit 1525-16
- 8.2 Application for planning permit 1536-16
- 8.3 Application for planning permit 1535-16
- 8.4 Application for planning permit 1537-16
- 8.5 Application for planning permit 1541-16

Alastair Griffiths: Captial Works Manager

Attended –

- 13.2 Contract 2016/17–02 Reconstruction of Lorquon East and Lorquon Station Rd, Lorquon

Apology:

Mr. Adrian Gasperoni (Director Infrastructure Services)

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER
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Cr Nelson opened the meeting at 3:00pm by acknowledging the Indigenous Community and offering the opening prayer.

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 7 December 2016 in the Council Chamber, Nhill as circulated to Councillors be taken as read and confirmed.

MOVED: CRS T. Schneider/R. Lowe

That the Minutes of the Ordinary Council Meeting held on Wednesday 7 December 2016 in the Council Chamber, Nhill as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment: 1

4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- Direct; or
- Indirect interest
 - a) by close association;
 - b) that is an indirect financial interest;
 - c) because of conflicting duties;
 - d) because of receipt of an applicable gift;
 - e) as a consequence of becoming an interested party; or
 - f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

5. PUBLIC QUESTION TIME

6. CORRESPONDENCE

6.1 GENERAL CORRESPONDENCE

No correspondence.

7. ASSEMBLY OF COUNCILLORS

Responsible Officer: Director Corporate and Community Services

Attachment: 2

Introduction:

The attached Assembly of Councillors Record is presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

Options:

1. That Council accept the Assembly of Councillors Records as presented.

RECOMMENDATION:

That Council accepts the Assembly of Councillors Records as presented.

MOVED: CRS R. Lowe/T. Schneider

That Council accepts the Assembly of Councillors Records as presented.

CARRIED

Attachment: 2

8. PLANNING PERMITS

8.1 APPLICATION FOR PLANNING PERMIT 1525-16

Responsible Officer: Town Planner
File: Planning – Application – 1525-16
Attachment: 3

Background:

Council at its meeting of 5 October 2016 considered the above application following the completion of a public notification process. The application seeks approval to use the buildings at the former abattoir building for the purposes of raising chickens. Council at the meeting determined:

‘That Council issues a Notice of Decision to Grant a Planning Permit (1525-16) to allow chicken raising within buildings at Allot. 1 Sec. 1 Township of NiNi (this property has 17 parcels; Woorak NiNi Lorquon Road, Glenlee) subject to the following conditions:’

Subsequently, an objector (Graham K Stephan) has lodged an Application for Review with the Victorian Civil and Administrative Tribunal (VCAT). VCAT has since issued an Initiating Order that sets out the requirements of the various parties. This includes Council supplying background information to the Tribunal by the 24 January 2017.

Council has provided the Tribunal with this background material.

The Tribunal has set down a Practice Day Hearing for the 13 January 2017 if required by the parties. At a Practice Day hearing parties may raise questions relating to procedure for example whether extra hearing days will be required or such matters as the sharing of expert witness material. In this instance it is not thought by Council staff that a Practice Day hearing will be required.

A full merits hearing has been listed for two days commencing on 7 August 2017. Council will present a submission to the Tribunal at this hearing.

The decision of the Tribunal will be binding. The Tribunal has the option of disallowing the Application for Review in which case a planning permit will be issued, or allowing the Application for Review in part (ie. a Planning Permit will be issued but with variations to the conditions proposed by Council), or allow the Application for Review in which case no planning permit will be issued.

Each party bears their own costs at a hearing. If there are any changes to the VCAT process a further report will be provided to Council.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Peter Jewell, Town Planner

In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION:

That Council notes the VCAT action concerning the Council decision on Planning Application 1525-16.

MOVED: CRS T. Schneider/R. Ismay

That Council notes the VCAT action concerning the Council decision on Planning Application 1525-16 and notes its disappointment in the time (August 2017) before there is a hearing.

CARRIED

Attachment: 3

8.2 APPLICATION FOR PLANNING PERMIT 1536-16

Responsible Officer:	Town Planner
File:	Planning – Applications – 1536-16
Assessment:	097540
Attachment:	4
Applicant:	Katelynn Clark
Owner:	Katelynn Clark
Subject Land:	Lot 1 TP665748 (180 Jordan Road, Gerang Gerung)
Proposal:	Animal Husbandry (Keeping and breeding of dogs)
Zoning & Overlays:	Farming Zone Environmental Significance Overlay (Schedule 6)

Summary:

The subject site is located on the south side of the Jordan Road east of Eichner Road. There is an existing farmhouse and sheds on the site. The property has an area of 265 hectares. Surrounding properties are used for farming purposes. The Little Desert Park is located to the south.

The permit applicant has previously operated a dog raising and breeding establishment at Clark Lane, Gerang Gerung (Planning Permit 1346/12). With the new operation the applicant wishes to keep a maximum of 25 dogs/pups at any one time. The breeds kept on site will be kelpies, staghounds Jack Russell terriers and dachshunds. Four litters a year are anticipated.

A planning permit is required to both use the land, as well as develop the land with the structures required to house the dogs.

Within the planning scheme at clause 75.02 animal boarding is nested with animal keeping which falls within the broader land use term of agriculture. Agriculture (other than animal keeping) is an as of right use within the zone. One of the purposes of the Farming Zone is 'to provide for the use of land for agriculture'. VCAT have found that the Farming Zone is an appropriate zone to consider locating dog-raising establishments. The proposed conditions include amenity safeguards and reference the relevant State Government code for the keeping of dogs.

The Hindmarsh Planning Scheme encourages investment within agricultural areas and a diversity of economic activity within the Shire. The proposal is consistent with these objectives.

Notification & Referral of Application:

Pursuant to Sections 52 and 55 of the Planning and Environment Act 1987 (the Act), notice of the application can be given to the community and must be referred to stipulated authorities.

Community:

Pursuant to Section 52 of the Act, Council is required to give notice of this application to any person it considers the grant of the permit may cause material detriment. Notice of this application was given and no objections were received.

Authorities:

Pursuant to Section 52 of the Act, notice of this application was not sent to any authorities due

to the nature of what is proposed.

Pursuant to Section 55 of the Act, notice of this application was not referred to any authorities, as the proposal is not subject to any relevant controls.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Report to Council:

The Town Planner advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was received on the 5 August 2015. The material that accompanied the application was considered insufficient for an assessment to be made. A further information request was sent. Once this information was received the application proceeded to a public notice process. The report is being presented to the Council meeting of 21 December 2016. The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Peter Jewell, Town Planner

In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION:

That Council having considered Planning Application 1536-16 decides to issue a Planning Permit for an Animal Husbandry at Lot 1 TP 665748 (180 Jordan Road, Gerang Gerung) and associated buildings. The Planning Permit shall be issued with the following conditions:

- 1. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the consent of the Responsible Authority.***
- 2. The operations must at all times comply with the provisions of the Code of Practice for the Operation of Breeding and Rearing Establishments.***
- 3. Odours offensive to the senses of human beings must not be discharged beyond the boundaries of the site.***
- 4. No more than 25 dogs (including pups) may be kept on the site at any one time.***

5. *The keeping of dogs on the subject land shall not cause nuisance or a loss of amenity to other properties.*
6. *The animals shall not be left unsupervised beyond the boundaries of the site.*
7. *The dog pens and runs must be constructed and laid out in accordance with the requirements of the Code of Practice for the Operation of Breeding and Rearing Establishments. Fencing must be made secure at all times so that the dogs do not escape.*
8. *The animals are to be kept in good condition.*
9. *The permit holder is to prevent excessive barking and animal noise. In the event that continual barking occurs, the specific animal(s) shall have a device fitted to reduce the incidence of barking or similar measures adopted.*
10. *Animal waste is to be collected daily and disposed of properly.*
11. *The permit holder must allow an annual inspection of the land by the Responsible Authority to assess whether the use and development of the land complies with the conditions on this permit.*
12. *A suitably qualified or experienced person who is responsible for the management and control of the facility must supervise the facility.*
13. *The use or development authorised under this permit must not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the appearance of any building works or materials on the land, the emission of noise, light, smell, dust, waste products, the presence of vermin, barking of dogs or otherwise.*
14. *All materials stored on the site must be stored out of view or in such manner as to not cause unsightliness when viewed from nearby lands or roadways.*
15. *Noise from the premises must comply with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No N-1 and Interim Guidelines for Control of Noise from Industry in country Victoria, N3/89, both to the satisfaction of the Responsible Authority.*

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within two years of the commencement of the permit. An extension of time of the development may be issued if application is made less than three months after the date on which the permit would have lapsed.

MOVED: CRS D. Colbert/T. Schneider

That Council having considered Planning Application 1536-16 decides to issue a Planning Permit for an Animal Husbandry at Lot 1 TP 665748 (180 Jordan Road, Gerang Gerung) and associated buildings. The Planning Permit shall be issued with the

following conditions:

- 1. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the consent of the Responsible Authority.**
- 2. The operations must at all times comply with the provisions of the Code of Practice for the Operation of Breeding and Rearing Establishments.**
- 3. Odours offensive to the senses of human beings must not be discharged beyond the boundaries of the site.**
- 4. No more than 25 dogs (including pups) may be kept on the site at any one time.**
- 5. The keeping of dogs on the subject land shall not cause nuisance or a loss of amenity to other properties.**
- 6. The animals shall not be left unsupervised beyond the boundaries of the site.**
- 7. The dog pens and runs must be constructed and laid out in accordance with the requirements of the Code of Practice for the Operation of Breeding and Rearing Establishments. Fencing must be made secure at all times so that the dogs do not escape.**
- 8. The animals are to be kept in good condition.**
- 9. The permit holder is to prevent excessive barking and animal noise. In the event that continual barking occurs, the specific animal(s) shall have a device fitted to reduce the incidence of barking or similar measures adopted.**
- 10. Animal waste is to be collected daily and disposed of properly.**
- 11. The permit holder must allow an annual inspection of the land by the Responsible Authority to assess whether the use and development of the land complies with the conditions on this permit.**
- 12. A suitably qualified or experienced person who is responsible for the management and control of the facility must supervise the facility.**
- 13. The use or development authorised under this permit must not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the appearance of any building works or materials on the land, the emission of noise, light, smell, dust, waste products, the presence of vermin, barking of dogs or otherwise.**
- 14. All materials stored on the site must be stored out of view or in such manner as to not cause unsightliness when viewed from nearby lands or roadways.**
- 15. Noise from the premises must comply with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No N-1 and Interim**

Guidelines for Control of Noise from Industry in country Victoria, N3/89, both to the satisfaction of the Responsible Authority.

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within two years of the commencement of the permit. An extension of time of the development may be issued if application is made less than three months after the date on which the permit would have lapsed.

CARRIED

Attachment: 4

8.3 APPLICATION FOR PLANNING PERMIT 1535-16

Responsible Officer:	Town Planner
File:	Planning – Applications – 1535-16
Assessment:	142120
Attachment:	5
Applicant:	Clive Weinberg
Owner:	Clive Weinberg
Subject Land:	Lot 40 PS 026016 (3 James Street, Nhill)
Proposal:	Construct a second dwelling
Zoning & Overlays:	General Residential Zone (GRZ) Environmental Significance Overlay (Schedule 6)

Summary:

The subject site is located on the south side of James Street approximately 60m west of Victoria Street. The property is rectangular in shape with a frontage of 18.28m, a depth of 50.3m and an area of 920m². A laneway runs adjacent the east boundary. The site is developed with a small dwelling located in the rear southeast corner of the site. The dwelling has vehicular access from the laneway. Several other properties use this laneway for vehicular access. Surrounding sites are developed with dwellings. Commercial buildings are located with frontage to Victoria Street.

The applicant proposes to construct a single storey two bedroom dwelling set towards James Street. The dwelling will be single storey and be provided with a garage located on the west side of the block. At present the site has no crossover to James Street so this will need to be constructed. The existing dwelling at the rear of the site will remain as presently exists.

The existing dwelling has a letterbox to James Street. There is also a gate that provides access from James Street. It appears that in practice access to the rear dwelling for pedestrians is via the laneway.

The application does not include subdivision. The layout plan shows an internal fence between the existing dwelling and the proposed dwelling. This fence line makes no allowance for the existing dwelling to have access to James Street. This raises issues associated with 'sense of address'. The proposed design effectively limits all access whether for pedestrians and vehicles (including service deliveries) from the side laneway. As the laneway is unnamed this could cause issues for service delivery and emergency service access. To overcome this issue, the rear dwelling requires some physical connection with James Street. A condition is proposed which will require pedestrian access from the frontage to the rear dwelling. The proposed dwelling has no habitable windows facing east so privacy issues should not arise.

Applications for two or more dwellings must be assessed against the provisions of ResCode, which is found at Clause 55 of the Hindmarsh Planning Scheme. ResCode sets out a series of Objectives and Standards. The ResCode Objectives set out the desired outcome. ResCode Standards set out requirements to satisfy an Objective.

An assessment of the proposal against the Objectives and Standards of ResCode has been undertaken. The application is considered to satisfy the provisions of ResCode apart from issues associated with a sense of address and service access. Conditions have been

recommended which address this issue. The application was advertised and no objections were received.

The Hindmarsh Planning Scheme encourages a diverse supply of housing and the provision of contemporary housing. The proposal is consistent with these planning objectives.

Notification & Referral of Application:

Pursuant to Sections 52 and 55 of the Planning and Environment Act 1987 (the Act), notice of the application must be given to the community and referred to stipulated authorities.

Community:

Pursuant to Section 52 of the Act, Council is required to give notice of this application to any person it considers the grant of the permit may cause material detriment. Notice of this application was given and no objections were received.

Authorities:

Pursuant to Section 52 of the Act, notice of this application was not forwarded to any authorities due to the nature of the proposal.

Pursuant to Section 55 of the Act, notice of this application was not required to be given.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Report to Council:

The Town Planner advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was received on 27 July 2016. The applicant was requested to provide additional information. The application was subsequently advertised. The report is being presented to the Council meeting of 21 December 2016. The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Peter Jewell, Town Planner

In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION:

That Council having considered Planning Application 1535-16 decides to issue a Planning Permit for the construction of an additional dwelling at Lot 40, PS026016 (3 James Street, Nhill) subject to the following conditions:

1. Amending Plans:

Amending plans be submitted showing a pedestrian walkway or pathway providing access from the rear dwelling to the James Street frontage. This walkway shall have a minimal width of 1.2m. Allowances in the design shall be made for service provision such as a mailbox to the James Street frontage for the rear dwelling. Once approved there shall be no variation to the endorsed plans without the consent of the Responsible Authority.

2. Engineering Requirements:

A traffic assessment was performed and it was deemed that:

- A new crossover should be created in James Street;*
- The new crossover should be constructed to Council standards;*
- The new crossover change in grade should not exceed 10%; and*
- Installation of the new crossover should be more than one (1) meter away from any Council infrastructure.*

A drainage assessment was conducted and it was found that:

- The LPD is located at the north east corner of the property;*
- The LPD connection is to be made into the kerb and channel located in the road reserve of James Street;*
- Ownership and maintenance of the LPD connection from the kerb and channel back to the property lies with the property owner; and*
- Development of the block will require storm water detention. A 20,000lt water tank of which half a minimum of 7,500 is reserved for storm water detention.*

A Road Opening permit is required for any works in the road reserve.

3. Services:

The new dwelling shall be connected to all services.

4. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within four years of the date of issue of the permit. An extension of time for the development may be issued if application is made not less than three months after the date on which the permit would have lapsed.

MOVED: CRS D. Colbert/R. Gersch

That Council having considered Planning Application 1535-16 decides to issue a Planning Permit for the construction of an additional dwelling at Lot 40, PS026016 (3 James Street, Nhill) subject to the following conditions:

1. Amending Plans:

Amending plans be submitted showing a pedestrian walkway or pathway providing access from the rear dwelling to the James Street frontage. This walkway shall have a minimal width of 1.2m. Allowances in the design shall be made for service provision such as a mailbox to the James Street frontage for the rear dwelling. Once approved there shall be no variation to the endorsed plans without the consent of the Responsible Authority.

2. Engineering Requirements:

A traffic assessment was performed and it was deemed that:

- A new crossover should be created in James Street;***
- The new crossover should be constructed to Council standards;***
- The new crossover change in grade should not exceed 10%; and***
- Installation of the new crossover should be more than one (1) meter away from any Council infrastructure.***

A drainage assessment was conducted and it was found that:

- The LPD is located at the north east corner of the property;***
- The LPD connection is to be made into the kerb and channel located in the road reserve of James Street;***
- Ownership and maintenance of the LPD connection from the kerb and channel back to the property lies with the property owner; and***
- Development of the block will require storm water detention. A 20,000lt water tank of which half a minimum of 7,500 is reserved for storm water detention.***

A Road Opening permit is required for any works in the road reserve.

3. Services:

The new dwelling shall be connected to all services.

4. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within four years of the date of issue of the permit. An extension of time for the development may be issued if application is made not less than three months after the date on which the permit would have lapsed.

CARRIED

Attachment: 5

8.4 APPLICATION FOR PLANNING PERMIT 1537-16

Responsible Officer:	Town Planner
File:	Planning – Applications – 1537-16
Assessment:	086120
Attachment:	6
Applicant:	John Fawkes
Owner:	John Fawkes
Subject Land:	Lot 1, TP 251620 (Corner Lochiel & Victoria Streets, Dimboola)
Proposal:	Construct two dwellings
Zoning & Overlays:	Commercial 1 Zone (B1Z) Environmental Significance Overlay (Schedule 6) Heritage Overlay (Schedule 34)

Summary:

The subject site is located on the North West corner of Lochiel Street and Victoria Street, Dimboola. The site is vacant. It is to the east of the Dimboola Supermarket. The land comprises three titles with a combined area of 851sqm. The land is rectangular in shape with a frontage to Lochiel Street of 22m and a frontage to Victoria Street of 37.19m. The land is level and contains no vegetation.

A previous application was made for two dwellings and the subdivision of the land. Council issued a planning permit but this has since lapsed. The new application incorporates a different design to that previously approved by Council.

The proposal seeks planning permission to construct two single storey dwellings. The dwellings are modest in size having floor areas of 77.6m² and 41.6m². Dwelling 1 will have a double garage; dwelling 2 will have a carport.

Applications for two or more dwellings must be assessed against the provisions of ResCode, which is found at Clause 55 of the Hindmarsh Planning Scheme. ResCode sets out a series of Objectives and Standards. The ResCode Objectives set out the desired outcome. ResCode Standards set out requirements to satisfy an Objective. The development generally satisfies the provisions of ResCode. An assessment has indicated that changes to the driveway layout and fencing would improve the function and attractiveness of the site. Conditions have been recommended to achieve these outcomes.

The application was advertised and no objections were received.

The site although zoned Commercial 1 is not used for commercial purposes. The use of the land for residential purposes will not compromise the commercial function of the Dimboola Town Centre given the availability of existing shop premises. The site is also on the fringe of the commercial area. A letter has been received from the adjacent supermarket operator asking that the permit holder and future residents be informed of the 24 hour nature of the supermarket (in terms of access and deliveries). This letter makes it clear that the submission is not an objection. A permit condition to reflect the concerns raised has been included.

The site is on the fringe of the Heritage Overlay area and will not conflict with existing streetscape conditions.

The Hindmarsh Planning Scheme encourages a diverse supply of housing and the provision of contemporary housing. The proposal is consistent with these planning objectives.

Notification & Referral of Application:

Pursuant to Sections 52 and 55 of the Planning and Environment Act 1987 (the Act), notice of the application must be given to the community and referred to stipulated authorities.

Community:

Pursuant to Section 52 of the Act, Council is required to give notice of this application to any person it considers the grant of the permit may cause material detriment. Notice of this application was given and no objections were received. A submission was received which was not an objection. A proposed permit condition responds to the matters raised in this submission.

Authorities:

Pursuant to Section 52 of the Act, notice of this application was not forwarded to any authorities due to the nature of the proposal.

Pursuant to Section 55 of the Act, notice of this application was not required to be given,

Strategic, Statutory and Procedural Requirements:

The proposal is inconsistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Report to Council:

The Town Planner advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was received on 8 August 2016. The applicant was requested to provide additional information. The application was subsequently advertised. The report is being presented to the Council meeting of 21 December 2016. The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Peter Jewell, Town Planner

In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION:

That Council having considered Planning Application 1537-16 decides to issue a Planning Permit to allow for two dwellings at Lot 1, TP 251620 (Lochiel and Victoria Streets, Dimboola). The Planning Permit shall be issued with the following conditions:

1. Amending Plans:

Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the submitted plans, but modified to show:

- (a) Each dwelling with its own crossover.***
- (b) Revised fencing details are to be submitted which show privacy for the secluded open spaces from street view and low rise fencing to the balance of the property frontages.***

2. Engineering Requirements:

A traffic assessment was performed and it was deemed that:

- The property is to create a new crossover off of Victoria Street, built to Council Standards; and***
- The fence against the laneway needs to be lowered to 900mm to aid in pedestrian safety.***

A drainage assessment was performed and it was deemed that:

- The LPD for the development is located at the southern corner of the property.***
- The LPD connection is to be made into Council's underground storm water drainage system located in the road reserve of Lochiel Street.***
- The ownership and maintenance of the storm water connection in the road reserve lies with the property owner; and***
- A rainwater tank of not less than 5000Lt, with 2000 Lt reserved for storm water detention, needs to be installed as part of the development.***

All works undertaken in the road reserve require a road opening permit.

Any new access required is to be constructed to a location and standard as required by the Responsible Authority (Director Infrastructure Services) at the cost to the developer.

3. *Stormwater discharge from the site must be in a location and standard as required by the Responsible Authority at the cost of the developer.*

4. *The dwellings must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.*

5. *The dwellings must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.*

6. *The dwellings must be connected to reticulated electricity supply or have an alternative energy source.*

7. A properly prepared landscaping plan must be prepared by the applicant and approved by the Responsible Authority. The landscaping shown on this plan must be completed within six (6) months of the completion of the dwellings.

8. The dwellings must not be constructed over any easements without the permission of the relevant authority.

9. Amenity:

The permit holder will make future residents of the proposed dwellings aware that the adjoining supermarket is a long standing commercial operation that generates late night deliveries and the use can cause noise, dust and odours.

10. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within four years of the date of issue of the permit. An extension of time for the development may be issued if application is made not less than three months after the date on which the permit would have lapsed.

MOVED: CRS T. Schneider/R. Lowe

That Council having considered Planning Application 1537-16 decides to issue a Planning Permit to allow for two dwellings at Lot 1, TP 251620 (Lochiel and Victoria Streets, Dimboola). The Planning Permit shall be issued with the following conditions:

1. Amending Plans:

Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the submitted plans, but modified to show:

- (a) Each dwelling with its own crossover.**
- (b) Revised fencing details are to be submitted which show privacy for the secluded open spaces from street view and low rise fencing to the balance of the property frontages.**

2. Engineering Requirements:

A traffic assessment was performed and it was deemed that:

- The property is to create a new crossover off of Victoria Street, built to Council Standards; and**
- The fence against the laneway needs to be lowered to 900mm to aid in pedestrian safety.**

A drainage assessment was performed and it was deemed that:

- The LPD for the development is located at the southern corner of the property.**
- The LPD connection is to be made into Council's underground storm water drainage system located in the road reserve of Lochiel Street.**
- The ownership and maintenance of the storm water connection in the road reserve lies with the property owner; and**

- ***A rainwater tank of not less than 5000Lt, with 2000 Lt reserved for storm water detention, needs to be installed as part of the development.***

All works undertaken in the road reserve require a road opening permit.

Any new access required is to be constructed to a location and standard as required by the Responsible Authority (Director Infrastructure Services) at the cost to the developer.

3. Stormwater discharge from the site must be in a location and standard as required by the Responsible Authority at the cost of the developer.

4. The dwellings must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

5. The dwellings must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.

6. The dwellings must be connected to reticulated electricity supply or have an alternative energy source.

7. A properly prepared landscaping plan must be prepared by the applicant and approved by the Responsible Authority. The landscaping shown on this plan must be completed within six (6) months of the completion of the dwellings.

8. The dwellings must not be constructed over any easements without the permission of the relevant authority.

9. Amenity:

The permit holder will make future residents of the proposed dwellings aware that the adjoining supermarket is a long standing commercial operation that generates late night deliveries and the use can cause noise, dust and odours.

10. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within four years of the date of issue of the permit. An extension of time for the development may be issued if application is made not less than three months after the date on which the permit would have lapsed.

CARRIED

Attachment: 6

8.5 APPLICATION FOR PLANNING PERMIT 1541-16

Responsible Officer:	Town Planner
File:	Planning – Applications – 1541-16
Assessment:	200382
Attachment:	7
Applicant:	A Mansour
Owner:	T Mansour
Subject Land:	Lot 1 TP 320884J (29 Ellerman Street, Dimboola)
Proposal:	Construct two dwellings
Zoning & Overlays:	General Residential Zone (GRZ) Environmental Significance Overlay (Schedule 6)

Summary:

The subject site is located on the west side of Ellerman Street approximately 50m south of High Street. The property is rectangular in shape with a frontage of 23.13m, a depth of 40.3m and an area of 926m². The site is vacant. The site to the north contains a take away food premises being a former service station. Land to the south and west is developed with housing.

The applicant proposes to construct two single storey dwellings. The front dwelling will contain three bedrooms, the rear dwelling will contain two bedrooms. The front dwelling has a setback to the property frontage of 8.9m. A driveway serving both dwellings will run adjacent the south boundary.

The dwellings will be provided with secluded private open space. The layout allows ample areas for landscaping. The application does not include the subdivision of the site. The layout and design proposed is compatible with the future subdivision of the site.

Applications for two or more dwellings must be assessed against the provisions of ResCode, which is found at Clause 55 of the Hindmarsh Planning Scheme. ResCode sets out a series of Objectives and Standards. The ResCode Objectives set out the desired outcome. ResCode Standards set out requirements to satisfy an Objective.

An assessment of the proposal against the Objectives and Standards of ResCode has been undertaken. The application is considered to satisfy the provisions of ResCode apart from a potential concern that vehicles might not be able to exit the site in a forward direction. VicRoads have requested this requirement. The application was advertised and no objections were received.

The Hindmarsh Planning Scheme encourages a diverse supply of housing and the provision of contemporary housing. The proposal is consistent with these planning objectives.

Notification & Referral of Application:

Pursuant to Sections 52 and 55 of the Planning and Environment Act 1987 (the Act), notice of the application must be given to the community and referred to stipulated authorities.

Community:

Pursuant to Section 52 of the Act, Council is required to give notice of this application to any

person it considers the grant of the permit may cause material detriment. Notice of this application was given and no objections were received.

Authorities:

Pursuant to Section 52 of the Act, notice of this application was not forwarded to any authorities due to the nature of the proposal.

Pursuant to Section 55 of the Act, notice of this application was given and VicRoads have required permit conditions.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Report to Council:

The Town Planner advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was received on 27 September 2016. The application was subsequently advertised and referred to VicRoads. The report is being presented to the Council meeting of 7 December 2016. The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Peter Jewell, Town Planner

In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION:

That Council having considered Planning Application 1541-16 decides to issue a Planning Permit for the construction of two dwellings at Lot 1, TP 320884J (29 Ellerman Street, Dimboola) subject to the following conditions:

1. Amending Plans:

Amending plans be submitted showing that vehicles can exit the site in a forward direction. Once approved there shall be no variation to the endorsed plans without the consent of the Responsible Authority.

2. Engineering Requirements:

A drainage assessment was performed and it was deemed that:

- ***The applicant must install a minimum 5000Lt water tank, of which 2000Lt must be reserved for storm water for each unit;***

- ***The legal point of discharge (LPD) for the property is the Table drain located in the road reserve of Ellerman Street;***
- ***Maintenance of the LPD is the responsibility of the property owner; and***
- ***No storm water from the development must flow overland across the property's boundary.***

A traffic assessment was performed and it was deemed that:

- ***A crossover for the development must be created to the satisfaction of the Council;***
- ***The crossover must be constructed no closer than one (1) meter from any piece of any infrastructure in the nature strip and three (3) meters from the trunk of any tree in the nature strip; and***
- ***The plans must be altered to allow for vehicles to enter and exit the property in forward direction as required by VicRoads requirements.***

A road opening permit is required for any works in the road reserve. Please refer to attachment for LPD and easement details.

3. Services:

The new dwellings shall be connected to all services.

4. VicRoads:

- The crossover is to be constructed to the satisfaction of the responsible Authority.***
- Vehicles are able to enter and exit the driveway in a forward direction.***

5. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within four years of the date of issue of the permit. An extension of time for the development may be issued if application is made not less than three months after the date on which the permit would have lapsed.

MOVED: CRS R. Lowe/T. Schneider

That Council having considered Planning Application 1541-16 decides to issue a Planning Permit for the construction of two dwellings at Lot 1, TP 320884J (29 Ellerman Street, Dimboola) subject to the following conditions:

1. Amending Plans:

Amending plans be submitted showing that vehicles can exit the site in a forward direction. Once approved there shall be no variation to the endorsed plans without the consent of the Responsible Authority.

2. Engineering Requirements:

A drainage assessment was performed and it was deemed that:

- ***The applicant must install a minimum 5000Lt water tank, of which 2000Lt must be reserved for storm water for each unit;***
- ***The legal point of discharge (LPD) for the property is the Table drain located in the road reserve of Ellerman Street;***
- ***Maintenance of the LPD is the responsibility of the property owner; and***
- ***No storm water from the development must flow overland across the property's boundary.***

A traffic assessment was performed and it was deemed that:

- ***A crossover for the development must be created to the satisfaction of the Council;***
- ***The crossover must be constructed no closer than one (1) meter from any piece of any infrastructure in the nature strip and three (3) meters from the trunk of any tree in the nature strip; and***
- ***The plans must be altered to allow for vehicles to enter and exit the property in forward direction as required by VicRoads requirements.***

A road opening permit is required for any works in the road reserve. Please refer to attachment for LPD and easement details.

3. Services:

The new dwellings shall be connected to all services.

4. VicRoads:

- a. ***The crossover is to be constructed to the satisfaction of the responsible Authority.***
- b. ***Vehicles are able to enter and exit the driveway in a forward direction.***

5. Permit Lapse/Extension:

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within four years of the date of issue of the permit. An extension of time for the development may be issued if application is made not less than three months after the date on which the permit would have lapsed.

CARRIED

Attachment: 7

9. REPORTS REQUIRING A DECISION
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9.1 CHIEF EXECUTIVE OFFICER

9.2.1 No report

9.2 DIRECTOR CORPORATE & COMMUNITY SERVICES

9.2.1 RIVERSIDE HOLIDAY PARK

Responsible Officer: Director Corporate and Community Services

Introduction:

The purpose of the report is to:

1. Inform council of progress on the new Recreation Building at the Riverside Holiday Park;
2. Seek Councils endorsement to re-allocate funds to complete the building to a stage to make it usable; and
3. Advise of required future budget allocations to ensure that the Recreation Building is made fit for purpose.

Background:

The 2016-17 budget had an allocation of \$75,000 towards the recreation building. The allocation included:

1. \$30,000 to relocate the office (existing rec building) to the entrance of the Park and transport and install the 'North Wing' portable building (currently located at the Shire Depot in Nhill) to the site of the existing Recreation Building.
2. \$40,000 to fit out and furnish the new recreation building for visitor use.

Quotes have been received to relocate the buildings, obtain an occupancy certificate for the Recreation Building and 'make good' (i.e. safe and presentable) the office building.

The building permit required both buildings to comply and be suitable for all-ability-access which involved rearranging the nearby amenities block and installing footpaths and ramps, which were not allowed for in the original budget submission.

The current total estimated cost for the relocation, installation and building occupancy permit for the new recreation room is \$71,997, detailed below:

Item Description	Cost (ex GST)	Comments
Relocation of both buildings	\$13,880	Baker Builders have confirmed relocation date of 6 February 2017
Occupancy Certificate requirements for recreation buildings	\$44,051	Leyonhjelm builders have quoted and confirmed date of 13 February 2017
Engineer and building department costs	\$4,600	Designs, building permits etc
'Make good' site office building	\$5,000	Estimate. Ensure the building is safely secured onsite to avoid further damage or injury to unlawful entry
TOTAL (Committed)	\$67,531	

This estimate does not include the installation and fit out of the new site office or furnishing the

recreation building.

Whilst there will be an occupancy certificate issued within the above estimate, it will not be attractive, comfortable or have any facilities to enhance the visitors experience during their stay at the Park.

It was considered important that the building works proceed, therefore purchase orders have been issued for relocating the buildings, work to obtain the occupancy certificate and the engineers and building department costs. This work is scheduled to be completed in February 2017.

Discussion:

Items that were included in the original budget proposal and now cannot be afforded are as follows:

Item Description	Cost (ex GST)	Comments	Priority in year
Interior painting and carpet in new recreation room	\$16,000	\$8000 for carpet @ \$100/m2 installed \$8,000 for interior painting	2016/17 Required
SUBTOTAL	\$16,000		
Paint exterior	\$5,000		2016/17
Air conditioning / heating	\$4,500	Supply and install 2 split systems	2016/17
Blinds	\$2,500		2016/17
TV / DVD Player	\$1,200	TV, DVD player and wall brackets	2016/17
Lounge Suite	\$2,000	2 + 3 seater fabric	2016/17
SUBTOTAL	\$15,200		
Table Tennis Table	\$500	Sturdy table and accessories	2017/18
Board Games	\$200	Family friendly board games	2017/18
Indoor and Outdoor Table and Chairs	\$500	Same as Camp kitchen chairs and table (2 tables and 8 chairs)	2017/18
Outdoor games	\$500	Oversize Jenga, Bocce, Kubb	2017/18
Verandah over decking	\$17,000	Zincalume and RHS	2017/18
SUBTOTAL	\$18,700		
TOTAL	\$49,900		

With the installation of 5 new cabins in February 2017, it is anticipated that the occupancy rate

of the Park will increase immediately from February – May 2017. Therefore the budgeted items are required to ensure patronage continues to increase.

To determine the best way forward, the items can be split into four stages.

1. Complete the building by installing carpet and paint the interior;
2. Provide minimum furnishings;
3. Provide desired level of service that will attract patrons and contribute to their positive visitor experience; and
4. Complete office works.

Stage 1:

The existing budget covers existing commitments that will ensure an occupancy certificate is issued. However the building will not be able to be used unless new carpet is installed and the interior painted. This will require an estimated \$13,000 of additional allocation. It is proposed that this allocation can be transferred from the following accounts:

\$16,000 from canoe/bike hire budget allocation (Currently \$17,023)

Stage 2:

A further \$15,200 is required to provide minimum furnishings. Whilst it is highly desirable that this work be completed in this financial year no funding source within the current budget has been identified. It is therefore proposed that this expenditure be referred for consideration in next year's capital works budget.

Stage 3:

A further allocation in the 2017/18 budget of \$18,700 will then be required to match the proposed level of service that Park visitors have come to expect, not only at the Riverside Holiday Park, but at Caravan Parks in general.

Stage 4:

A further allocation will be required to finish and furnish the site office. This item will be scoped and presented by officers for consideration in 2017/18 budget deliberations.

Options:

Council can choose to

1. Allocate no further money to cover in this financial year; or
2. Reallocate \$16,000 from the Riverside Holiday Park canoe/bike hire budget allocation to ensure that the building can be utilised with a reasonable presentation and refer \$33,900 for consideration in the 2017/18 capital works program to complete the works in the recreation building.

Link to Council Plan:

Strategic Objective 2.1	Well-maintained physical assets and infrastructure to meet community and organisational needs
Strategic Objective 3.1	A strong rural economy and thriving towns
Strategic Objective 3.2	A thriving tourism industry
Strategic Objective 3.2.2	Appealing tourism facilities that promote visitation and meet visitor needs

Financial Implications:

It is envisaged that the costs of the additional funding required in 2017/18 will be offset by cash flow derived by additional patronage.

Risk Management Implications:

There is a financial risk of not achieving targeted patronage to the park if the recreation building is not finished to a desirable level created by the recent redevelopment and cabins installations.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Katherine Colbert, Economic Development Coordinator and Alastair Griffiths, Capital Works Manager

In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Anne Champness, Director Corporate & Community Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

RECOMMENDATION:

That Council reallocates \$16,000 from the Riverside Holiday Park canoe/bike hire budget allocation to ensure that the recreation building can be utilised with a reasonable presentation and refer \$33,900 for consideration in the 2017/18 capital works program to complete the works in the building.

MOVED: CRS R. Gersch/D. Colbert

That Council reallocates \$19,000 from the 2016/17 Riverside Holiday Park canoe/bike hire (\$16,000) and fencing (\$3,000) budget allocation to be utilised towards the completion of the recreational room works and refer the remaining for consideration in the 2017/18 capital works program to complete the works in the building.

CARRIED

9.2 COUNCILLOR CODE OF CONDUCT

Responsible Officer: Director Corporate & Community Services

Attachment Number: 8

Introduction:

The purpose of this report is to commence the review of Council's Councillor Code of Conduct.

Discussion:

In October 2015, the Local Government Amendment (Improved Governance) Act 2015 was passed by Parliament. The Local Government Amendment (Improved Governance) Act 2015 amended section 76C Councillor Code of Conduct of the Local Government Act 1989 (the Act), section 76C(1) was subsequently repealed in August 2016.

Under the section 76C of the Local Government Act

(2) *A Council must, within the period of 4 months after a general election—*

(a) *call a special meeting solely for the purpose of reviewing the Councillor Code of Conduct; and*

(b) *at that special meeting, approve any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary following the review of the Councillor Code of Conduct.*

(3) *A Councillor Code of Conduct—*

(a) *must include the internal resolution procedure for dealing with an alleged contravention of the Councillor Code of Conduct by a Councillor;*

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

(c) *must include any provisions prescribed for the purpose of this section;*

(d) *must include provisions addressing any matters prescribed for the purpose of this section;*

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

(5) *A Councillor Code of Conduct must not be inconsistent with any Act or regulation.*

(5A) *A Councillor Code of Conduct is inoperative to the extent that it is inconsistent with any Act or regulation.*

(6) *A copy of the current Councillor Code of Conduct must be—*

(a) *given to each Councillor;*

(b) *available for inspection by the public at the Council office and any district offices;*

(c) *published on the Council's Internet website maintained under section 82A.*

(6A) *Within one month of amendments to a Councillor Code of Conduct being approved in accordance with subsection (2), a Councillor must make a declaration stating that they will abide by the Councillor Code of Conduct.*

(6B) *A declaration by a Councillor under subsection (6A) must be—*

(a) *in writing; and*

(b) *witnessed by the Chief Executive Officer.*

The current Councillor Code of Conduct was adopted by Council on 4 July 2016 (see attachment 8). Following local government elections, Councillors declared they would abide by the Councillor Code of Conduct at Council's Statutory Meeting on 9 November 2016.

As stated in the Act, Council must review and make any necessary amendments to its Councillor Code of Conduct within four months after a general election. This must be done by calling a special meeting solely for the purpose of reviewing the Councillor Code of Conduct.

Hindmarsh Shire Council's Councillor Code of Conduct is based on the Municipal Association of Victoria's Model Councillor Code of Conduct released in June 2016.

The template reflects that the Code of Conduct is no longer required to include councillor conduct principles because the principles are now contained in the Act itself. The template also provides detailed dispute resolution procedures. The internal resolution procedure must include an independent arbiter who is able to consider alleged violations of the code of conduct and make final determinations on them fairly and without bias. Persons subject to allegations must be given an opportunity to be heard. Decisions by the arbiter must be supported by written reasons.

The Act also creates a new position of Principal Conduct Officer which must be appointed by each council. The functions of the Principal Conduct Officer include assisting Council in the implementation and conduct of the internal resolution procedure in their councillor conduct codes and assisting the Principal Councillor Conduct Registrar. The Principal Conduct Officer will be appointed by the CEO and must be either a senior officer or the subject of a Council resolution approving their qualifications for the role.

Within one month of an (amended) Councillor Code of Conduct being approved, all Councillors must make a declaration stating that they will abide by the Councillor Code of Conduct. Again this declaration must be signed and witnessed by the CEO.

The Councillor Code of Conduct must be made publicly available on Council's website. This must be done as soon as practicable after it is adopted.

Options:

Council must review and make any necessary amendments to its Councillor Code of Conduct by 22 February 2017. This must be done by calling a special meeting solely for the purpose of reviewing the Councillor Code of Conduct.

Link to Council Plan:

4.3 An engaged, skilled Council and workforce capable of meeting community needs.

4.6 An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

Financial Implications:

Nil

Risk Management Implications:

The Councillor Code of Conduct has to be reviewed within four months after a general election. Management of Council's legislative responsibilities in a timely manner will minimise Council's exposure to adverse impacts, improve effectiveness and generate efficiencies.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author and Officer Responsible – Anne Champness, Director Corporate & Community Services

In providing this advice as the Author and Officer Responsible, I have no disclosable interests

in this report.

Communications Strategy:

The Councillor Code of Conduct must be made publicly available on Council's website. This must be done as soon as practicable after it is adopted.

RECOMMENDATION:

That Council:

- (a) calls a special meeting for 1 February 2017, 2.45pm at the Council Chambers, 92 Nelson St, Nhill, solely for the purpose of reviewing its Councillor Code of Conduct; and***
- (b) at that special meeting, approves any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary following the review of the Councillor Code of Conduct.***

MOVED: CRS T. Schneider/R. Ismay

That Council:

- (a) calls a special meeting for 1 February 2017, 2.45pm at the Council Chambers, 92 Nelson St, Nhill, solely for the purpose of reviewing its Councillor Code of Conduct; and***
- (b) at that special meeting, approves any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary following the review of the Councillor Code of Conduct.***

CARRIED

Attachment: 8

9.2.3 2017 VOLUNTEERING RECOGNITION AWARDS – LOCAL GOVERNMENT AWARDS

Responsible Officer: Director Corporate and Community Services
Attachment: 9

Introduction:

This report seeks Council's support as a donor for the Local Government Award category of the 2017 Volunteering Recognition Awards.

Discussion:

The Volunteering Recognition Awards are a biennial event to recognise and celebrate the region's volunteers. The Awards are facilitated by the Centre for Participation, formerly Volunteering Western Victoria.

In the 2015 Awards, Hindmarsh Shire was well represented, local residents and groups taking out four of the fourteen awards:

- New resident award – Bruce Donnelly
- Energy conservation and environment – Nhill Swamp Wildlife Reserve Boardwalk Restoration Project
- Creative communities – Fiesta Fridays in February
- Sporting body award – Jeparit Easter Fishing Competition, Jeparit Anglers Club

The 2017 Awards presentation night will be held on 12 May 2017 at the Horsham Town Hall. This date coincides with the end of National Volunteers Week from 8 – 12 May 2017.

For the 2017 Awards, an awards specific ongoing brand has been designed and the amount of exposure donors will receive has increased to include social media exposure and an invitation to pre-event cocktails for Donors and Finalists at the Horsham Town Hall.

The Centre for Participation is seeking an amount of \$1,000 as a donation from Council to go towards the Local Government Awards category.

Options:

Council can choose to support or not support the 2017 Volunteering Recognition Awards as a donor.

Link to Council & Community Plans:

Strategic Objective 1.1: An actively engaged community.

1.1.6 Support and encourage volunteering and work collaboratively with Volunteering Western Victoria.

Financial Implications:

Council has not budgeted for this expenditure, however, \$4,000 are budgeted for Youth and Volunteer Activities and Events (ledger 10911) and could be allocated towards the Awards.

Risk Management Implications:

Risks are to be managed by the Centre for Participation.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council

must disclose any interests, including the type of interest.

Author and Officer Responsible – Anne Champness, Director Corporate & Community Services

In providing this advice as the Author and Officer Responsible, I have no disclosable interests in this report.

Communications Strategy

Council will notify the Centre for Participation of its decision.

RECOMMENDATION:

That Council supports the Centre for Participation's 2017 Volunteering Recognition Awards as a Local Government Award donor with a donation of \$1,000.

MOVED: CRS R. Gersch/R. Lowe

That Council supports the Centre for Participation's 2017 Volunteering Recognition Awards as a Local Government Award donor with a donation of \$1,000 allocated from the 10911/0199/5920.

CARRIED

Attachment: 9

9.3 DIRECTOR OF INFRASTRUCTURE SERVICES

9.3.1 YANAC HALL STORAGE FACILITY

Responsible Officer: Director Corporate & Community Services

Introduction:

Yanac Hall Committee is seeking Council support to make an offer for the unused CFA building in Yanac.

Discussion

Yanac Hall Committee is seeking Council's support for the Committee to make an offer for the unused Yanac CFA building, which would be used as storage shed. The shed is 6m x 10m of steel framed construction, on a concrete slab, and has two rain water tanks (1 x 5,000gl and 1 x 2,000gl) and is connected to electricity. For some time the Hall Committee has considered erecting a storage shed at the rear of the hall. However, this project has been delayed due to the cost. Purchase of the Yanac CFA building is considered a cheaper option.

This is the second time that Council has received a request from the Hall Committee seeking support to buy the unused CFA shed. In April 2014 the Hall committee had discussions with the CFA in regard to purchasing the shed. Initial discussions centred on the committee offering an amount of \$1,000 for the shed. However when Council wrote to the CFA head office, we were advised that the building was valued at \$10,000. Given the high valuation no further action was taken.

Recently the Hall Committee has had further discussions with the CFA. The CFA has advised that there are approximately forty (40) CFA buildings across the state that have been placed on the "Surplus Government Land First Right of Refusal" website and that the Yanac facility is one of them. Council would need to make an offer to purchase the shed on the Committee's behalf, as the "Surplus Government Land First Right of Refusal" is only available to government bodies.

Options:

1. Council can choose to support the request of the Yanac Hall Committee and that Council make an offer to purchase the shed.
2. Council can choose not to support the request of the Yanac Hall Committee to purchase the shed.

Financial Implications:

The Yanac Hall Committee has advised that it would fund the purchase of the shed including legal costs associated with the transfer of ownership and undertake any ongoing routine maintenance.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author– Wayne Schulze, Contracts Manager

In providing this advice as the author, I have no disclosable interests in this report.

RECOMMENDATION:

Council supports the Yanac Hall Committee and make an offer of \$1,000 + GST on behalf of the Section 86 Committee for the purchase of the Yanac CFA shed.

MOVED: CRS R. Gersch/R. Lowe

That Council supports the Yanac Hall Committee and make an offer of \$1,000 + GST on behalf of the Section 86 Committee for the purchase of the Yanac CFA shed. If the offer is successful, Yanac Hall Committee will be solely responsible for any maintenance.

CARRIED

10. SPECIAL COMMITTEES

No report

11. LATE REPORTS

No report

12. OTHER BUSINESS

MOVED: CRS T. Schneider/R. Gersch

That Council advises the Essential Services Commission by 31 January 2017 that Hindmarsh Shire Council seeks to apply for a higher rate cap for the 2017/18 financial year.

CARRIED

MOVED: CRS T. Schneider/R. Ismay

That Andrew Broad be invited in the new year to discuss various matters including the Building Better Regions Program and the future of aged care.

CARRIED

13. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act 1989*, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- a) Personnel matters;
- b) The personal hardship of any resident or ratepayer;
- c) Industrial matters;
- d) Contractual matters;
- e) Proposed developments;
- f) Legal advice;
- g) Matters affecting the security of Council property;
- h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

RECOMMENDATION:

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, as a) Personnel matters and d) Contractual matters:

- 13.1 ***Australia Day Awards 2017***
- 13.2 ***Contract 2016/17–02 Reconstruction of Lorquon East and Lorquon Station Rd, Lorquon***

MOVED: CRS R. Ismay/T. Schneider

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, as a) Personnel matters and d) Contractual matters:

- 13.1 ***Australia Day Awards 2017***
- 13.2 ***Contract 2016/17–02 Reconstruction of Lorquon East and Lorquon Station Rd, Lorquon***

CARRIED

MOVED: CRS D. Colbert/R. Ismay

That Council release to the public that Glover Earthmoving Pty Ltd was the successful tenderer for the reconstruction of the Lorquon East and Lorquon Station Roads.

CARRIED

MOVED: CRS R. Gersch/T. Schneider

That Council moves out of closed session.

CARRIED

15. MEETING CLOSE

There being no further business, Cr Nelson declared the meeting closed at 4:17pm

Andrew Broad MP

Federal Member for Mallee

RECEIVED
16 JAN 2017
HINDMARSH SHIRE

ASSESS #	
ACTION	EA
INFO	
X REF	

Wednesday, 11 January 2017

Mr G Wood
Chief Executive Officer
Hindmarsh Shire Council
PO Box 250
NHILL VIC 3418

Dear Mr Wood

REQUEST FOR FUNDING TO IMPROVE TERRESTRIAL DIGITAL TELEVISION RECEPTION IN RAINBOW

Please see attached a copy of the response received from Senator the Hon Mitch Fifield in relation to government funding for terrestrial digital television transmission infrastructure and television reception problems in Rainbow for your information.

I hope this of assistance and if you have any questions, please do not hesitate to contact my office.

Kind regards



Andrew Broad MP
Federal Member for Mallee

LS

Mildura
PO Box 1133
Mildura VIC 3502
ph 03 5021 5987
fax 03 5023 3274
ph 1300 131 620

Swan Hill
PO Box 487
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ph 03 5032 4510
fax 03 5032 9407
e mallee@aph.gov.au

www.andrewbroad.com.au



COPY



SENATOR THE HON MITCH FIFIELD

MINISTER FOR COMMUNICATIONS

MINISTER FOR THE ARTS

MANAGER OF GOVERNMENT BUSINESS IN THE SENATE

Mr Andrew Broad MP
Member for Mallee
PO Box 1133
MILDURA VIC 3502

Request for funding to improve terrestrial digital television reception in Rainbow

Dear Mr Broad

Thank you for your letter of 6 April 2016 about government funding for terrestrial digital television transmission infrastructure and your ongoing concern about television reception problems in Rainbow.

The broadcasters are generally responsible for decisions on the coverage and transmission quality of their television services. However in 2015, using a small amount of residual funds from the Restack programme, the Government agreed to assist the commercial broadcasters to improve terrestrial coverage in the Hunter region and in the town of Crookwell. Regrettably there is no further funding available to improve terrestrial television coverage.

As reliable reception of a full range of digital television services is unlikely to be possible in Rainbow, the best option for residents is likely to be the Viewer Access Satellite Television (VAST) service. Information on how to gain access to VAST is available online at www.mysattv.com.au or from the VAST Administration Centre on 1300 993 376.

The other option, which I have written to you about previously, is that the residents of Rainbow may wish to consider setting up a self-help retransmission service. These services are provided in areas where broadcasters have not established transmitters or where signals from broadcasting transmitters are inadequate.

Self-help retransmission services can be established by local councils, mining companies and local community organisations. These organisations supply their own infrastructure to retransmit commercial and/or national television services to their area. If the community wishes to pursue this option, they may wish to consider establishing a community group or approaching the local council.

Further information on digital television self-help retransmission services, including how to apply, is available on the ACMA website at:

www.acma.gov.au/Industry/Broadcast/Spectrum-for-broadcasting/Broadcast-planning/digital-television-terrestrial-self-help-retransmission-services

Thank you for bringing this matter to my attention. I trust this information will be of assistance.

Yours sincerely



MITCH FIFIELD

19/12/16



Hindmarsh
Shire Council

**Administration
Centre**

PO Box 250
92 Nelson Street
NHILL VIC 3418
Ph: (03) 5391 4444

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit

10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450

Dimboola

101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452

Rainbow

15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451

19 January 2017

Andrew Broad MP
Federal Member for Mallee
PO Box 1133
Mildura VIC 3502

Dear Andrew,

Re: Council Briefing

I would like to invite you along to a Briefing meeting to be held at the Hindmarsh Shire Council office in Nhill. Council would appreciate the opportunity to meet with you and have a general discussion on what is occurring in Hindmarsh Shire for 2017

If you are able to attend a Council Briefing, please contact Taegan Salt on 03 5391 4444 or tsalt@hindmarsh.vic.gov.au to discuss and organise a suitable time.

If you have any questions, please don't hesitate to contact me on 5391 4401.

Yours sincerely

Greg Wood
Chief Executive Officer



ASSEMBLY OF COUNCILLORS RECORD

Assembly of Councillors means a planned or scheduled meeting of at least 3 councillors and one member of council staff which considers matters that are intended or likely to be:

a) the subject of a decision of the Council; or

b) subject to the exercise of a function, duty of power of the council that has been delegated to a person or committee; but does not include a meeting of the Council, a special committee of the Council, a club, association, peak body, political party or other organisation.

Requirements to be observed by an assembly of Councillors (Section 80A Local Government Act, 1989)

Title of Meeting: Council Briefing Session

Date: Wednesday 21 December 2016 **Time:** 1:00pm – 3:00pm

Assembly Location: Council Chambers, 92 Nelson Street, Nhill 3418

Present:

Crs. D. Nelson (Mayor), D. Colbert, R. Lowe, T. Schneider, R. Gersch, R. Ismay

Apologies:

In Attendance:

Mr. G. Wood (Chief Executive Officer), Mr. A. Gasperoni (Director Infrastructure Services) (2-6 only), Ms. A. Champness (Director of Corporate and Community Services) (2-6 only).

Conflict of Interest Disclosures

1. Direct; or
2. Indirect interest
 - (a) by close association;
 - (b) that is an indirect financial interest;
 - (c) because of conflicting duties;
 - (d) because of receipt of an applicable gift;
 - (e) as a consequence of becoming an interested party; or
 - (f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

Councillors:

Nil

Officers:

Nil

Matters Discussed:

No.	Detail	Presenter
1.	Chief Executive Officer update – Personnel Matters	Greg Wood
2.	Deputation: NBN update	Graham Soawyor
3.	Council question time	
4.	Deputation: Wimmera Uniting Care	Wendy Sturgess
5.	Website Update	Katherine Colbert
6.	Dimboola Library	Greg Wood

Completed by: Greg Wood

Signed:



Date: 21/12/2016

Must be kept for four years from date of the assembly. Available for public inspection at Council Offices for 12 months after date of assembly.



LOCALITY PLAN

This plan refers to Planning
Application No. 1545 - 2016

ATTACHMENT

Document forms part of Planning
Application No. 1545-2016

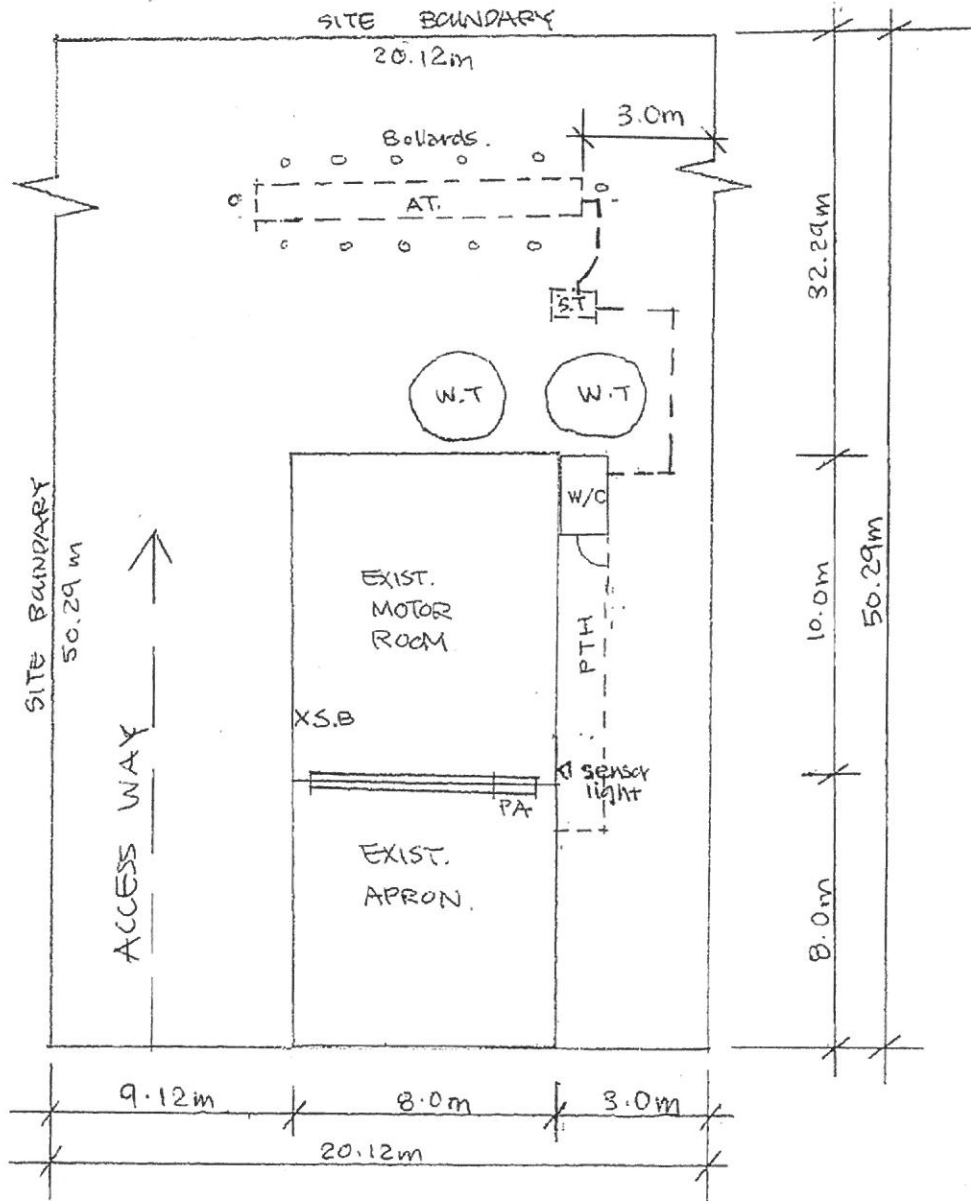
LEGEND

- W.T EXISTING WATER TANK
- W/C PORTABLE TOILET MODULE
- x SB SWITCHBOARD
- PA PERSONNEL ACCESS
- W WINDOW
- PTH PROPOSED CRUSHED ROCK PATH w TIMBER EDGING
- MB METER BOX
- ST SEPTIC TANK
- HT IN-GROUND HOLDING TANK

* Pump Required with power.

* COLOUR OF W/C - SHALE GREY

* New sensor light Required.



LAND & BUILDING SERVICES DEPARTMENT



Headquarters: 4 Lakeside Drive, Burwood East, Victoria.
Postal Address: P.O. Box 701, Mt Waverley, Victoria 3149
Telephone: (03) 9262 8348 Fax: (03) 9262 8358

Creating a safer community



NORTH

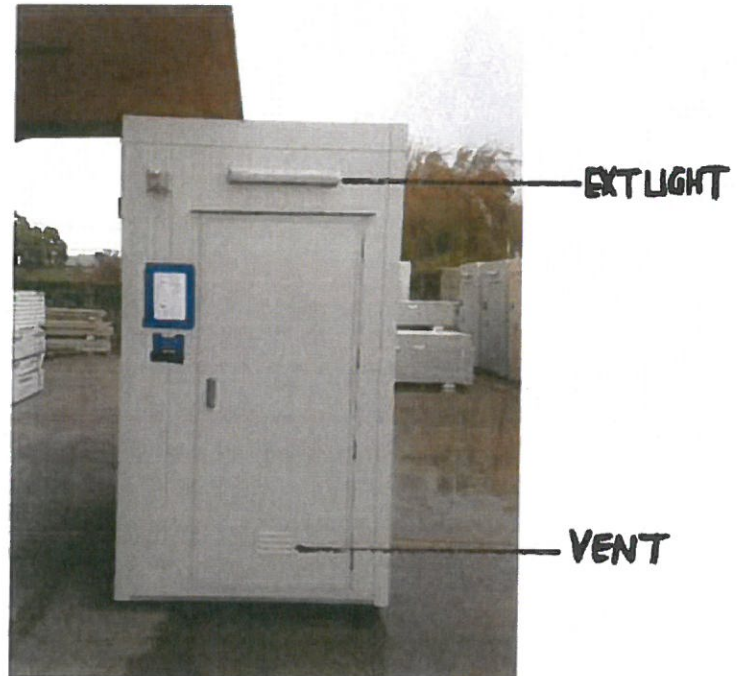
Date: 04/11/16 SITE PLAN - LORQUON

Scale: 1:200 @ A4

DISTRICT 17

Drawn: G. L. Rev.: 3

NOTE: Finishes are to match the existing built context



ATTACHMENT

Document forms part of Planning
Application No. 1545-2016

Community Liveability

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
1.1 An actively engaged community.	1.1.1 Strong community and Council ties between City of Port Phillip and Hindmarsh Shire Council.	At least three community events per year.	City of Port Phillip Friendship Alliance committee meetings held in Hindmarsh Shire in March 2014, and at City Port Phillip December 2014, February 2015 and May 2015. Formal friendship agreement concluded at 30 June 2015, while informal arrangements of mutual support continue.	Informal partnership between Hindmarsh and Port Phillip continues with the promotion of activities beneficial to our communities and ongoing support to community members when such opportunities arise.
	1.1.2 Establish stronger links with the indigenous community through the Barengi Gadjin Land Council, Goolum Goolum Aboriginal Cooperative and Wurega Aboriginal Corporation.	At least one cultural event per year.	Council supports the annual NAIDOC week student competition. Cultural awareness training undertaken, most recently SMT in December 2016, and Wimmera River Discovery Trail partnership developed. Involvement in a range of infrastructure projects, including installation of fishing pontoons at Dimboola and Jeparit. Ongoing development of a regional Indigenous tourism partnership.	Collaboration with WDA and Indigenous tourism working group to coordinate activity in this space. Development of a Reconciliation Action Plan.
	1.1.3 Review Community Action Plans for Dimboola, Jeparit, Nhill and Rainbow. Follow up on Community Action Plans and their working group projects.	New Community Action Plans in 2015 & 2017. Six monthly reports to Council on progress of Community Action Plans.	Economic Development Strategy, Community Plans, Precinct Plans and Recreation Strategy saw extensive community consultation completed in 2015 and the first half of 2016. Precinct Plans for Dimboola and Nhill were adopted by Council in September 2016, Jeparit and Rainbow Community Action Plans were adopted in August 2016.	Initiatives contained in Community Action Plans, Precinct Plans and Recreation Strategy are currently being considered for inclusion in Council's 2017/18 Budget.
	1.1.4 Develop a Community Engagement Strategy.	Community Engagement Strategy adopted by Council.	The Community Engagement Strategy was adopted by Council on 18 March 2015.	The Strategy is currently being reviewed and updated to accommodate community engagement for a rates cap variation.
	1.1.5 Support integration of migrants into the community.	At least two cultural events per year supported by Council.	Council's Settlement Officer continues to assist the settlement of our newest residents. Further Karen information sessions have been held. Council's Migration and Employment Coordinator, a position funded by the Federal Government, commenced in May 2016, to provide further assistance linking business and (prospective) new residents. The Office of Multicultural Affairs and Citizenship has provided additional funding under its Capacity Building and Participation Program.	Council staff are working with the Nhill Learning Centre on further developing and implementing the Capacity Building project.

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
1.1 An actively engaged community.	1.1.6 Support and encourage volunteering and work collaboratively with Volunteering Western Victoria.	Participation in at least one event per year that recognises volunteers across the Shire.	The efforts of our volunteers were recognised during Volunteer Week (May). A handbook for Council's S86 committees was prepared and training undertaken in February and March 2016. Council continues to collaborate with Volunteering Western Victoria on the Memory Lane Café's, HACC Wimmera project group and the Wimmera community transport model.	Actively looking for ways to support Council's tourism volunteers, town committees, and HACC volunteers. Continue to support local community groups (Rainbow Oasis project, Yurunga Homestead, Wimmera Mallee Pioneer Museum etc.).
1.2 A range of effective and accessible services to support the health and wellbeing of our community.	1.2.1 Implement initiatives to improve Youth engagement in the Shire.	Hindmarsh Youth Council developed priorities for youth engagement in the Shire.	Activities include the continuation of FReeZA programs and the facilitation of the Hindmarsh Shire Youth Council. The 2016 Youth Council was officially launched on 6 April 2016 and, among many other activities, has raised over \$1,000 to help Syrian refugees, worked to destigmatise mental illness, planted trees, ran a Walk, Talk and Clean event, held FReeZA events, raised \$10,000 funding for a family and youth friendly tourism brochure and \$15,000 for a school mental health awareness program, and attended National Young Leaders Day.	We are looking forward to continue working with the Shire's young people and the 2017 Hindmarsh Shire Youth Council on the implementation of their priority projects.
	1.2.2 Implement actions in Council's Positive Ageing and Inclusion Plan.	At least two actions from Positive Ageing and Inclusion Plan implemented annually.	In 2016, Council's Aged and Disability Services team focussed on the transition of Home and Community Care services from the State to the Federal Government and the introduction of the National Disability Insurance Scheme. In October 2016, Council ran another very successful Seniors Concert attended by more than 320 residents.	We will continue the implementation of our Positive Ageing and Inclusion Plan as funds allow.
	1.2.3 Review the level of financial support provided to community groups.	Review conducted by Council.	Council provides \$7,500 to each Town Committee (\$1,000 administrative support, \$6,500 seed funding) and has continued its Community Action Grants Program in 2016/17.	Projects proposed by the Town Committees in pre-budget submissions will be considered for inclusion in the 2017/18 Budget.
	1.2.4 Review and implement Municipal Public Health and Community Wellbeing Plan.	Municipal Public Health and Community Wellbeing Plan reviewed annually.	After annual desktop reviews of the MPHWP, a major review is currently underway as part of the statutory requirements to establish a new MPHWP following Council elections in October 2016.	Council staff will continue to participate in stakeholder workshops.

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
<p>1.2 A range of effective and accessible services to support the health and wellbeing of our community.</p>	<p>1.2.5 Adopt and implement Domestic Animal Management Plan.</p>	<p>Domestic Animal Management Plan adopted by Council.</p>	<p>We have undertaken annual desktop reviews of the Domestic Animal Plan to ensure it remains relevant and in line with regulations. A more substantial review will be undertaken in the coming</p>	<p>We will continue to implement our Domestic Animal Management Plan.</p>
	<p>1.2.6 Review and implement Municipal Early Years Plan.</p>	<p>Two actions from Municipal Early Years Plan implemented.</p>	<p>Construction of the Integrated Early Years Centre is well underway and completion expected by March 2017. A review of early years services in the Shire, in particular the transition of Nhill child care from a</p>	<p>Further work will be undertaken to implement the early years services review results. Another priority for 2017 is the establishment of an early years network.</p>
	<p>1.2.7 Review public safety, and security of assets and infrastructure in the CBDs of our towns.</p>	<p>Report presented to Council.</p>	<p>A report was presented to Council in June 2014. Deputation of Victorian Police members attended Council Briefing in March 2015 to discuss safety in our towns. In 2016, Council was again successful with its applications for funding under the Community Safety Grants (security lighting at Yurunga and solar lights along walking track to Dimboola fishing</p>	<p>Continue to work with communities and Police to identify opportunities to improve public safety.</p>
	<p>1.2.8 Establish a training program for S86 committees.</p>	<p>Increased compliance with statutory requirements. Instrument of Delegation reviewed.</p>	<p>Review of status of all s86 committees continues. A further instrument of delegation (Dim-e-Shop) was rescinded in December 2016. Remaining funds will be utilised by the Dimboola Community Centre.</p>	<p>The Local Government Act review proposes significant change to s86 committees, further work has therefore been put on hold.</p>
	<p>1.3.1 Review Council's Recreation Strategy (including a Skate Park Strategy).</p>	<p>Recreation Strategy adopted by Council.</p>	<p>Consultations for the Recreation Strategy have occurred in conjunction with precinct planning consultations. The Hindmarsh Shire Sport and Recreation Strategy was adopted at Council's May 2016 meeting.</p>	<p>Initiatives contained in the Recreation Strategy are currently being considered for inclusion in Council's 2017/18 Budget.</p>
	<p>1.3 A community that is physically active with access to a wide range of leisure, sporting and recreation facilities.</p>	<p>1.3.2 Encourage establishment of community gardens.</p>	<p>At least two community gardens established.</p>	<p>Grant funding was expended at Nhill Community Garden to upgrade facilities. Yurunga Homestead orchard officially opened late 2014. Council's Community Grants Program provided \$1,000 towards the establishment of Jeparit's Community Garden, however, the proposed location is no longer available and the garden has not yet progressed further.</p>

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
<p>1.3 A community that is physically active with access to a wide range of leisure, sporting and recreation facilities.</p>	<p>1.3.3 Create a trail along the Wimmera River and Lake Hindmarsh, subject to a feasibility study and funding.</p>	<p>Completion of feasibility study. Project implemented, subject to funding.</p>	<p>The Wimmera River Discovery Trail feasibility study and master plan were presented to Council's July meeting. Preparation of a funding application under the Federal Government's Better Regions Fund is underway.</p>	<p>Advocacy work seeking funding for the establishment of the Trail will continue.</p>
	<p>1.3.4 Prepare a Precinct Plan for Dimboola.</p>	<p>Precinct Plan adopted and implementation commenced.</p>	<p>Final community workshops were held in May and July 2016. Council adopted the Precinct Plan at its September 2016 meeting.</p>	<p>Initiatives contained in the Precinct Plans are currently being considered for inclusion in Council's 2017/18 Budget.</p>
	<p>1.3.5 Prepare a Precinct Plan for Jeparit.</p>	<p>Precinct Plan adopted and implementation commenced.</p>	<p>Due to government funding priorities funding for the Jeparit Precinct Plan is yet to be obtained.</p>	<p>We will continue to seek funding for a Jeparit Precinct Plan.</p>
	<p>1.3.6 Prepare a Precinct Plan for Nhill.</p>	<p>Precinct Plan adopted and implementation commenced.</p>	<p>Final community workshops were held in May and July 2016. Council adopted the Precinct Plan at its September 2016 meeting.</p>	<p>Initiatives contained in the Precinct Plans are currently being considered for inclusion in Council's 2017/18 Budget.</p>
	<p>1.3.7 Implement recreation reserve Masterplan for Rainbow.</p>	<p>Masterplan adopted. Community pavilion completed.</p>	<p>The Masterplan's major initiative, the redevelopment of the Rainbow Community Pavilion is currently underway and expected to be completed in the coming weeks.</p>	<p>The Recreation Reserve Committee has identified the redevelopment of the change rooms as its next priority.</p>
	<p>1.3.8 Digital projection equipment for NMCC.</p>	<p>Installation of digital technology at Nhill Memorial Community Centre.</p>	<p>Digital equipment installed November 2014. First movie screened 12 December 2014. Two screenings per week from January 2015. In addition, Council has screened children's movies during the school holidays, which have been amongst our most successful screenings. Screenings of André Rieu's Maastricht Concert and Andrew Lloyd Webber's Phantom of the Opera have been extremely successful events targeting a different demographic.</p>	

Built & Natural Environment

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
2.1 Well-maintained physical assets and infrastructure to meet community and organisational needs.	2.1.1 Re-develop and maintain attractive streetscapes, open spaces and public places.	At least one streetscape project per year.	The redevelopment of Menzies Square, Jeparit, was completed in 2016. The "new" Square, including interpretive panels, shop fronts representing the Menzies family's original shops and BBQ shelter was officially opened in December 2016.	
	2.1.2 Encourage and support residents and ratepayers to maintain the cleanliness and good order of the properties for which they are responsible.	One free green waste month per year.	Green waste month successfully completed in October 2016.	We will continue to run this event to encourage residents to maintain the cleanliness and good order of their properties.
	2.1.3 Redevelop and beautify the Lochiel/Lloyd Streets corner in Dimboola.	Corner of Lochiel/Lloyd Streets redeveloped.	Works completed.	
	2.1.4 Develop and prioritise detailed plans relating to infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.	Capital Improvement Plan developed.	Planning has been completed, forming the basis for Council's 2016/17 Budget. The three year Capital Works Program will again be reviewed and an updated plan prepared for the 2017/18 Budget.	
	2.1.5 Review roads and bridges hierarchy.	Roads and Bridges Hierarchy adopted.	Council approved the revised Road Hierarchy at its April 2016 meeting. The Road Management Plan and Road Hierarchy are presented for endorsement prior to public consultation to this Council meeting.	
	2.1.6 Implement recommendations from drainage studies.	At least one drainage project undertaken per annum.	Major works detailed in the plan (such as Wimmera St, Dimboola and Ramsay St, Nhill). Drainage works undertaken in Nhill and Dimboola, most notably the completion of Denham St drainage project.	
	2.1.7 Prepare a footpath strategy.	Footpath Strategy adopted.	Council's Pathway and Mobility Strategy 2015 was adopted on 15 July 2015.	

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
2.1 Well-maintained physical assets and infrastructure to meet community and organisational needs.	2.1.8 Complete Shire Office redevelopment in Nhill.	New building operational.	The office redevelopment achieved practical completion in October 2013. The building was officially opened by the Victorian Governor on 28 March 2014.	No further action.
	2.1.9 Undertake Heritage Study, subject to funding.	Heritage Study Stage 1 adopted.	No further action has been taken as no funding opportunities presented themselves for this venture and current State Government priorities make it unlikely this would occur.	No further action.
	2.1.10 Support the community in determining options for the use of the former Rainbow Primary School.	Options for the former Rainbow Primary School identified.	In January 2016, the Education Department issued a Surplus Government Land First Right of Refusal (FROR) Notification (Local Government). Following its August 2016 meeting, Council made a formal offer for the site. Council has signed a contract of sale with the State Government conditional on the preparation of new titles by the Surveyor General. Council is preparing a contract of sale to the Rainbow Progress Association. The Rainbow community's funding application to the Small Towns Transformation Program which includes the school site has been successful.	
	2.1.11 Advocate for the co-location of emergency services in Dimboola	Emergency services relocated.	Council has met with the community and stakeholders and progressed discussions about an appropriate site for co-located services. Council wrote to the State Emergency Services minister in late 2014 advocating for the expedition of the Dimboola development. Meeting between CEO, Ward Councillors and Senior CFA personnel held to discuss options. The CFA has now finalised a site for a CFA only development.	Further advocacy for the progression of the development.
2.2 A community that reduces its reliance on water and manages this resource wisely	2.2.1 Implement recommendations from the Climate Change Adaptation Strategy, subject to funding.	At least one project implemented per year.	We have undertaken pool leakages repairs (Dimboola, Jeparit and Rainbow pools) and have participated in the Lighting the Regions project.	

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
2.2 A community that reduces its reliance on water and manages this resource wisely	2.2.2 Implement the Integrated Water Management Plan.	At least one project implemented per year.	Council has exchanged potable water use in road construction to bore water utilising the Davis Park Bore. Further work has been done on testing and repairing various pools in the Council's jurisdiction.	Further reductions on our reliance on potable water are planned, including decreased water use at recreation facilities.
2.3 A healthy natural environment.	2.3.1 Continue to work with local Landcare groups.	Memorandum of Understanding with Hindmarsh Landcare Network.	A Memorandum of Understanding between Council and the Hindmarsh Landcare Network was signed in 2016. The MOU is currently under review for renewal.	
	2.3.2 Review the Minyip Road Revegetation Pilot Project.	Review of the Minyip Road Revegetation Pilot Project report presented to Council.	No further action on revegetation project due to lack of funding and reintroduction of roadside cropping.	
	2.3.3 Review and implement Hindmarsh Environmental Strategy, subject to funding.	Adoption of revised Strategy.	We will implement actions from the Roadside Pest Plant and Animals Plan including rabbit control in line with funding received from the State Government.	We will continue to seek funding for the implementation of environmental projects and pursue the ongoing sustainable improvement of our work practices.
	2.3.4 Develop a Planning Program to improve tree coverage and shade cover in high traffic urban areas.	Audit completed.	A local contractor was engaged to undertake this work. A report was presented to the June 2016 Council briefing.	Planting will occur in 2016/17 in accordance with the audit report and resident requests.
2.4 A community living more sustainably.	2.4.1 Advocate for distributed energy generation for Shire towns using solar, waste and biomass, wind and geothermal sources, subject to funding.	Report presented to Council of future energy options. Renewable energy trial program.	A report considering distributed energy generation was presented to Council's June 2014 meeting. Renewable energy trial program dependent on provider interest and proposal of an appropriate project. Private operator currently pursuing wind farm development.	
	2.4.2 Establishment of Pyrolysis Plant	Pyrolysis demonstration plant established in Nhill.	Not achieved – the limitation of funding for these types of developments has meant the commencement of this project is now likely to be outside the timeframe of the Council Plan. It has been deleted in the Plan's June revision.	Removed.
	2.4.3 Continue to support Wimmera Mallee Sustainability Alliance.	Wimmera Mallee Sustainability Alliance membership and support continued.	We continue our membership of the Alliance.	We look forward to continue exploring sustainability improvements with our fellow Alliance members in 2017.

Competitive & Innovative Economy

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
3.1 A strong rural economy and thriving towns.	3.1.1 Run "Open for Business" project in Nhill.	Open for Business" in Nhill in October 2013	Nhill Alive with Business Opportunity was held in October 2013.	
	3.1.2 Market the Shire's liveability.	Development of marketing materials and continued promotion of Council and tourism websites.	Council's Visit Hindmarsh tourism website went live in August 2016. A town branding project is currently being completed.	
	3.1.3 Support Wimmera Development Association's (WDA) Cadet Program.	At least one cadet employed in the municipality each year.	We continue our partnership with the Wimmera Development Association's internship program. In February 2017 we will again employ an engineering cadet.	We believe the WDA's internship program has immense benefits for both employer and intern. We look forward to continue participating in and promoting the program.
	3.1.4 Implement an economic development strategy.	Economic Development Strategy adopted. At least three economic development (incl. tourism) projects completed annually.	Council adopted the Economic Development Strategy after extensive community consultation on 15 July 2015. Two initiatives from the Strategy, the Town Branding Strategy and the Business Prospectus, are currently underway, further initiatives are being considered for the 2017/18 Budget.	The Steering Committee established in July 2014 to help develop the Economic Development Strategy, will reconvene to facilitate its implementation.
	3.1.5 Pilot Emerging Entrepreneurs Program	Professional development activities held.	Not yet commenced.	
	3.1.6 Active involvement in Rural Councils Victoria (RCV) and Wimmera Development Association (WDA).	Continued membership of Rural Councils Victoria and Wimmera Development Association.	Membership with both organisations continues.	We will continue our active involvement in both organisations.
	3.1.7 Work regionally/collaboratively with other organisations.	Continued support/membership of Western Highway Action Group, Wimmera Regional Transport Group, Volunteering Western Victoria and business associations.	Membership with WHAG and WRTG continues.	We will continue our active involvement in these organisations.

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
3.1 A strong rural economy and thriving towns.	3.1.8 Review Hindmarsh Planning Scheme, including Municipal Strategic Statement, with a focus on industrial and residential development	Hindmarsh Planning Scheme and Municipal Strategic Statement adopted.	In progress – adoption of a new MSS was delayed due to changes in Victoria’s planning framework.	At its May 2015 meeting, Council resolved to proceed with a planning scheme amendment to incorporate a revised Municipal Strategic Statement in the Hindmarsh Planning Scheme.
	3.1.9 Advocate for increased supply of appropriate housing within the Shire.	Completion of empty house audit in Nhill.	Vacant shop and home audits were undertaken in the first half of 2015. While the audit found long term vacant homes to often correlate with the rates arrears data base, the vacant shop audit has proven a useful tool in linking new enterprises to available premises. Council officers are working closely with local real estate agents to keep this data up to date.	A portfolio will be developed for future home owners. Continued lobbying for a housing related project.
3.2 A thriving tourism industry.	3.2.1 Develop a Strategic Plan for the Wimmera Mallee Pioneer Museum.	Strategic Plan adopted.	Council’s funding application to the State Government for the development of the Strategic Plan was declined. An allowance was made in Council’s draft 2016/17 Budget to complete the Strategic Plan with own source funds in the coming financial years.	
	3.2.2 Appealing tourism facilities that promote visitation and meet visitor needs.	Increased numbers of visitors to Council owned/operated tourism assets.	Stage 1 works at the Riverside Holiday Park Dimboola were completed and the Park reopened in December 2015. The installation of camp kitchens at Four Mile Beach and Dimboola Caravan Park has been completed.	In April 2016, the State Government announced funding for the installation of cabins at the Riverside Holiday Park. The installation of five cabins is expected to be completed by May 2017.
	3.2.3 Support locally-significant community-driven events and festivals that stimulate tourism growth in the region.	Support of at least three community events per year.	Events supported include the Dimboola Rowing Regatta, Wimmera Mallee Bushfire Recovery Concert, Nhill Air Show and a broad range of events funded under the State Government’s drought support initiatives.	
	3.2.4 Facilitate links between local and regional events to maximise visitor numbers across the Shire.	Calendar of events hosted and promoted on Council and tourism websites and Hindmarsh Facebook page.	Council’s tourism website, Visit Hindmarsh, is now live. Full functionality for listing events is dependent on Council’s corporate website which is due for completion in the coming months.	

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
3.2 A thriving tourism industry.	3.2.5 Review and upgrade current caravan and camping accommodation in the Shire.	Improved visitor numbers and customer feedback.	Council successfully applied for funding from the State Government for the installation of cabins at the Riverside Holiday Park, Dimboola. After delays due to lack of suitable tenders, installation of five cabins is expected to be completed by May 2017.	
	3.2.6 Construct the Nhill Aviation Heritage Centre.	Stage 1 completed.	The Nhill Aviation Heritage Centre was officially opened on 23 May 2014.	No further action.
	3.2.7 Promote and support local historic assets and heritage groups.	Local historic assets and heritage groups supported.	We acknowledge the importance our heritage assets have to the wellbeing of our communities and in the attraction of visitors to our towns. We have worked with heritage groups to improve these assets, most notably the Wimmera Mallee Pioneer Museum (WMPM) and Yurunga Homestead.	Planning for a Heritage Trail, linking and promoting our Shire's historic assets is underway. A masterplan and interpretive plan for the WMPM are currently being completed.
	3.2.8 Consider provision of RV facilities for an 'RV friendly' town.	Dimboola, Jeparit, Nhill and Rainbow to be 'RV friendly'.	Dimboola, Jeparit and Rainbow have achieved RV friendly status - RV friendly parking and RV dump points. In late 2016, Council resolved to utilise the RV dump point at the Nhill Aerodrome rather than install a separate dump point.	
3.3 Modern and affordable information and communication technology throughout the municipality.	3.3.1 Advocate for appropriate NBN coverage.	Support the Wimmera Development Association and Wimmera Mallee councils in advocacy efforts.	Multiple meetings held by CEO and Mayor with external stakeholders and a Heads of Agreement entered into with NBN Co. Case studies on six Hindmarsh based businesses were presented to the Parliamentary Secretary for communications. Broadband towers covering Jeparit, Rainbow and part of Dimboola. FTTN confirmed for Nhill in 2017.	Completion of NBN FTTN in Nhill and confirmation of Dimboola's NBN solution.
	3.3.2 Promote the availability and encourage take-up of the NBN.	Increased percentage of households with broadband internet.	In progress – delayed due to Federal Government policy and implementation changes.	No further action at this stage.
	3.3.3 Advocate for appropriate mobile phone coverage.	Number of blackspots reduced	Advocacy to Federal and State Governments has been extensive. In response to advocacy efforts, additional infrastructure installed at Netherby under round 2 of the Federal Black Spot Program in 2016.	

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
3.4 Transport solutions that support the needs of our communities and businesses.	3.4.1 Advocate for flexible and responsive public and freight transport.	Active involvement in Western Highway Action Committee and Wimmera Regional Transport Group.	Our membership with WHAC and WRTG continues. Road transport and bulk grain handling featured heavily in the Economic Development Strategy discussions. Participating in a freight logistics study, as part of a State Government project.	

Our People, Our Processes

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
4.1 Long-term financial sustainability.	4.1.1 An equitable, efficient and transparent rating strategy.	Adoption of Stage 2 of Council's Rating Strategy.	We reviewed the rating strategy for Council's 2016/17 Budget.	We will continue to review our rating strategy as part of the annual budget process.
	4.1.2 Further develop 10 year financial plan.	Ten Year Plan updated annually.	We have developed a Long Term Financial Plan, which has been reviewed by our internal auditors.	We will continually improve the Plan and build on the data behind it.
	4.1.3 Advocate to State and Federal Governments re. Victorian Grants Commission funding.	At least one letter to relevant Ministers and one face-to-face ministerial meeting accompanying press per annum.	We will continue to advocate for VGC allocations with Federal and State members. Deputations to Canberra will again be undertaken in 2017.	
	4.1.4 Advocate for the continuation of Local Roads and Bridges and Local Government Infrastructure Program funding.	Continuation of the Local Roads and Bridges Fund, and Local Government Infrastructure Fund.	We will continue to advocate for equivalent funding through MAV advocacy efforts and meetings with various State Government Ministers as opportunities arise.	
4.2 Quality customer services.	4.2.1 Develop and implement a communications strategy.	Communication Strategy adopted as part of a Customer Services Strategy.	The Communications Strategy was adopted at Council's September 2014 meeting.	
4.3 An engaged, skilled Council and workforce capable of meeting community needs.	4.3.1 Implement a project management system, including software and training for key staff.	Project Management System in place.	A Risk Management tool has been developed to improve Council's project management processes.	We will build on the Risk Management tool and implement a Project Pack in the coming months.
	4.3.2 Develop and implement organisation development plan	Organisational Development Plan implemented.	On track for completion by 30 June 2017.	Completion in 2016/17.
	4.3.3 Provide professional development opportunities for staff and Councillors.	Public speaking, presentation and advocacy training	A number of staff and Councillors have participated in professional development activities including Induction to Local Government, public speaking,	

What we will achieve	How we will achieve this	How we will measure success	Achievements	Looking ahead
4.3 An engaged, skilled Council and workforce capable of meeting community needs.	4.3.4 Facilitate a program that encourages women to assume leadership roles in the community.	Community forums/workshops held.	A Community and Candidate Information Session regarding the 2016 General Elections was held in May 2016. A session encouraging women to stand for local government was held in Nhill in June 2016.	
4.4 Efficient and effective information communications technology.	4.4.1 Develop and implement an IT strategy.	IT Strategy completed. At least one action from Strategy implemented per annum.	The IT strategy was completed by Fourier in June 2014. We continually update desktops and computer peripherals. The replacement of Council's phone system is due to be completed within the next couple of months.	We will continue to work towards the most efficient and effective IT infrastructure and programs to support our organisation's operation.
4.5 Support for the community in the areas of emergency preparedness, response and recovery	4.5.1 Implement recommendations from Community Flood Response study.	At least two recommendations implemented per annum.	In progress. Work to implement actions from the Flood Response Study is continuing, including greater communication and involvement with the Catchment Management Authority and affected communities.	
	4.5.2 Review and update the Hindmarsh Municipal Emergency Management Plan.	Hindmarsh Emergency Management Plan (MEMP) updated.	Council's MEMP was reviewed and adopted in July 2013. A September 2014 external audit assessed the plan as complying with the guidelines. It was last updated in November 2015.	
	4.5.3 Maintain and improve the Jeparit levee bank.	Study completed identifying improvement works required.	A Jeparit Flood Levee Management Plan was developed in March 2014. The Wimmera Catchment Management Authority will present to a future Council meeting.	
4.6 An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.	4.6.1 Include risk management as a standing item of the Leadership Group and Audit Committee agendas.	All Leadership Group and Audit Committee meetings have considered risk management items.	Risk management is included as a standing item on Audit Committee agendas.	
	4.6.2 Implement improvements to governance framework within Council.	Quality Assurance Framework developed.	The LMI audit has been retired, the JMAPP audit is conducted on a biennial basis, last in 2014/15.	



Hindmarsh Shire Council

Procurement Policy

July 2015
Reviewed January 2017

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1 Principles

1.1 Background

Hindmarsh Shire Council

- Recognises that:
 - Developing a procurement strategy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Council, will enhance achievement of Council objectives such as sustainable and social Procurement; bottom-line cost savings, supporting local economies; achieving innovation; and better services for communities.
 - The elements of best practice applicable to local government procurement incorporate:
 - broad principles covering ethics, value for money, responsibilities and accountabilities, probity and transparency;
 - guidelines giving effect to those principles;
 - a system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process); and
 - procurement processes, with appropriate procedures covering minor, simple procurement to high value, more complex procurement.
- Council's contracting, purchasing and contract management activities endeavour to:
 - support Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, protection of the environment, and corporate social responsibility;
 - take a long term strategic view of its procurement needs while continually assessing, reviewing and auditing its procedures, strategy and objectives;
 - provide a robust and transparent audit trail which ensures that procurement projects are delivered on time, within cost constraints and that the needs of end users are fully met;
 - are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
 - achieve value for money and quality in the acquisition of goods, services and works by Council;
 - ensure that risks are identified, assessed and managed at all stages of the procurement process;
 - use strategic procurement practices and innovative procurement solutions to promote sustainability and best value, in particular making use of collaboration and partnership opportunities;
 - use social procurement to enhance sustainable and strategic procurement to effectively contribute towards building stronger communities and meeting the wider social objectives of Council;

- comply with legislation, corporate policies or other requirements, ensuring that all staff responsible for procurement and contract management are aware of and adhere to the legislative requirements, Council standards and best practice.

1.2 Scope

This Procurement Policy is made under Section 186a of the *Local Government Act 1989*. The Act is the key legislative framework that regulates the process of all local government procurement in Victoria. Section 186a of the Act requires Council to prepare, approve and comply with a procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by Council.

This policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council staff and temporary employees, contractors and consultants while engaged by Council.

The Act and Council's Procurement Policy are the primary reference point for how all procurement should be performed.

1.3 Purpose

The purpose of this Policy is to:

- provide policy and guidance to Council to allow consistency and control over Procurement activities;
- demonstrate accountability to rate payers;
- provide guidance on ethical behaviour in public sector purchasing;
- demonstrate the application of elements of best practice in purchasing; and
- increase the probability of obtaining the right outcome when purchasing goods and services.

1.4 Treatment of GST

All monetary values stated in this policy include GST except, where specifically stated otherwise.

2 Effective Legislative and Policy Compliance and Control

2.1 Ethics and Probity

2.1.1 Requirement

Council's Procurement activities shall be performed with integrity and in a manner able to withstand the closest possible audit scrutiny.

2.1.2 Conduct of Councillors and Council Staff

Councillors and Council staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and *will*:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- comply with the respective codes of conduct;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated guidelines and procedures, relevant legislation, relevant Australian Standards and the Act.

2.1.4 Conflict of Interest

Councillors and Council staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff involved in the procurement process, in particular preparing tender documentation, including writing tender specifications, tender opening, and tender evaluation panels, must:

- **Avoid** conflicts, whether actual, potential or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council staff, plus their relatives and close associates.

- **Declare** that there is no conflict of interest. Where future conflicts or relevant private interests arise, Council Staff must make their manager or the chairperson of the relevant tender assessment panel or board aware and allow them to decide whether the officer should continue to be involved in the specific Procurement exercise.
- **Observe** prevailing Council, VGPB and e-hub guidelines on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

2.1.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

2.1.6 Gifts and Hospitality

No Councillor or member of Council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer, or in which Council is interested.

Councillors and Council staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings. Councillors and Council staff should also avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how flimsy the evidence available), must be promptly brought to the attention of the CEO.

2.1.7 Disclosure of Information

Commercial in-confidence information received by the Council must not be disclosed and is to be stored in a secure location.

Councillors and Council staff are to protect, by refusing to release or discuss the following:

- allocated Council budgets for proposed tenderers, unless included in tender documents;
- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and

- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

2.2 Governance

2.2.1 Structure

Council shall:

- establish a procurement management responsibility structure and delegations ensuring accountability, traceability and auditability of all procurement decisions made over the lifecycle of all goods, services and works purchased by Council;
- ensure that Council's procurement structure:
 - is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council;
 - provides prospective contractors and suppliers an equal opportunity to tender/quote;
 - encourages competition.

2.2.2 Standards

Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with:

- The Act,
- Council policies,
- Council's Codes of Conduct,
- Local Government Best Practice Procurement Guidelines
- Other relevant legislative requirements such as but not limited to the Trade Practices Act, Goods Act, the relevant provisions of the Competition and Consumer Act 2010 and the Environmental Protection Act. Procurement operations are consistent with prescribed rights and responsibilities and they respect the 20 fundamental rights within the Victorian Charter of Human Rights and Responsibilities Act 2006.

2.2.3 Methods

Council's standard methods for purchasing goods, services and works shall be by some or all of the following methods:

- purchasing card;
- purchase order following a quotation process from suppliers for goods or services that represent best value for money under directed quotation thresholds;

- under contract following a tender process;
- using collaborative or aggregated purchasing arrangements with other councils, MAV Procurement, Victorian Government, or other bodies;
- contracts entered into under an arrangement approved by the Minister for LG;
- other arrangements authorised by Council or the CEO on a needs basis as required by abnormal circumstances such as emergencies

Council may, at the CEO's discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Council may also choose to seek Requests for Information or Requests for Proposals as a precursor to the tender process.

2.2.4 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegations.

Council staff must not disclose allocated tender budgets to suppliers.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

2.3 Procurement Processes and Thresholds

2.3.1 Process

Council procurement processes are based on a number of principles:

- **Best Value**

The benefits of the purchase are weighted against the costs necessary for the optimum result for Council and the local community. Council is not required to accept the lowest tender. Instead, Council is required to take into account issues of quality, cost, the accessibility of the service and other factors relevant to the overall objectives of the Local Government Act.

Best value is often mistaken for meaning the lowest price, however, in terms of the contracting process, best value requires us to balance quality and price with as much transparency as is reasonably achievable. In this context price should take into account the whole life cost of the provision so far as is practicable. It follows that the delivery of best value is dependent upon Council priorities.

Achieving best value also requires *challenging* the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service

delivery, *comparing* service provision options against all those available, *consulting* with key stakeholders and ensuring *competition* in the open market.

Achieving best value for money must be the basis of all procurement decisions within the Council.

- **Open and Fair Competition**

All suppliers are treated fairly in an open and transparent manner and have access to the same information. During a public tender process, all prospective providers must be afforded an opportunity to tender.

The commercial interests of suppliers and potential suppliers must be protected.

Late tenders will not be accepted under any circumstances.

- **Accountability**

Council maintains consistency in the approach to procurement across the whole organisation through coherent frameworks, policies and procedures. Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore the processes by which all procurement activities are conducted will be in accordance with Council's procurement policies and procedures as set out in this policy and related, relevant Council policies and procedures.

Additionally:

- all Council staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by Council and provide feedback on them; and
- all procurement activities are to provide for an audit trail for monitoring and reporting purposes.

- **Risk Management**

Council will manage all aspects of its procurement processes in accordance with its adopted risk management policy and in such a way that all risks, including occupational health and safety are identified, analysed, evaluated, managed, monitored and communicated.

- **Probity and Transparency**

Councillors and members of staff (and all persons engaged in procurement on Council's behalf) must exercise the highest standards of integrity in a manner able to withstand the closest possible scrutiny. All members of staff have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest.

2.3.2 Minimum Spend Competition Thresholds

Any Council procurement under the LG Act thresholds must comply with Council's own policy, guidelines and procedures.

Council will from time to time decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by Council by analysing

the historical size and complexity of the procurement activity and of proposed procurement activities.

2.3.2.1 Tenders

Purchase of all goods and services for which the estimated expenditure exceeds \$150,000 (inclusive of GST) and building and construction works for which the estimated expenditure exceeds \$200,000 (inclusive of GST), must be undertaken by public tender as per the thresholds contained in the Local Government Act.

The tender thresholds shall apply for one financial year.

However, should the CEO consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below these thresholds.

2.3.2.2 Quotations

Purchase of goods and services having a total valuation of \$150,000 (inclusive of GST) and construction works having a total valuation of \$200,000 (inclusive of GST) or less may be undertaken using the procurement by quotation method as described below:

- Items with a value up to \$8,000 – Request for Quotation.

A minimum of one written (including email/fax) quotation must be obtained or a preferred supplier used. The details must be recorded before placing an order (similar details must be recorded where more than one supplier has quoted) and documented in Council's records system.

- Items with a value \$8,001 to \$25,000 – Request for Quotation.

Council will request a minimum of two written (including email/fax) quotations.

The quotation offering the best value for money must be confirmed by the supplier on company letterhead and the order placed with that firm.

Details of the suppliers contacted and their quotations must be recorded on at least a simple spreadsheet or similar document in Council's records system.

- Items with a value \$25,001 to \$100,000 – Request for Quotation.

Council will receive a minimum of three written quotations by issuing a written Request for Quotation.

Public advertising is not required.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value outcome.

The original suppliers' quotations must be maintained in Council's records system.

- Items with a value \$100,001 to \$149,000/\$199,000 – Public Advertising.

Purchases of \$100,001 and over must be publicly advertised unless prior approval from the Chief Executive Officer is sought to receive a minimum of three written quotations by issuing a written Request for Quotation instead.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value outcome.

The original suppliers' quotations must be maintained in Council's records system.

- Public Advertising.

Quotations may be advertised at the Chief Executive Officer's discretion in addition to the methods above. This may occur when a field of potential tenderers has not been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices, etc.

2.4 Delegation of Authority

2.4.1 Requirement

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

2.4.2 Delegations

2.4.2.1 Council Staff

Council shall maintain a documented scheme of procurement delegations, identifying the Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of the Council and their respective delegations contained in financial delegations policies

- Acceptance of tenders
- Acceptance of quotes
- Contract term extensions (within authorised budget)
- Contract amendment (non-financial)
- Contract amendment (financial)
- Appointment to register of pre-qualified suppliers
- Credit card purchases
- Procedural exceptions

2.4.2.2 Delegations Reserved for the Council

Commitments and processes which exceed the CEO's delegation and which must be approved by Council are:

- Initial signing and sealing of contract documents.

- Tender recommendations and contract approval for all expenditure over \$150,000 (inclusive of GST) for goods and services and \$200,000 (inclusive of GST) for construction works in value.
- Variations and contract term extensions (requiring additional budget).

2.5 Internal Controls

Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end to end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement.

Council will develop and maintain a procurement manual to provide guidance to staff on all operational aspects of procurement. The manual will include all checklists and forms required in Council's procurement process.

2.6 Risk Management

2.6.1 General

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

2.6.2 Supply by Contract

The provision of goods, services and works by contract potentially exposes Council to risk. Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- requiring security deposits where appropriate;
- referring specifications to relevant experts;
- implementing a robust, systematic and unbiased tender evaluation and due diligence process;
- requiring contractual agreement before allowing the commencement of work;
- use of or reference to relevant Australian Standards (or equivalent); and
- effectively managing the contract including monitoring and enforcing performance.

2.7 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions. Where this is not possible, approval must be obtained from the appropriate member of Council staff listed in the Council Delegations.

To protect Council's best interests, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose Council to risk and thus must be authorised by the appropriate member of Council staff listed in the Council Delegations.

2.8 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes getting out of hand and leading to legal action.

2.9 Contract Management

The purpose of contract management is to ensure that Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- establishing system monitoring and meeting the responsibilities and obligations of both parties under the contract; and
- providing a means for the early recognition of issues and performance problems and the identification of solutions.
- adhering to Council's Risk Management Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure Council receives best value.

2.11 e-Procurement

e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies, services` and works. Council may use e-procurement to:

- reduce transaction costs
- achieve greater leverage
- make processes more efficient;
- improve management information and visibility of spend;
- increasing control and consistency of processes, and
- improve spend compliance.

3 Demonstrate Sustained Value

3.1 Integration with Council Strategy

The Council procurement policy shall support its corporate strategy, aims and objectives, including but not limited to those related to sustainability, protection of the environment, corporate social responsibility and meeting the needs of the local community such as:

- feeling safe,
- living in a clean and pleasant environment, and
- receiving good quality and well managed Council services that are value for money

3.2 Achieving Best Value

3.2.1 Requirement

Council's procurement activities will be carried out on the basis of obtaining best value.

This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinant of best value.

3.2.2 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle;
- effective use of competition;
- using aggregated contracts where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- developing cost efficient tender processes including appropriate use of e-solutions;
- Council staff responsible for providing procurement services or assistance within the Council providing competent advice in terms of available products and agreements; and
- working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

3.2.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to Council's best value objectives through being written in a manner that:

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- ensures impartiality and objectivity;
- clearly defines Council's requirements;
- encourages the use of standard products;
- encourages sustainability;
- eliminates unnecessarily stringent requirements.

3.3 Performance Measures and Continuous Improvement

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls

Procurement procedures, practices and costs will be benchmarked externally. Internal service standards will be agreed within Council and performance against these targets will be measured and reviewed regularly to support continuous improvement.

The performance measurements developed will be used to:

- highlight trend and exceptions where necessary to enhance performance;
- improve the internal efficiency of the procurement process and where relevant the performance of suppliers;
- facilitate programs to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

3.4 Corporate Social Responsibility

Corporate Social Responsibility (CSR) is about taking positive action to demonstrate Council's commitment to the local community and environment on which it impacts. This means Council maximising the benefits of the services it provides across the community and minimising the negative aspects of its activities.

Council integrates CSR into its organisational policies and practices through social procurement, sustainability and diversity.

3.4.1 Social Procurement

Social Procurement generates positive outcomes by building on initiatives already undertaken by the Council in enhancing sustainable and strategic procurement practice, further enabling procurement to effectively contribute towards building stronger communities and meeting the social objectives of the Council.

Council is committed to Social Procurement by:

- ensuring all procurement practices are sustainable and strategically aligned with the wider Council objectives;
- achieving greater value for money across the community through the use of effective procurement;
- ensuring all businesses have the same opportunity to tender for Council contracts;

Procurement Policy

- enhancing partnerships with other Councils, suppliers and community stakeholders;
- building and maintaining a strong community by exploring ways to generate local employment (particularly among disadvantaged residents) and further strengthening the local economy;
- purchasing ethical and fair trade goods to support equitable, local, national and international trade;
- supporting procurement from local businesses where purchases can be justified on best value grounds.

3.5 Sustainability

3.5.1 General

Council is committed to achieving sustainability and ensuring it monitors and reports on Council activities and programs that have an impact on or contribute to the environment, including but not limited to the following:

- waste management;
- recycling;
- energy management;
- emission management;
- water conservation;
- green building design; and
- environmentally sustainable procurement.

3.5.2 Sustainable Procurement

Council recognises it has an implicit role in furthering sustainable development, through its procurement of goods, and services and works.

In addition, Council recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. Council aims to achieve this by:

- taking into account the need to minimise emissions and reducing the negative impacts of transportation when purchasing goods and services;
- taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products and services procured;
- considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner;
- considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products;

Procurement Policy

- selecting products / services that have minimal effect on the depletion of natural resources and biodiversity;
- giving a preference to Fairtrade, or equivalent, and ethically sourced and produced goods and services;
- working with local suppliers to ensure they are encouraged to bid for Council's business in line with the Procurement Policy;
- ensuring all relevant procurement contracts and tenders contain sustainability specifications as appropriate to the product or service being procured;
- complying with all Australian regulations and legislation and ensuring our suppliers do the same;
- training all Council staff on sustainability considerations within the procurement process.

3.6 Diversity

Promoting equality through procurement can improve competition, best value, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

4 Apply a Consistent and Standard Approach

Council will provide effective and efficient commercial arrangements for the acquisition of goods and services.

4.1 Standard Processes

Council will provide effective commercial arrangements covering standard products and provision of standard services across the Council to enable employees to source requirements in an efficient manner.

This will be achieved via establishing the following:

- pricing where relevant;
- processes, procedures and techniques;
- tools and business systems (e.g. implementing appropriate e-tendering, e-evaluation; e-catalogue or e-sourcing arrangements);
- reporting requirements;
- application of standard contract terms and conditions.

4.2 Performance Indicators

A list of performance indicators will be developed to measure procurement performance. They will include criteria such as:

- the proportion of spend against corporate contracts;
- user and supplier satisfaction levels;
- knowledge and skill of Council employees in procurement process;
- level of compliance and understanding of Council procurement policies;
- measuring the success of procurement initiatives e.g. procurement cards.

4.3 Management Information

Council seeks to improve its' performance by capturing and analysing procurement management information in a variety of areas, including:

- Volume of spend
- Number of transactions per supplier
- Compliance
- Supplier performance
- User satisfaction

Council will also use external sources of management information to assist with the procurement decision making process including:

- Benchmarking data
- Information from professional bodies such as the Chartered Institute of Purchasing and Supply Australia
- Supplier reports

5 Build and Maintain Supply Relationships

Council recognises that in order to achieve sustainable value, a strategic assessment of the appropriate 'channel to market' should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or panels, access State Government panel agreements or other means. Council will consider supply arrangements that deliver the best value outcomes in terms of time, expertise, cost, value and outcome.

5.1 Developing and Managing Suppliers

Developing and managing suppliers is essential to achieving a competitive market capable of delivering Council's services and works requirements.

Council needs to interact with the market and our suppliers in particular to understand their views and what enables and encourages diverse parts of the market to bid for work with Council. At the same time Council will ensure that our relationship with strategic suppliers is mutually productive and that goals are shared. Council aims to develop a relationship with suppliers that creates mutually advantageous, flexible and long term relations based on the quality of performance and best value.

5.2 Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger, more familiar businesses. Other types of organisations offering business diversity include:

- Local businesses
- Green suppliers
- Small to medium sized enterprises (SMEs)
- Social enterprises
- Ethnic and minority business
- Voluntary and community organisations

5.3 Relationship Management

Council is committed to developing constructive long-term relationships with suppliers. It is important that Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- Size of spend across Council
- Criticality of goods / services to the delivery of Council's services
- Availability of substitutes

5.4 Communication

External communication is very important in ensuring a healthy interest from potential suppliers and partners. Council will use its website and local media to promote forthcoming contract opportunities.

6 Review Process

Council endeavours to continually improve its procurement performance such that all relevant policies, guidance and training are continually reviewed and updated.

7 Policy Owner and Contact Details

Responsible Officer: Director Corporate & Community Services
Adopted by Council: 15 July 2015
Review Date: April 2016

For further information on this policy, please contact via email: info@hindmarsh.vic.gov.au or phone 03 5391 4444.

Appendix A Definitions and Abbreviations

Term	Definition
Act	<i>Local Government Act 1989.</i>
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party e.g., prices, discounts, rebates, profits, methodologies and process information.
Contract Management	The process that ensures both parties to a contract that fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Council Staff	Includes full-time and part-time Council staff, and temporary employees, contractors and consultants while engaged by Council.
Probity	Within Local Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
e-Procurement	e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies, services` and works.
Corporate Social Responsibility (CSR)	Corporate Social Responsibility (CSR) is about taking positive action to demonstrate the Council's commitment to the local community and environment on which it impacts.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Social Procurement	Social Procurement uses Procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.

Procurement Policy

Tender Process	The process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Thresholds	The value above which a procurement, unless exempt, is subject to the mandatory procurement procedures prescribed under Section 186 (1) of the Act.
Expression of Interest (EOI)	An invitation for persons to submit an EOI for the provision of the Goods and/or Services generally set out in the overview of requirements contained in the document. This Invitation is not an offer or a contract
Request for Proposal (RFP)	A request for proposal is generally sent to the supplier market, designed to capture commercial information and pricing. Allows Council to assess suitability and evaluate responses against a set of pre-defined requirements
Best Value	Best value in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: <ul style="list-style-type: none">• contribution to the advancement of Council's priorities;• non-cost factors such as fitness for purpose, quality, service and support; and• cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.
VGPB	The Victorian Government Purchasing Board (VGPB) sets the policies that govern procurement of non-construction goods and services across all Victorian Government departments and some public bodies.



Hindmarsh Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

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

AND declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 21 December 2016
2. the delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL OF THE
HINDMARSH SHIRE COUNCIL

was affixed by the authority of the Council
in the presence of:

.....
Councillor

.....
Chief Executive Officer

Date:

SCHEDULE

The power to

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

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

Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract exceeding the value of \$200,000 or for goods and services exceeding the value of \$150,000;
 - 4.2 making a local law under Part 5 of the Act;
 - 4.3 approval of the Council Plan under s.125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.9 appointment of councillor or community delegates or representatives to external organisations; or
 - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
6. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
7. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 7.1 policy; or

7.2 strategy

adopted by Council; or

8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
9. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.



Hindmarsh Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that references in the Schedule to:
 - ≡ CEO means Chief Executive Officer
 - ≡ DIS means Director Infrastructure Services
 - ≡ DCCS means Director Corporate and Community Services
 - ≡ TP means Town Planner
 - ≡ EHO means Environmental Health Officer
 - ≡ RC means Rates Coordinator
3. declares that:
 - 3.1. this Instrument of Delegation is authorised by a resolution of Council passed on 21 December 2016
 - 3.2. the delegation:
 - 3.2.1. comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2. remains in force until varied or revoked;
 - 3.2.3. is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4. must be exercised in accordance with any guidelines which Council from time to time adopts; and
 - 3.3. the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1. if the issue, action, act or thing is an issue, action, act or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to invoke a decision which is inconsistent with a
 - a) policy; or
 - b) strategyadopted by Council; or

- 3.3.3. if the determining of the issue, the taking of the action or doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1) (a)-(f) (inclusive) of the Act or otherwise; or
- 3.3.4. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

THE COMMON SEAL OF THE
HINDMARSH SHIRE COUNCIL
was affixed by the authority of the Council
in the presence of:

.....
Councillor

.....
Chief Executive Officer

Date:

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Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.8(1)(a)(ii)	power to manage one or more public cemeteries	RC, DCCS	
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	RC, DCCS	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	RC, DCCS	where council is a Class B cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	RC, DCCS	
s.14	power to manage multiple public cemeteries as if they are one cemetery	RC, DCCS	
s.15(1) and (2)	power to delegate powers or functions other than those listed	RC, DCCS	
s.15(4)	duty to keep records of delegations	RC, DCCS	
s.17(1)	power to employ any persons necessary	RC, DCCS	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	RC, DCCS	
s. 17(3)	power to determine the terms and conditions of employment or engagement	RC, DCCS	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	RC, DCCS	
s.19	power to carry out or permit the carrying out of works	RC, DCCS	
s.20(1)	duty to set aside areas for the interment of human remains	RC, DCCS	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	RC, DCCS	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	RC, DCCS	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	RC, DCCS	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	RC, DCCS	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	RC, DCCS	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	RC, DCCS	
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	RC, DCCS	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	RC, DCCS	report must contain the particulars listed in s.57(2)
s.59	duty to keep records for each public cemetery	RC, DCCS	
s.60(1)	duty to make information in records available to the public for historical or research purposes	RC, DCCS	
s.60(2)	power to charge fees for providing information	RC, DCCS	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	RC, DCCS	
s.64B(d)	power to permit interments at a reopened cemetery	RC, DCCS	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	RC, DCCS	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	RC, DCCS	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
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	RC, DCCS	
s.70(2)	duty to make plans of existing place of interment available to the public	RC, DCCS	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	RC, DCCS	
s.71(2)	power to dispose of any memorial or other structure removed	RC, DCCS	
s.72(2)	duty to comply with request received under section 72	RC, DCCS	
s.73(1)	power to grant a right of interment	RC, DCCS	
s.73(2)	power to impose conditions on the right of interment	RC, DCCS	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	RC, DCCS	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	RC, DCCS	
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	RC, DCCS	
s.80(1)	function of receiving notification and payment of transfer of right of interment	RC, DCCS	
s.80(2)	function of recording transfer of right of interment	RC, DCCS	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	RC, DCCS	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	RC, DCCS	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	RC, DCCS	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	RC, DCCS	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	RC, DCCS	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	RC, DCCS	does not apply where right of interment relates to remains of a deceased veteran.
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.	RC, DCCS	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	RC, DCCS	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	RC, DCCS	
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	RC, DCCS	
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	RC, DCCS	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	RC, DCCS	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.86(5)	duty to provide notification before taking action under s.86(4)	RC, DCCS	
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	RC, DCCS	
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	RC, DCCS	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	RC, DCCS	
s.91(1)	power to cancel a right of interment in accordance with this section	RC, DCCS	
s.91(3)	duty to publish notice of intention to cancel right of interment	RC, DCCS	
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	RC, DCCS	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	RC, DCCS	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	RC, DCCS	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	RC, DCCS	
s.100(1)	power to require a person to remove memorials or places of interment	RC, DCCS	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	RC, DCCS	
s.100(3)	power to recover costs of taking action under section 100(2)	RC, DCCS	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	RC, DCCS	
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	RC, DCCS	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	RC, DCCS	
s.103(1)	power to require a person to remove a building for ceremonies	RC, DCCS	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	RC, DCCS	
s.103(3)	power to recover costs of taking action under section 103(2)	RC, DCCS	
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	RC, DCCS	
s.106(2)	power to require the holder of the right of interment to provide for an examination	RC, DCCS	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	RC, DCCS	
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 section 106(1) is not complied with	RC, DCCS	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	RC, DCCS	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	RC, DCCS	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.108	power to recover costs and expenses	RC, DCCS	
s.109(1)(a)	power to open, examine and repair a place of interment	RC, DCCS	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	RC, DCCS	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	RC, DCCS	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	RC, DCCS	
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	RC, DCCS	
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	RC, DCCS	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	RC, DCCS	
s.112	power to sell and supply memorials	RC, DCCS	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	RC, DCCS	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	RC, DCCS	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	RC, DCCS	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.119	power to set terms and conditions for interment authorisations	RC, DCCS	
s.131	function of receiving an application for cremation authorisation	RC, DCCS	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	RC, DCCS	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	RC, DCCS	
s.146	power to dispose of bodily remains by a method other than interment or cremation	RC, DCCS	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	RC, DCCS	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	RC, DCCS	
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	RC, DCCS	
s.151	function of receiving applications to inter or cremate body parts	RC, DCCS	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	RC, DCCS	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	RC, DCCS	
Schedule 1 clause 8(8)	power to regulate own proceedings	RC, DCCS	subject to clause 8

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Domestic Animals Act 1994			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.41A(1)	power to declare a dog to be a menacing dog	DCCS	Council may delegate this power to an authorised officer.
Environment Protection Act 1970			
Column 1	Column 2	Column 3	Column 4
Provision	Things delegated	Delegate	Conditions and limitations
s.53M(3)	power to require further information	EHO; DCCS	
s.53M(4)	duty to advise applicant that application is not to be dealt with	EHO; DCCS	
s.53M(5)	duty to approve plans, issue permit or refuse permit	EHO; DCCS	Refusal must be ratified by Council or it is of no effect.
s.53M(6)	power to refuse to issue septic tank permit	EHO; DCCS	Refusal must be ratified by Council or it is of no effect.
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	EHO; DCCS	Refusal must be ratified by Council or it is of no effect.
Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Things delegated	Delegate	Conditions and limitations
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	EHO; DCCS	If section 19(1) applies.
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO; DCCS	If section 19(1) applies.

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHO, DCCS	If section 19(1) applies.
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, DCCS	If section 19(1) applies.
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO, DCCS	If section 19(1) applies.
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, DCCS	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	EHO, DCCS	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution.
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO, DCCS	Where Council is the registration authority.
s.19CB(4)(b)	power to request copy of records	EHO, DCCS	Where Council is the registration authority.
s.19E(1)(d)	power to request a copy of the food safety program	EHO, DCCS	Where Council is the registration authority.
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, DCCS	Where Council is the registration authority.
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	EHO, DCCS	Where Council is the registration authority.
s.19NA(1)	power to request food safety audit reports	EHO, DCCS	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	DCCS	

Food Act 1984 (cont.)			
Provision	Thing Delegated	Delegate	Conditions & Limitations
Column 1	Column 2	Column 3	Column 4
s.19UA	power to charge fees for conducting a food safety assessment or inspection	EHO, DCCS	Except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, DCCS	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	EHO, DCCS	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	EHO, DCCS	Where Council is the registration authority.
---	power to register, renew or transfer registration	EHO, DCCS	Where council is the registration authority. Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2)).
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO, DCCS	Where Council is the registration authority.
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	EHO, DCCS	Where Council is the registration authority.
s.38A(4)	power to request a copy of a completed food safety program template	EHO, DCCS	Where Council is the registration authority.
s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	EHO, DCCS	Where Council is the registration authority.
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs to	EHO, DCCS	Where Council is the registration authority.
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	EHO, DCCS	Where Council is the registration authority.

Food Act 1984 (cont.)			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	EHO, DCCS	Where Council is the registration authority.
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	EHO, DCCS	Where Council is the registration authority.
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	EHO, DCCS	Where Council is the registration authority.
s.38D(3)	power to request copies of any audit reports	EHO, DCCS	Where Council is the registration authority.
s.38E(2)	power to register the food premises on a conditional basis	EHO, DCCS	Where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	EHO, DCCS	Where Council is the registration authority.
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	EHO, DCCS	Where Council is the registration authority.
s.39A	power to register, renew or transfer food premises despite minor defects	EHO, DCCS	Where council is the registration authority. Only if satisfied of matters in subsections (2)(a)-(c).
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	EHO, DCCS	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	EHO, DCCS	Where Council is the registration authority.
s.40D(1)	power to suspend or revoke the registration of food premises	DCCS	Where Council is the registration authority.
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	EHO, DCCS	Where Council is the registration authority.

Food Act 1984 (cont.)			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO, DCCS	Where Council is the registration authority.
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	EHO, DCCS	Where Council is the registration authority.
Heritage Act 1995			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.84(2)	power to sub-delegate Executive Director's functions	Not delegated	Must obtain Executive Director's written consent first.
Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.4B	power to prepare an amendment to the Victoria Planning Provisions	DIS	If authorised by the Minister.
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	DIS	
s.4H	duty to make amendment to Victoria Planning Provisions available	TP, DIS	
s.4I	duty to keep Victoria Planning Provisions and other documents available	TP, DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DIS	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	DIS	
s.8A(5)	function of receiving notice of the Minister's decision	DIS	
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	DIS	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	TP, DIS	
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	DIS	
s 12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	DIS	
s.12B(1)	duty to review planning scheme	DIS	
s.12B(2)	duty to review planning scheme at direction of Minister	DIS	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DIS	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	DIS	
s.17(1)	duty of giving copy of amendment to the planning scheme	DIS	
s.17(2)	duty of giving copy of s.173 agreement	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.17(3)	duty of giving copy of amendment, explanatory report and relevant documents to the Minister within 10 business days	DIS	
s.18	duty to make amendment etc. available	DIS	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	DIS	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	DIS	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	DIS	
s.21(2)	duty to make submissions available	TP, DIS	
s.21A(4)	duty to publish notice in accordance with section	DIS	
s.22	duty to consider all submissions	DIS	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	DIS	
s.23(2)	power to refer submissions to a panel	DIS	
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D)	TP, DIS	
s.26(1)	power to make report available for inspection	TP, DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.26(2)	duty to keep report of panel available for inspection	TP, DIS	
s.27(2)	power to apply for exemption if panel's report not received	DIS	
s.28	duty to notify the Minister if abandoning an amendment	DIS	Note: the power to make a decision to abandon an amendment cannot be delegated.
s.30(4)(a)	duty to say if amendment has lapsed	TP, DIS	
s.30(4)(b)	duty to provide information in writing upon request	DIS	
s.32(2)	duty to give more notice if required	DIS	
s.33(1)	duty to give more notice of changes to an amendment	DIS	
s.36(2)	duty to give notice of approval of amendment	DIS	
s.38(5)	duty to give notice of revocation of an amendment	DIS	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	DIS	
s.40(1)	function of lodging copy of approved amendment	DIS	
s.41	duty to make approved amendment available	TP, DIS	
s.42	duty to make copy of planning scheme available	TP, DIS	
s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	DIS	
s.46GF	duty to comply with directions issued by the Minister	DIS	
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	DIS	Where council is a collecting agency.
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	DIS	Where council is a collecting agency.
s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	DIS	Where council is a collecting agency.
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	DIS	Must be done in accordance <i>with Local Government Act 1989</i> .
s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	DIS	
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	DIS	
s.46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	DIS	
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	DIS	
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	DIS	Where council is a collecting agency.

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.46GM	duty to prepare report and give a report to the Minister	DIS	Where council is a collecting agency or development agency.
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DIS	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	TP, DIS	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DIS	
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	DIS	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DIS	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DIS	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DIS	
s.46Q(1)	duty to keep proper accounts of levies paid	DIS	
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	DIS	
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.	DIS	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	DIS	Only applies when levy is paid to Council as a 'development agency'.

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
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)	DIS	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	DIS	Must be done in accordance with Part 3.
s.46Q(4)(e)	duty to expend that amount on other works etc.	DIS	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	DIS	
s.46QD	duty to prepare report and give a report to the Minister	DIS	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	DIS	
s.46Y	duty to carry out works in conformity with the approved strategy plan	DIS	
s.47	power to decide that an application for a planning permit does not comply with that Act	DIS	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	DIS	
s.49(2)	duty to make register available for inspection	DIS	
s.50(4)	duty to amend application	DIS	
s.50(5)	power to refuse to amend application	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.50(6)	duty to make note of amendment to application in register	DIS	
s.50A(1)	power to make amendment to application	TP, DIS	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	TP, DIS	
s.50A(4)	duty to note amendment to application in register	DIS	
s.51	duty to make copy of application available for inspection	DIS	
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	TP, DIS	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	TP, DIS	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	TP, DIS	
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	TP, DIS	
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	TP, DIS	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	TP, DIS	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	TP, DIS	
s.52(3)	power to give any further notice of an application where appropriate	TP, DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	TP, DIS	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	TP, DIS	
s.54(1)	power to require the applicant to provide more information	TP, DIS	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	TP, DIS	
s.54(1B)	duty to specify the lapse date for an application	TP, DIS	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	DIS	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	TP, DIS	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DIS	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	DIS	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	TP, DIS	
s.57(5)	duty to make available for inspection copy of all objections	DIS	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	TP, DIS	
s.57A(5)	power to refuse to amend application	DIS	
s.57A(6)	duty to note amendments to application in register	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.57B(1)	duty to determine whether and to whom notice should be given	TP, DIS	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	TP, DIS	
s.57C(1)	duty to give copy of amended application to referral authority	TP, DIS	
s.58	duty to consider every application for a permit	DIS	
s.58A	power to request advice from the Planning Application Committee	DIS	
s.60	duty to consider certain matters	TP, DIS	
s.60(1A)	power to consider certain matters before deciding on application	TP, DIS	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	TP, DIS	
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	DIS	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 referral authority objects to grant of permit	DIS	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DIS	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DIS	
s.62(1)	duty to include certain conditions in deciding to grant a permit	DIS	
s.62(2)	power to include other conditions	DIS	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	DIS	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	DIS	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DIS	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	DIS	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	DIS	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	DIS	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	DIS	
s.64(3)	duty not to issue a permit until after the specified period	DIS	
s.64(5)	duty to give each objector a copy of an exempt decision	DIS	
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	DIS	This provision applies also to a decision to grant an amendment to a permit - see section 75A (not yet in force).
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	DIS	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DIS	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority.
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DIS	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit.
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	DIS	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit.
s.69(1)	function of receiving application for extension of time of permit	DIS	
s.69(1A)	function of receiving application for extension of time to complete development	DIS	
s.69(2)	power to extend time	DIS	
s.70	duty to make copy permit available for inspection	DIS	
s.71(1)	power to correct certain mistakes	DIS	
s.71(2)	duty to note corrections in register	DIS	
s.73	power to decide to grant amendment subject to conditions	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.74	duty to issue amended permit to applicant if no objectors	DIS	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DIS	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	DIS	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DIS	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	DIS	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit.
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	DIS	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	DIS	
s.83	function of being respondent to an appeal	DIS	
s.83B	duty to give or publish notice of application for review	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	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	DIS	
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	DIS	
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	DIS	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	DIS	
s.86	duty to issue a permit at order of Tribunal within 3 working days	DIS	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	DIS	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	TP, DIS	
s.91(2)	duty to comply with the directions of VCAT	DIS	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DIS	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	DIS	
s.93(2)	duty to give notice of VCAT order to stop development	DIS	
s.95(3)	function of referring certain applications to the Minister	DIS	
s.95(4)	duty to comply with an order or direction	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	DIS	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DIS	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	DIS	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	DIS	
s.96F	duty to consider the panel's report under section 96E	DIS	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	DIS	
s.96H(3)	power to give notice in compliance with Minister's direction	DIS	
s.96J	power to issue permit as directed by the Minister	DIS	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DIS	
s.97C	power to request Minister to decide the application	DIS	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	DIS	
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	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	DIS	
s.97L	duty to include Ministerial decisions in a register kept under section 49	DIS	
s. 97MH	duty to provide information or assistance to the Planning Application Committee	DIS	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DIS	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DIS	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DIS	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	TP, DIS	
s.97Q(4)	duty to comply with directions of VCAT	DIS	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	DIS	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DIS	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DIS	
s.101	function of receiving claim for expenses in conjunction with claim	DIS	
s.103	power to reject a claim for compensation in certain circumstances	DIS	
s.107(1)	function of receiving claim for compensation	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.107(3)	power to agree to extend time for making claim	DIS	
s.114(1)	power to apply to the VCAT for an enforcement order	DIS	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	TP, DIS	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	DIS	
s.123(1)	power to carry out work required by enforcement order and recover costs	DIS	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DIS	except Crown Land
s.129	function of recovering penalties	DIS	
s.130(5)	power to allow person served with an infringement notice further time	DIS	
s.149A(1)	power to refer a matter to the VCAT for determination	DIS	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DIS	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	DIS	Where Council is the relevant planning authority.
s.171(2)(f)	power to carry out studies and commission reports	DIS	
s.171(2)(g)	power to grant and reserve easements	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.173	power to enter into agreement covering matters set out in section 174	DIS	
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DIS	
---	power to give consent on behalf of Council, where an agreement made under section 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	DIS	
s.177(2)	power to end a section 173 agreement with approval of the Minister or the consent of all those bound by any covenant in the agreement	DIS	
s.178	power to amend a s.173 agreement	DIS	
s.178A(1)	function of receiving application to amend or end an agreement	DIS	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DIS	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DIS	
s.178A(5)	power to propose to amend or end an agreement	DIS	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DIS	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DIS	
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	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.178C(4)	function of determining how to give notice under s.178C(2)	DIS	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DIS	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DIS	If no objections are made under s.178D. Must consider matters in s.178B.
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DIS	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	DIS	If no objections are made under s.178D. Must consider matters in s.178B.
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	DIS	After considering objections, submissions and matters in s.148B.
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DIS	After considering objections, submissions and matters in s.148B.
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DIS	After considering objections, submissions and matters in s.148B.
s.178E(3)(d)	power to refuse to amend or end the agreement	DIS	After considering objections, submissions and matters in s.148B.
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	DIS	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DIS	
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	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	DIS	
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	DIS	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DIS	
s.179(2)	duty to make available for inspection copy agreement	DIS	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DIS	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DIS	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DIS	
s.182	power to enforce an agreement	DIS	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	DIS	
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	DIS	
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	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
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	DIS	
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	TP, DIS	
s.184G(2)	duty to comply with a direction of the Tribunal	DIS	
s.184G(3)	duty to give notice as directed by the Tribunal	DIS	
s.198(1)	function to receive application for planning certificate	DIS	
s.199(1)	duty to give planning certificate to applicant	DIS	
s.201(1)	function of receiving application for declaration of underlying zoning	DIS	
s.201(3)	duty to make declaration	DIS	
-	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	DIS	
	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	DIS	
	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	DIS	
-	power to give written authorisation in accordance with a provision of a planning scheme	DIS	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	DIS	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	DIS	
Rail Safety (Local Operations) Act 2006			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.33	duty to comply with a direction of the Safety Director under this section	DIS	Where council is a utility under section 3.
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DIS	Duty of council as a road authority under the <i>Road Management Act 2004</i> .
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DIS	Where council is a utility under section 3.
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	DIS	Where council is the relevant road authority.
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DIS	Where council is the relevant road authority.
s.34D(2)	function of receiving written notice of opinion	DIS	Where council is the relevant road authority.
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DIS	Where council is the relevant road authority.
s.34E(1)(a)	duty to identify and assess risks to safety	DIS	Where council is the relevant road authority.

Rail Safety (Local Operations) Act 2006			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DIS	Where council is the relevant road authority.
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DIS	Where council is the relevant road authority.
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DIS	Where council is the relevant road authority.
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DIS	Where council is the relevant road authority.
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DIS	Where council is the relevant road authority.
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DIS	Where council is the relevant road authority.
s.34I	function of entering into safety interface agreements	DIS	Where council is the relevant road authority.
s.34J(2)	function of receiving notice from Safety Director	DIS	Where council is the relevant road authority.
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DIS	Where council is the relevant road authority.
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	DIS	Where council is the relevant road authority.

Residential Tenancies Act 1997			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.142D	function of receiving notice regarding an unregistered rooming house	EHO; DCCS	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	EHO; DCCS	
s.142G(2)	power to enter certain information in the Rooming House Register	EHO; DCCS	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	EHO; DCCS	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	DCCS	Where Council is the landlord.
s.262(1)	power to give tenant a notice to vacate rented premises	DCCS	Where Council is the landlord.
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	DCCS	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DIS, DCCS	
s.522(1)	power to give a compliance notice to a person	EHO, DCCS	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	EHO, DCCS	
s.525(4)	duty to issue identity card to authorised officers	EHO, DCCS	

Residential Tenancies Act 1997			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.526(5)	duty to keep record of entry by authorised officer under section 526	EHO; DCCS	
s.526A(3)	function of receiving report of inspection	EHO; DCCS	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	EHO; DCCS	
Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DIS	Obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Not delegated	
s.11(9)(b)	duty to advise Registrar	DIS	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DIS	Clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIS	Where Council is the coordinating road authority.
s.12(2)	power to discontinue road or part of a road	Not delegated	Where Council is the coordinating road authority.
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DIS, DCCS	Power of coordinating road authority where it is the discontinuing body unless subsection (11) applies.

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.12(5)	duty to consider written submissions received within 28 days of notice	Not delegated	Duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies.
s.12(6)	function of hearing a person in support of their written submission	Not delegated	Function of coordinating road authority where it is the discontinuing body unless subsection (11) applies.
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Not delegated	Duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies.
s.12(10)	duty to notify of decision made	DIS	Duty of coordinating road authority where it is the discontinuing body. Does not apply where an exemption is specified by the regulations or given by the Minister.
s.13(1)	power to fix a boundary road by publishing notice in Government Gazette	DIS	Power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate.
s.14(4)	function of receiving notice from VicRoads	DIS	
s.14(7)	power to appeal against decision of VicRoads	DIS	
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	DIS	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIS	
s.15(2)	duty to include details of arrangement in public roads register	DIS	

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.16(7)	power to enter into an arrangement under section 15	DIS	
s.16(8)	duty to enter details of determination in public roads register	DIS	
s.17(2)	duty to register public road in public roads register	DIS	Where Council is the coordinating road authority.
s.17(3)	power to decide that a road is reasonably required for general public use	DIS	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	DIS	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	DIS	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	DIS	Where Council is the coordinating road authority.
s.18(1)	power to designate ancillary area	DIS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2).
s.18(3)	duty to record designation in public roads register	DIS	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	DIS	
s.19(4)	duty to specify details of discontinuance in public roads register	DIS	
s.19(5)	duty to ensure public roads register is available for public inspection	DIS	

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.21	function of replying to request for information or advice	DIS	Obtain consent in circumstances specified in section 11(2).
s.22(2)	function of commenting on proposed direction	DIS	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	DIS	
s.22(5)	duty to give effect to a direction under this section.	DIS	
s.40(1)	duty to inspect, maintain and repair a public road.	DIS	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DIS	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DIS	
s.42(1)	power to declare a public road as a controlled access road	DIS	Power of coordinating road authority and Schedule 2 also applies.
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	DIS	Power of coordinating road authority and Schedule 2 also applies.
s.42A(3)	duty to consult with VicRoads before road is specified	DIS	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	DIS	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.

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
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)	DIS	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 section 48M	DIS	
s.49	power to develop and publish a road management plan	DIS	
s.51	power to determine standards by incorporating the standards in a road management plan	DIS	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DIS	
s.54(2)	duty to give notice of proposal to make a road management plan	DIS	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	DIS	
s.54(6)	power to amend road management plan	DIS	
s.54(7)	duty to incorporate the amendments into the road management plan	DIS	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	DIS	
s.63(1)	power to consent to conduct of works on road	DIS	Where Council is the coordinating road authority.
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DIS	Where Council is the infrastructure manager.
s.64(1)	duty to comply with clause 13 of Schedule 7	DIS	Where Council is the infrastructure manager or works manager.

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.66(1)	power to consent to structure etc	DIS	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	DIS	Where Council is the coordinating road authority.
s.67(3)	power to request information	DIS	Where Council is the coordinating road authority.
s.68(2)	power to request information	DIS	Where Council is the coordinating road authority.
s.71(3)	power to appoint an authorised officer	DIS	
s.72	duty to issue an identity card to each authorised officer	DIS	
s.85	function of receiving report from authorised officer	DIS	
s.86	duty to keep register re section 85 matters	DIS	
s.87(1)	function of receiving complaints	DIS	
s.87(2)	duty to investigate complaint and provide report	DIS	
s.112(2)	power to recover damages in court	DIS	
s.116	power to cause or carry out inspection	DIS	
s.119(2)	function of consulting with VicRoads	DIS	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DIS	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DIS	

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
s.121(1)	power to enter into an agreement in respect of works	DIS	
s.122(1)	power to charge and recover fees	DIS	
s.123(1)	power to charge for any service	DIS	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DIS	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	DIS	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	DIS	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DIS	
Schedule 2 Clause 5	duty to publish notice of declaration	DIS	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DIS	Where Council is the infrastructure manager or works manager.
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DIS	Where Council is the infrastructure manager or works manager.
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DIS	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DIS	Where Council is the infrastructure manager or works manager.
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DIS	Where Council is the infrastructure manager or works manager.
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 12(5)	power to recover costs	DIS	Where Council is the coordinating road authority.
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	DIS	Where Council is the works manager.
Schedule 7 Clause 13(2)	power to vary notice period	DIS	Where Council is the coordinating road authority.
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DIS	Where Council is the infrastructure manager.
Schedule 7 Clause 16(1)	power to consent to proposed works	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 16(4)	duty to consult	DIS	Where Council is the coordinating road authority, responsible authority or infrastructure manager.

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
Schedule 7 Clause 16(5)	power to consent to proposed works	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 16(8)	power to include consents and conditions	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 18(1)	power to enter into an agreement	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DIS	Where Council is the coordinating road authority.
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIS	Where Council is the coordinating road authority.
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DIS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIS	Where Council is the coordinating road authority.
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	DIS	Where Council is the coordinating road authority.

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	DIS	Duty of Council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs).
Cemeteries and Crematoria Regulations 2015			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.24	duty to ensure that cemetery complies with depth of burial requirements	RC, DCCS	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	RC, DCCS	
r.27	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	RC, DCCS	
Cemeteries and Crematoria Regulations 2015			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
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	RC, DCCS	
r.28(2)	duty to ensure any fittings removed of are disposed in an appropriate manner	RC, DCCS	
r.29	power to dispose of any metal substance or non-human substance recovered from a cremator	RC, DCCS	
r.30(2)	power to release cremated human remains to certain persons	RC, DCCS	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	RC, DCCS	
r.31(2)	duty to hold cremated human remains for at least 12 months from the date of cremation	RC, DCCS	
r.31(3)	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	RC, DCCS	
r.31(4)	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	RC, DCCS	
r.32	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	RC, DCCS	
r.33(1)	duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	RC, DCCS	
r.33(2)	duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	RC, DCCS	
r.34	duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	RC, DCCS	
r.36	duty to provide statement that alternative vendors or supplier of monuments exist	RC, DCCS	
r. 40	power to approve a person to play sport within a public cemetery	RC, DCCS	
r. 41(1)	power to approve fishing and bathing within a public cemetery	RC, DCCS	
Cemeteries and Crematoria Regulations 2015			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r. 42(1)	power to approve hunting within a public cemetery	RC, DCCS	
r. 43	power to approve camping within a public cemetery	RC, DCCS	
r. 45(1)	power to approve the removal of plants within a public cemetery	RC, DCCS	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	RC, DCCS	
r. 47(3)	power to approve the use of fire in a public cemetery	RC, DCCS	

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	RC, DCCS	
Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	RC, DCCS	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	RC, DCCS	see note above regarding model rules
Schedule 2, clause 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	RC, DCCS	see note above regarding model rules
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	RC, DCCS	see note above regarding model rules
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	RC, DCCS	see note above regarding model rules
Schedule 2, clause 8	power to approve certain mementos on a memorial	RC, DCCS	see note above regarding model rules
Cemeteries and Crematoria Regulations 2015			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	RC, DCCS	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	RC, DCCS	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	RC, DCCS	see note above regarding model rules

Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	RC, DCCS	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	RC, DCCS	see note above regarding model rules
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	RC, DCCS	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	RC, DCCS	see note above regarding model rules

Planning and Environment Regulations 2015			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r. 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DIS	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 section 54 of the Act	DIS	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	DIS	where Council is the responsible authority
r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	DIS	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DIS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment (Fees) Regulations 2016			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	DIS	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DIS	
r.21	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or 20.	DIS	
Residential Tenancies (Caravan Parks and Movable Dwellings Registrations and Standards) Regulations 2010			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.7	function of entering into a written agreement with a caravan park owner	EHO; DCCS	
r.11	function of receiving application for registration	EHO; DCCS	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO; DCCS	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO; DCCS	
r.13(4) & (5)	duty to issue certificate of registration	EHO; DCCS	
r.15(1)	function of receiving notice of transfer of ownership	EHO; DCCS	
r.15(3)	power to determine where notice of transfer is displayed	EHO; DCCS	
r.16(1)	duty to transfer registration to new caravan park owner	EHO; DCCS	
r.16(2)	duty to issue a certificate of transfer of registration	EHO; DCCS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registrations and Standards) Regulations 2010			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Not delegated	
r.18	duty to keep register of caravan parks	EHO; DCCS	
r.19(4)	power to determine where the emergency contact person's details are displayed	EHO; DCCS	
r.19(6)	power to determine where certain information is displayed	EHO; DCCS	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO; DCCS	Same provision as previous but number of section has changed
r.22A(2)	duty to consult with relevant emergency services agencies	EHO; DCCS	Same provision as previous but number of section has changed
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	EHO; DCCS	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	EHO; DCCS	
r.25(3)	duty to consult with relevant floodplain management authority	EHO; DCCS	
r.26	duty to have regard to any report of the relevant fire authority	EHO; DCCS	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO; DCCS	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO; DCCS	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO; DCCS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registrations and Standards) Regulations 2010			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.40(4)	function of receiving installation certificate	EHO; DCCS	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	EHO; DCCS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO; DCCS	
Road Management (General) Regulations 2016			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.8(1)	duty to conduct reviews of road management plan	DIS	
r.9(2)	duty to produce written report of review of road management plan and make report available	DIS	
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)	DIS	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 section 41 of the Act	DIS	
r.13(1)	Duty to publish notice of amendments to road management plan	DIS	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	DIS	

Road Management (General) Regulations 2016			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.16(3)	power to issue permit	DIS	Where Council is the coordinating road authority.
r.18(1)	power to give written consent re damage to road	DIS	Where Council is the coordinating road authority.
r.23(2)	power to make submission to Tribunal	DIS	Where Council is the coordinating road authority.
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	DIS	Where Council is the coordinating road authority.
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DIS	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))	DIS	where Council is the responsible road authority
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	DIS	

Road Management (Works and Infrastructure) Regulations 2015			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Conditions & Limitations
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	DIS	Where Council is the coordinating road authority and where consent given under section 63(1) of the Act.
r.22(2)	power to waive whole or part of fee in certain circumstances	DIS	Where Council is the coordinating road authority.



Road Hierarchy Review

Date: January 2017

Asset Manager

1. Introduction

The previous Hindmarsh Shire Council Road Hierarchy was developed in association with the review of the Road Management Plan in 2009 and has been under review over a period spanning several years. This process is now ready for approval and community consultation prior to incorporation into an updated Road Management Plan.

As a result of farmer consultation meetings held across the Shire in 2015 a number of roads have been reclassified and a new category 6S has been introduced in response to community feedback. This updated proposal provides a revised road hierarchy structure including definitions suitable for further community consultation and Council adoption.

2. Definitions

2.1 Road network

The road network is designed to allow safe and convenient movement of people and goods across and throughout the shire boundary.

2.2 Road Management System

The road management system consists of all the processes and tools used to assist the decisions made in relation to the road network.

The Road Management System consists of (amongst other things),

1. The Road Management Plan (Defines the response to failures in the road network, i.e. pothole intervention, when the road asset management plan doesn't work)
2. The Road Asset Management Plan (Defines the maintenance and renewal procedure)
3. Road Service Plan (Defines the physical attributes of the road, it influences capital renewal, enhancement and degrading)

The aim of the management system is to ensure that the road network provides an agreed level of service for minimum cost.

2.3 Road Hierarchy

The Road Hierarchy is a division of the road network into individual road classifications or types. This allows each classification to be managed in a pre-defined manner commensurate to the road function of each road.

The aim of the Road hierarchy is to allow the Road Management System to be concise, understandable, easy to implement and easily communicated with all stakeholders.

For each class in the hierarchy the following will be assigned:

1. A Definition of the class
2. Physical Service Levels for each class
3. Condition Inspection frequency for each class
4. Maintenance Service Levels for each class
5. Maintenance Inspection frequency for each class

Whilst the requirements for the physical attributes and maintenance are different, the two usually correlate well enough to allow a single hierarchy to be used for simplicity.

Whilst hierarchy will dictate most of the physical attributes of the roads, such as pavement width, surfacing, road furniture and intersection type, it is important to note that road hierarchy is an overlay upon an existing road network and therefore some physical attributes will differ from road to road within the same category based on other historical and amenity considerations.

3. Objective of the Hierarchy Review:

The Road Hierarchy Review informs the following Council Documents:

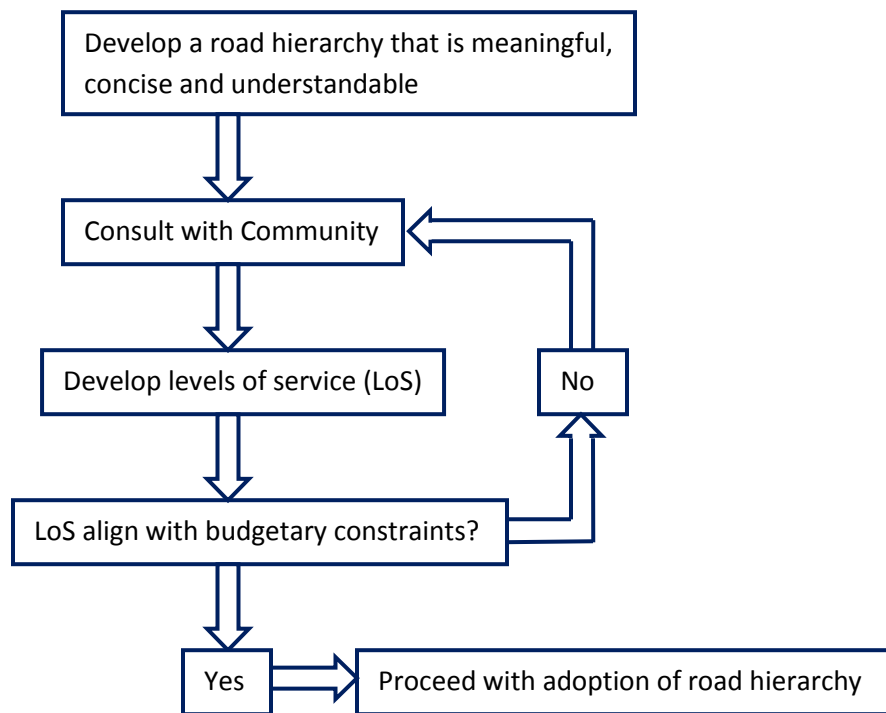
- **Road Management Plan (RMP)**, as required under the Road Management act 2004.
- **Hindmarsh Shire Council Plan 2013 - 2017** – 2.1 “Well-maintained physical assets and infrastructure to meet community and organisational needs.”
- **Road Asset Management Plan (RAMP)**, to be completed in the near future.

The road hierarchy review has been initiated to:

- Review the efficiency and functionality of the current road network.
- Inform an updated Road Management Plan that reflects the community’s expectations.
- Improve the understanding between Council and stakeholders (provide a clearer more consistent definition of road classes and an agreed level of service)

- Improve the ability of council to justify capital works renewal/upgrade decisions.
- Align with the National Asset Management Assessment Framework (NAMAF) which is a methodology for assessing the maturity of a Council's Asset Management practices and processes. NAMAF requirements are that Council produce a service plan for the Road Network (Shire Access) and undertake public consultation.

The road hierarchy review process comprises four main tasks as illustrated in the diagram below. The first step is to define and agree upon classifications and associated service levels.



Council then needs to determine whether it is able to provide the agreed levels of service within budgetary constraints, and if necessary modify those levels of service, and to engage with the local community and other stakeholders in this process.

4. Road Hierarchy Classifications

The road network in the municipality consists of the following types of roads:

- **Arterial Roads** which include national and state highways. The provision and maintenance of the Arterial Road Network is the responsibility of VicRoads,

- **Municipal Roads** for which Council is the Road Authority.
- **Roads on Crown land** for which Department of Land, Water and Planning is the Road Authority,
- **Forest Roads** for which Parks Victoria is the Road Authority, and
- **Private Roads** for which landowners are responsible

Municipal roads are categorised as either Rural or Urban Roads.

Both Urban and Rural Roads are comprised of the following classifications –

- **3 – Transport (Link) Routes**
Roads which usually connect two towns, villages or districts and carry traffic both private and commercial from within and outside the municipality.
- **4 – Collector (Through) Roads**
Rural roads which provide the major link between a number of residential and property access roads, and Transport Routes or the arterial road network. Urban roads which provide the major link between a number of primary access roads and the arterial network, or are identified freight routes.
- **5 - Residential (Primary) Access Roads**
Rural roads which provide all-weather access to occupied residential property. Urban roads which provide access to residential, commercial or industrial properties.
- **6 - Property (Secondary) Access Roads**
Rural roads which provide access to non-residential property. They are not necessarily all-weather roads. (An additional sub-category of 6S has been added to identify strategic farm gate access roads which qualify for a higher level of service) Urban roads or laneways which provide secondary access to residential, commercial or industrial property.
- **7 - Secondary Paddock Access Roads**
Rural Roads which provide secondary access to farm paddock gates for utes, stock, or as fire access tracks. Roads are unmade earthen tracks that are not regularly maintained.
- **8 - Paper Roads**
Road reserve where no physical road exists.

Municipal roads also contain Bus and Tourist route categories as defined below:

Bus routes are roads that are used by school buses for transportation of students to and from school. Bus routes may change from year to year depending on the residential address of current primary and secondary school students.

Tourist routes are roads that are identified by Council as providing access to significant tourist attractions within the Shire. Tourist routes may change from time to time depending on the operation of private tourism operators.

The hierarchal classification of a road does not change if the road is designated as a bus or tourist route. Inspection levels, however on Class 4R, 5R, 6R, 4U and 5U Bus and Tourist Routes are higher than those same classifications which are not bus or tourist routes.

5. Road Hierarchy Classifications – Detailed Descriptions

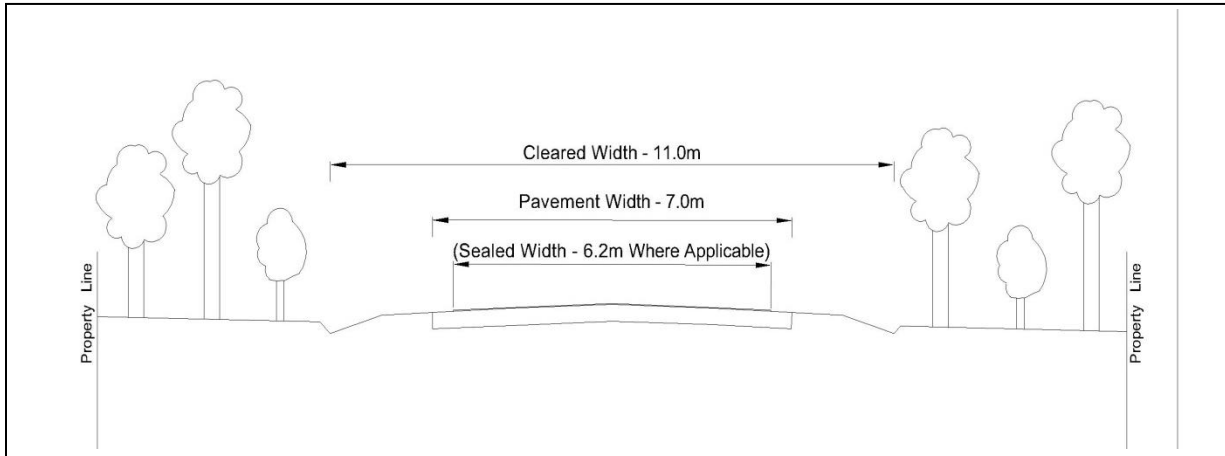
Following is a list of road hierarchy classifications:

6. Proposed Definition	Hierarchy	Included in Road Register
Transport (Link) Routes	3	Yes
Collector (Through)	4	Yes
Residential (Primary) Access	5	Yes
Property (Secondary) Access	6	Yes
Secondary Access (Rural)	7	Yes
Unused and paper roads	8	Yes
Arterial	VicRoads	Yes
Parking lane on arterial road	P	Yes
Off street parking	OSP	Yes
Recreation facility /depot etc.	Res	Yes
Managed by Parks Victoria	Parks	No
Private Street	Priv	No

DETAILED DESCRIPTIONS:

Category 3 Road – Transport (Link) Route

Definition: Provide residential access however they primarily provide important heavy vehicle commercial links at a regional level. They will generally direct heavy vehicles to the arterial network in the shortest possible distance (e.g. the Albacutya Rd which is used to source Gypsum for farms across the region) or provide link from district to district without duplicating the arterial network (e.g. Antwerp Woorak Rd).

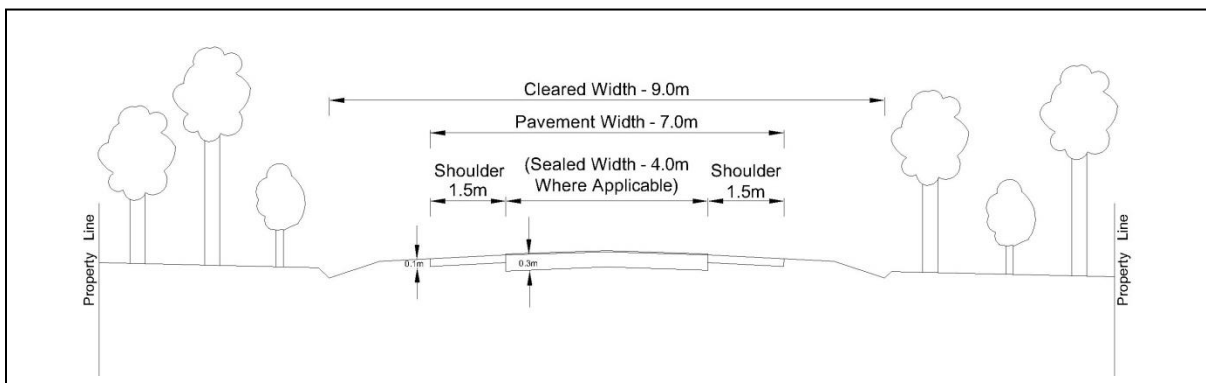


CATEGORY 3 TRANSPORT ROUTE - TYPICAL CROSS SECTION



Category 4 Road – Collector (Through) Road

Definition: Provide residential access however they primarily provide major links between a number of residential and property access roads, and Link Roads or the arterial road network. A higher level of service is provided to encourage traffic onto them. These roads can be sealed or unsealed, and pavement and seal width may vary.



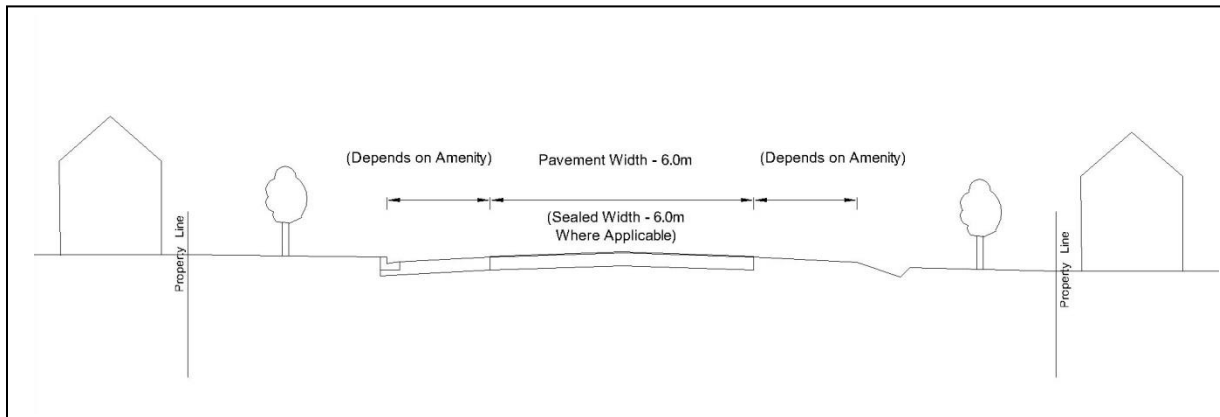
CATEGORY 4 COLLECTOR / THROUGH ROAD - TYPICAL CROSS SECTION



Category 5 Roads – Residential (Primary) Access Roads

Category 5U Roads – Urban Residential Access

Definition: Provides all-weather access to occupied urban residential property, commercial properties and other select locations at the discretion of council.

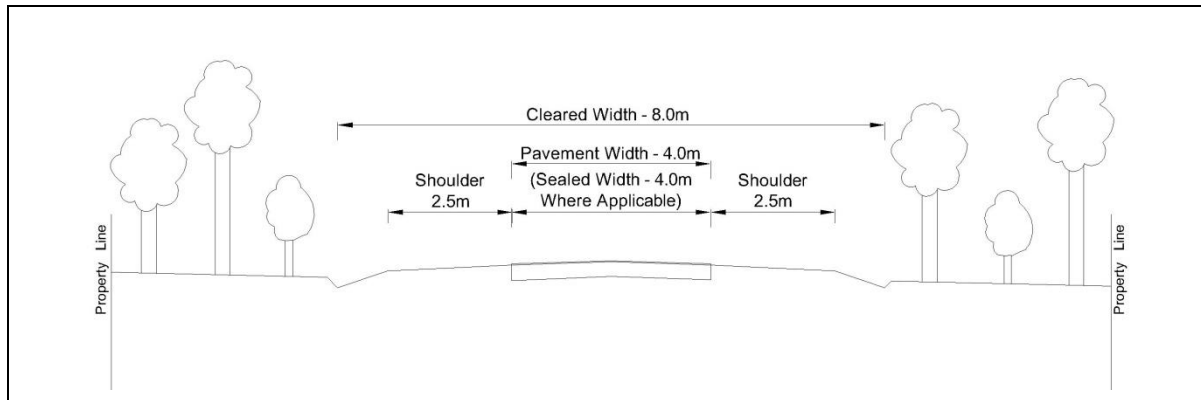


CATEGORY 5U URBAN RESIDENTIAL ACCESS - TYPICAL CROSS SECTION



Category 5R Roads – Rural Residential Access

Definition: Provides all-weather access to occupied rural residences. Can be sealed or unsealed and shoulder widths will vary. Sealed roads will not be constructed with gravel shoulders.



CATEGORY 5R RURAL RESIDENTIAL ACCESS - TYPICAL CROSS SECTION



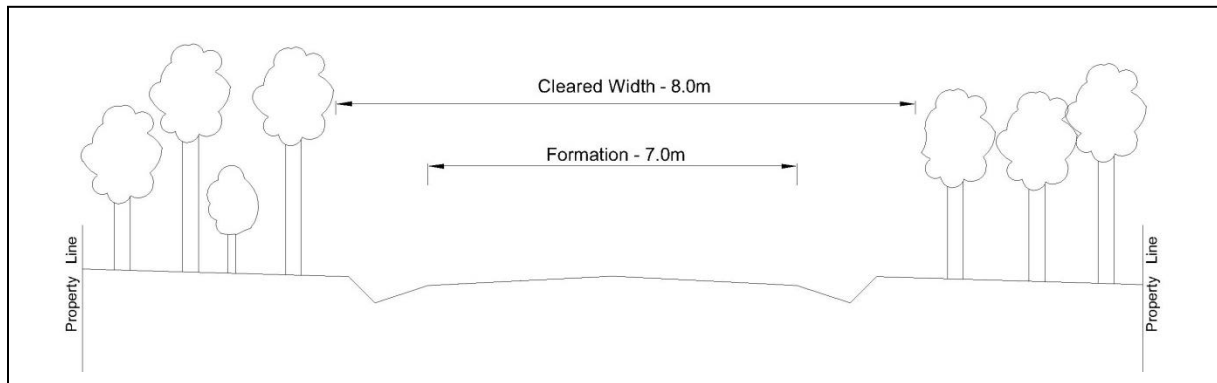
Category 6 Roads – Property (Secondary) Access Roads

Category 6U Roads – Secondary Access - Urban

Definition: Provides secondary gravel access to residential properties via urban laneways. Secondary access will not be provided to all residences but only where it already exists.

Category 6R Roads – Paddock Gate Access

Definition: Provides dry-weather access to farm paddock gates, without residential habitation. These roads are unsealed, formed earthen roads though some may have existing sections of gravel pavement



CATEGORY 6R PADDOCK GATE ACCESS - TYPICAL CROSS SECTION



Category 6S Roads – Strategic Paddock Gate Access

Definition: These are category 6 roads which may have earthen or gravel pavements but are considered strategic and therefore are inspected more regularly and defects are repaired in a shorter time frame as set out in the Road Management Plan.

Category 7 Roads – Secondary Access - Rural

Definition: Provides secondary access to farm paddock gates for utes, stock, or as fire access tracks. Roads are unmade earthen tracks that are not regularly maintained by Council.



Category 8 Roads – Paper Roads

Definition: Road reserve where no physical road exists. These sections of road reserve need to be identified and recorded but are not constructed or maintained by Council. In some cases farmers have licensed these road sections for agricultural or miscellaneous purposes.

7. Reasoning behind Road Hierarchy Classification Changes:

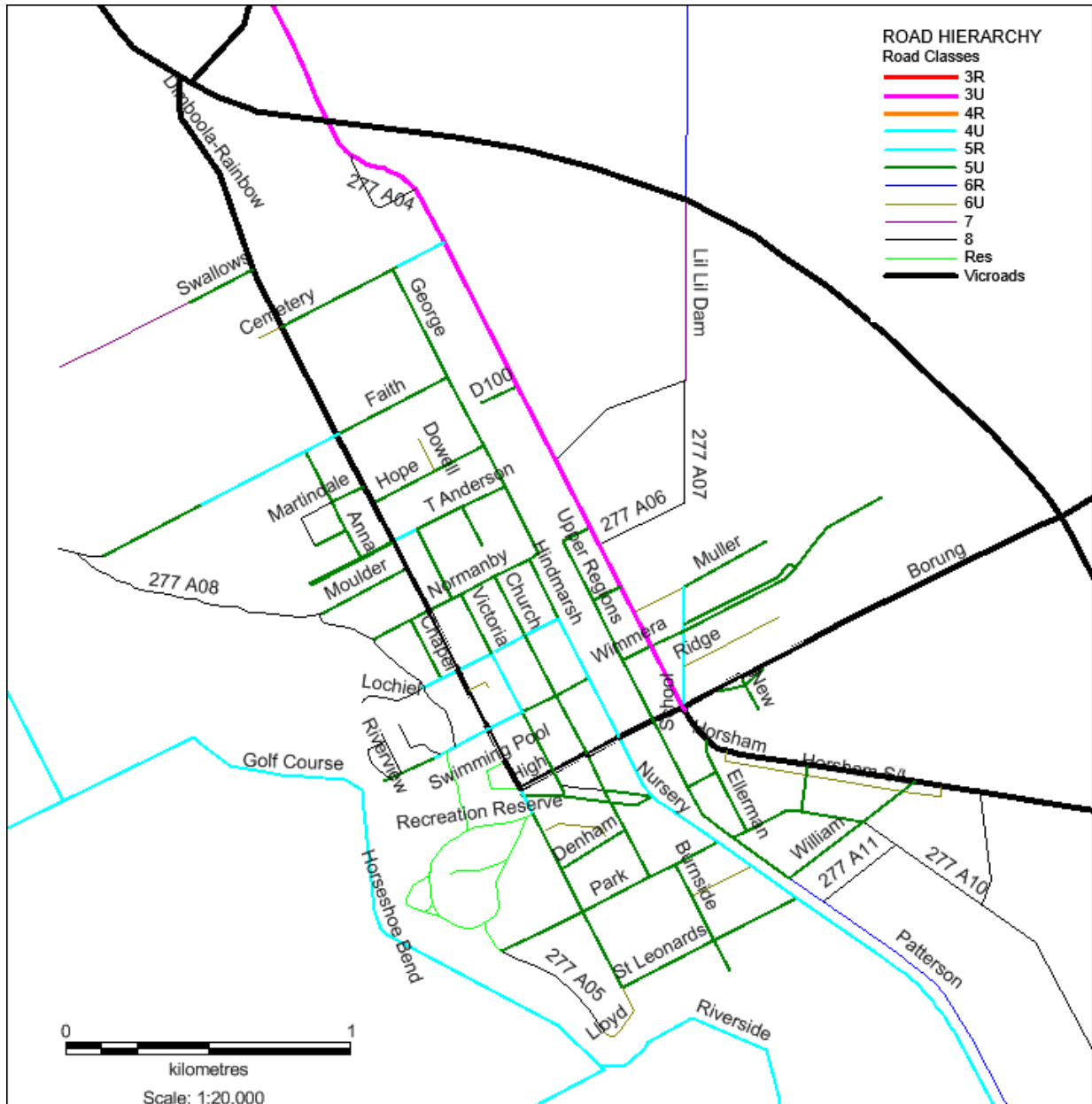
- School bus routes, which change from time to time, have a separate classification apart from the road hierarchy.
- Access roads to recreation, tourism and other community interest centres such as cemeteries also have a separate classification, and will remain at the discretion of councillors, but will be informed by Council Officers regarding potential cost implications.
- There are dual accesses to some residences that cannot be justified and only one preferred access will be provided at a Level 5 standard.
 - Where a rural residence is serviced by a 5R in two directions, the route that provides the shortest route to the nearest township will be selected as a 5R unless there are other residences on the same road which may alter the direction provided.
 - A residence is any building that is occupied, but this status is lost if the building is unoccupied for 12 months. Once allocated the status of 5R the road cannot be decreased to 6R without council approval and consultation.

- A classification needs to be considered for commercial access separate to residential access. A category 6S has been incorporated which is part of the level 6 category but is more strategic and attracts a higher service level.
 - Rural commercial properties will not be elevated to 5R and receive all-weather access. The property owner can elect to privately build and maintain a road provided that they follow council standards.
- 6R roads make up a large portion of the network and many of them may not need to be maintained to their current level and could be downgraded to the new category 7 classification.
- Category 7 and 8 have been included so that
 - Council is aware of all of its obligations
 - Council can clearly articulate its management strategy for those roads.
- There are large numbers of “paper roads” that the council remain liable for. Although a low priority these roads need to be identified, listed in the asset register and classified as a separate entity.
- A number of other categories, including roads managed by others, have been included to allow management of these assets in the asset management system without adding them into the RMP. These have been included to allow them to be installed into the electronic asset management system which will assist with day to day operations within council.
- If a section of road is assigned a road hierarchy classification which provides an increased level of service than what is currently in place Council will continue to maintain it at the existing standard and will only upgrade when planned renewal works are undertaken.
- The provision of kerb and channel is an amenity issue and is not included in this road hierarchy review.

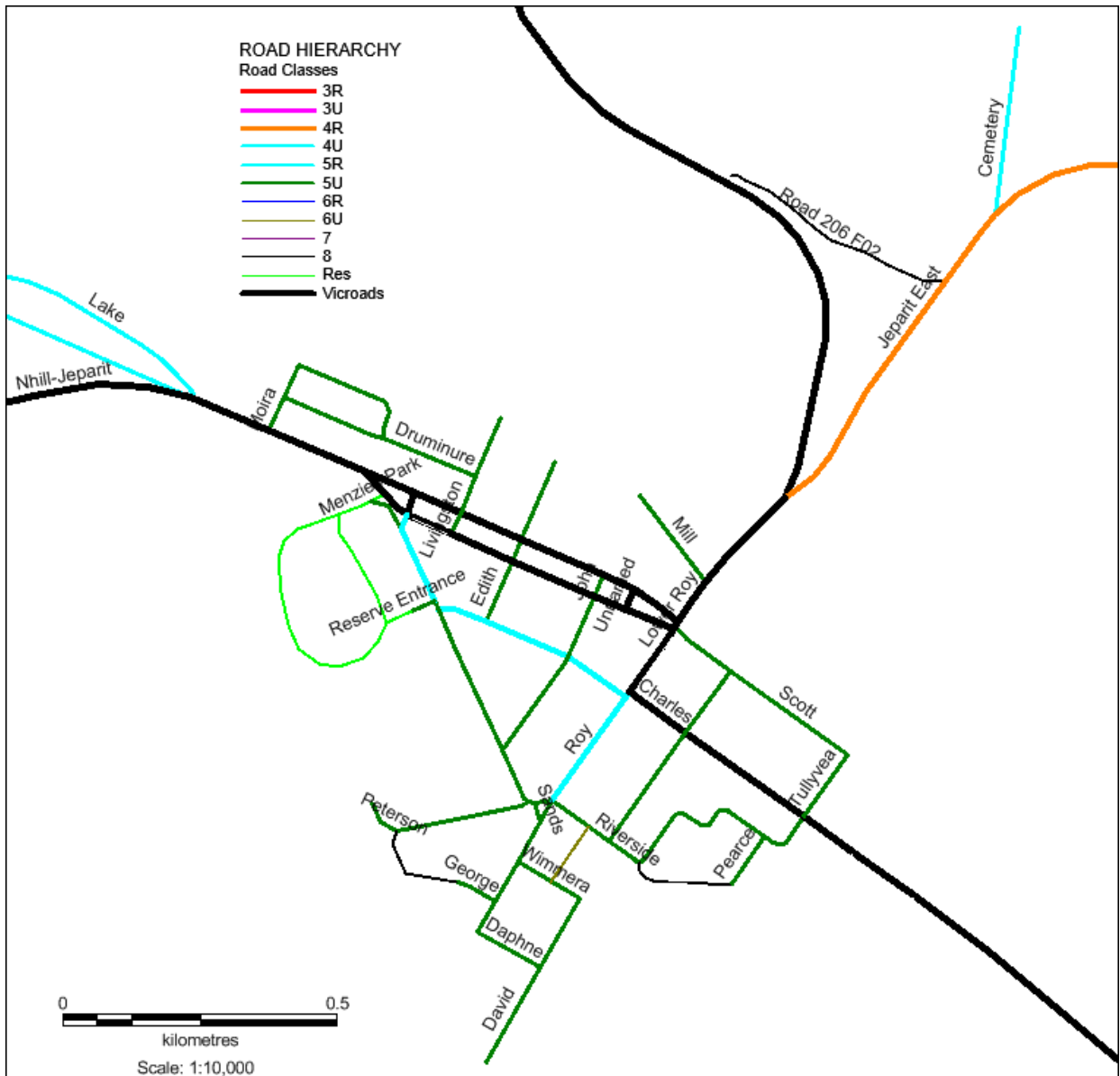
8. Conclusion

Since the 2009 Hindmarsh Shire Council road hierarchy was adopted by council changes to traffic movements have occurred, and following recent community consultation classification changes have occurred and categories have been revised in order to;

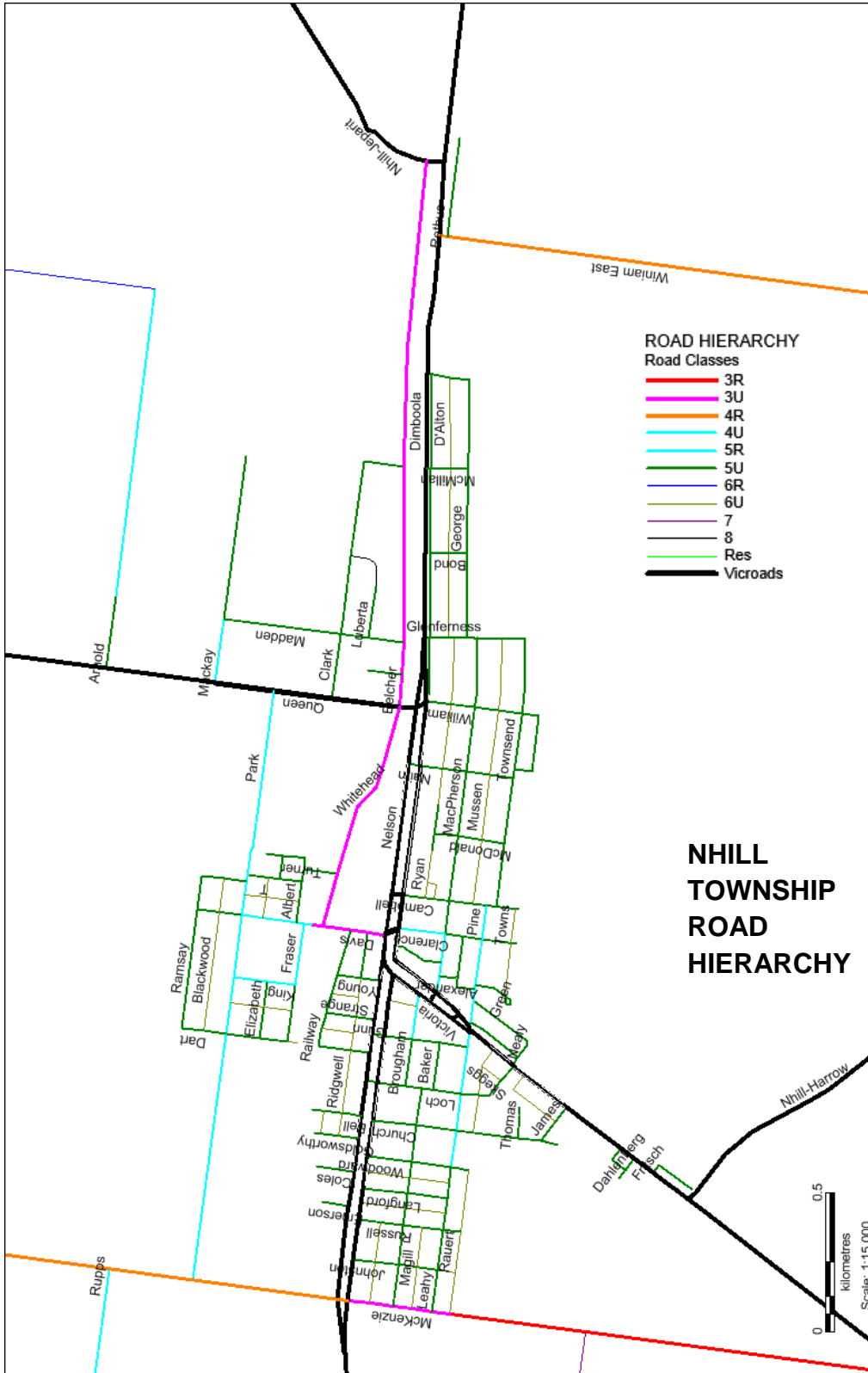
1. More closely align the Road Management Plan within the requirements of the Road Management Act,
2. Provide a more efficient management tool, and
3. Conform to the requirements of NAMAFA.

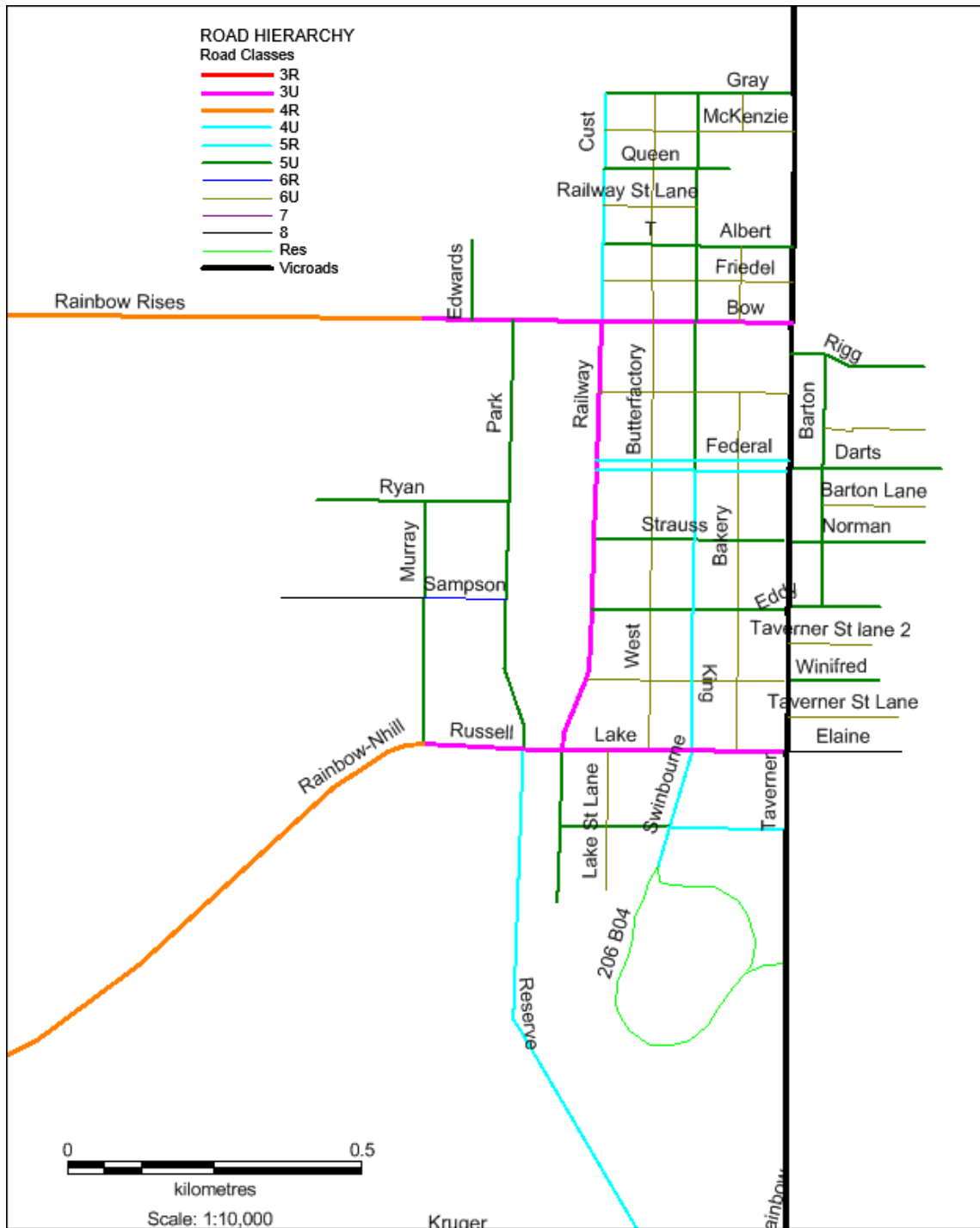


DIMBOOLA TOWNSHIP ROAD HIERARCHY



JEPARIT TOWNSHIP ROAD HIERARCHY





RAINBOW TOWNSHIP ROAD HIERARCHY

CHANGES SINCE FARMER CONSULTATION PROCESS:

Road Name	Locality	Start Chainage	End Chainage	Old Hier	New Hier	Comment
A Bones Road	Nhill	0	1,880	US/5R	S/5R	New seal - contribution
Albrecht Road	Gerang Gerung	860	2,650	US/6R	US/5R	Uniform category for entire road
Ampt Road	Rainbow	0	14,500	US/6R	7	Downgrade to access track
Amy Johnson Highway	Rainbow	0	885	Not in RR	Res	Add road through park
Amy Johnson Highway	Rainbow	885	4,360	Not in RR	US/6R	Add farm gate access road
Amy Johnson Highway	Rainbow	4,360	6,765	Not in RR	Res	Add road through park
Berontha-Baker Road	Yanac	3,660	10,330	US/6R	US/6S	Upgrade to strategic road
Berontha-Baker Road	Netherby	10,330	16,210	US/6R	US/6S	Upgrade to strategic road
Bethkes Road	Netherby	2,415	3,110	7	US/6R	Upgrade to farm gate access
Bethkes Road	Netherby	3,110	4,695	Not in RR	US/6R	Add farm gate access road
Brentwood Church Road	Rainbow	2,200	15,300	7	US/6R	Upgrade to farm gate access
Brown Road	Glenlee	1,600	6,850	US/6R	US/6S	Upgrade to strategic road
C Schultz Road	Yanac	0	3,650	US/6R	US/6S	Upgrade to strategic road
Cemetery Road	Jeparit	0	340	Not in RR	US/5R	Add all-weather road (Cemetery Access)
Clarke Road	Rainbow	0	3,200	US/6R	US/5R	Upgrade to all-weather
Cousins Road	Jeparit	1,160	2,400	7	US/6R	Upgrade to farm gate access
Cutline Road	Nhill	10,800	12,515	Not in RR	8	Add paper road
Cutline Road	Nhill	14,650	16,,320	Not in RR	US/6R	Add farm gate access
Drendel Road	Rainbow	2,675	5,400	US/6R	US/6S	Upgrade to strategic road
Eckermanns Road	Rainbow	0	800	US/6R	Res	Road is through Park
Five Chain Road	Dimboola	16,315	17,315	US/6R	US/6S	Upgrade to strategic road
Gaulke Road	Tarranyurk	0	700	7	US/6R	Upgrade to farm gate access
Gaulke Road	Tarranyurk	4820	5635	7	US/6R	Upgrade to farm gate access
Gypsum Pit Road	Jeparit	3,960	11,150	US/6R	US/6S	Upgrade to strategic road
Hazeldene Road	Rainbow	3,250	8,900	US/6R	US/6S	Upgrade to strategic road
Honeymans Road	Nhill	0	3,360	US/6R	US/6S	Upgrade to strategic road
J Bones Road	Nhill	2,450	9,200	US/6R	US/6S	Upgrade to strategic road
Jaeschke Lane	Tarranyurk	0	3200	US/6R	7	Downgrade to access track
K Judds Road	Yanac	2,750	4,890	Not in RR	8	Add paper road
Katyil Wail Road	Katyil	9565	20890	S/5R	S/4R	Upgrade to collector road
Kellers Road	Nhill	0	6,170	US/6R	US/6S	Upgrade to strategic road
Lake Hindmarsh School Road	Jeparit	4,153	6,800	US/6R	US/6S	Upgrade to strategic road
Liddle Lane	Dimboola	0	780	Not in RR	US/5R	Upgrade to all-weather (Residential Access)
Lorquon Cemetery Road	Lorquon	705	1,390	US/6R	US/5R	Upgrade to all-weather

Road Name	Locality	Start Chainage	End Chainage	Old Hier	New Hier	Comment
Lowan Border Road	Nhill	11,360	14,860	Not in RR	US/6R	Upgrade to farm gate access
Lush Road Ext	Rainbow	3,255	3,840	Not in RR	Res	Add road through park
McCabes Hut Track	Gerang Gerung	3300	5985	8/Res	US/6R	Upgrade to farm gate access
Miram East Road	Lawloit	2,580	8,567	US/6R	US/6S	Upgrade to strategic road
Mitchell Road	Rainbow	0	2,950	US/5R	US/6R	Downgrade to farm gate access
Nhill-Murrayville Road	Big Desert	23,280	33,875	Not in RR	US/3R	Add transport route
Nhill-Murrayville Road	Big Desert	33,875	47,500	Not in RR	Res	Add road through park
Ni Ni Well Road	Glenlee	0	6,500	US/6R	US/6S	Upgrade to strategic road
Nottles Road	Netherby	1,800	6,000	US/6R	US/6S	Upgrade to strategic road
Pearces Dam Road	Jeparit	0	6,370	US/6R	US/6S	Upgrade to strategic road
Piggery Lane	Nhill	0	3,515	US/6R	US/6S	Upgrade to strategic road
Purtles Lorquon Silo Road	Jeparit	6,740	13,600	US/6R	US/6S	Upgrade to strategic road
R Morris Road	Broughton	0	5,300	US/6R	US/6S	Upgrade to strategic road
Road 242 E06	Dimboola	0	2,200	8	7	Upgrade to access track
Rohde Road	Gerang Gerung	440	7,000	US/6R	US/6S	Upgrade to strategic road
Sanders Road	Big Desert	0	13,930	Not in RR	7	Upgrade to access track
Sandsmere Road	Nhill	0	5,300	US/6R	US/6S	Upgrade to strategic road
Sandy Road	Jeparit	8,100	11,300	US/6R	US/6S	Upgrade to strategic road
Schilling Road	Rainbow	700	4,340	US/6R	US/6S	Upgrade to strategic road
Schmidts Road	Nhill	0	3,850	US/6R	US/6S	Upgrade to strategic road
Schultz Road	Jeparit	1,225	5,200	US/6R	US/6S	Upgrade to strategic road
Starick Road	Antwerp	6,815	13,800	US/6R	US/6S	Upgrade to strategic road
T Millers Road	Yanac	200	3,900	7	US/6R	Upgrade to farm gate access
T Millers Road	Yanac	3,900	5,500	Not in RR	US/6R	Add farm gate access road
Tullyvea Church Road	Jeparit	12,300	13,500	US/6R	US/6S	Upgrade to strategic road
Werner Road	Jeparit	0	6,800	US/6R	US/6S	Upgrade to strategic road
Werrap Road	Rainbow	0	1,840	US/6R	US/6S	Upgrade to strategic road
Winiam Road	Nhill	0	3,830	S/5R	S/4R	Upgrade to collector road
Wundersitz Crossing Road	Dimboola	0	850	Not in RR	Res	Add road through park



Hindmarsh Shire Council



Road Management Plan 2017

Hindmarsh Shire Council

ROAD MANAGEMENT ACT 2004 - REVIEW OF ROAD MANAGEMENT PLAN

In accordance with Section 54 (5) of the Road Management Act 2004 (Act), Hindmarsh Shire Council gives notice that it is conducting a review of its Road Management Plan (the Plan).

The purpose of the review, consistent with the role, functions and responsibilities of the Council as a road authority under the Act, is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and the classes of road to which the Council's Road Management Plan applies are safe, efficient and appropriate for use by the community served by the Council.

The following 2009 Plan sections have been amended:

- Section 1 – Introduction
- Section 2 – Adoption of this Plan
- Section 3 – Amendment Register
- Section 4 – Review of this Plan
- Section 6 – Roads Hierarchy
- Section 10 – Demarcation of Responsibility
- Section 13 – Referenced Documents
- Section 14 – Associated Documents
- Section 15 - Appendices

Notable changes to the Plan include:

- Changes to definitions of road classifications under the hierarchy, most notably the change to Class 3 from Link Road to Transport Route and the addition of classes 6S, 7 & 8.
- Proposed changes to demarcation of responsibility with bordering municipalities.

A copy of the reviewed Plan may be inspected at, or obtained from the Council's Municipal Offices at 92 Nelson St, Nhill, 3418, or accessed online by viewing the Council's website www.hindmarsh.vic.gov.au and following the links.

Any person who is aggrieved by the proposed amendments may make a submission on the proposed amendments to Council during the public submission period which will be advertised.

Any enquiries about the proposed review can be directed to Mike Coppins, Asset Manager by telephone, (03) 5391 4435, or by email at mcoppins@hindmarsh.vic.gov.au

GREG WOOD

CHIEF EXECUTIVE OFFICER

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1 INTRODUCTION

The Road Management Act 2004 (the Act) was passed by the Parliament of Victoria on 11 May 2004 and became effective on 1 July 2004. The Act was created as a result of the High Court's decision to change the common law governing civil liability by removing Councils' immunity provided by non-feasance (the Highway Rule).

Hindmarsh Shire Council (HSC) is a Road Authority under Section 37 of the Act.

In accordance with Part 4, Division 5 of the Act, and Code of Practice for Road Management Plans (2004) (CoPRMP), Council has developed this Road Management Plan (RMP) having regard to the principal object of road management in line with works and infrastructure management principles:

This plan sets down specific requirements including,

1. Determination of standards for
 - the inspection, maintenance and repair; and
 - the prioritisation of inspection, maintenance and repair
2. Listing of road infrastructure in a road management plan or in an asset register.
3. A management system for inspection, maintenance and repair.

2 ADOPTION OF THIS PLAN

Hindmarsh Shire Council plans to endorse for public consultation the Draft Road Management Plan 2017 at its February meeting as required by the Road Management Act 2004.

Notice of the Draft Road Management Plan will be advertised in the Herald Sun, plus additional notices in the Victorian Government Gazette and local newspapers.

If no objections or comments are received the Council will formally adopt the Road Management Plan 2017 at its April 2017 meeting.

Notice of adoption of the Road Management Plan will then be formally gazetted in the Victorian Government Gazette and advertised in the Wimmera Mail Times.

3 AMENDMENT REGISTER

Issue	Date	Details	By
Draft			
No.1	30/3/16	Draft Road Management Plan issued for public comment	AM
No.2	25/01/17	Draft Road Management Plan issued for Council endorsement prior to public consultation	AM

4 **REVIEW OF THIS PLAN**

In accordance with Part 3 Division 1 Section 8 (1) of the Road Management (General) Regulations 2016, Council must review its RMP on a regular basis.

5 **ASSETS REGISTERS**

Council retains registers of roads and road related infrastructure. Registers are resource documents and are available for viewing at the Council Office, Nelson St, Nhill, and at the Council Service Centres in Dimboola, Jeparit and Rainbow.

5.1 Road Register

The Road Register lists the roads, for which Council is the responsible authority including;

- the name of each public road or, if a road is unnamed, a description which enables the particular road to be easily identified;
- if a road became a public road after 1 July 2004, the date on which the road became a public road;
- if a public road ceases to be a public road, the date on which the road ceased to be a public road;
- the classification of public roads under Council's road hierarchy;
- any ancillary areas such as car parks and scenic rest areas; and
- a reference to any arrangement under which road management functions in respect of any part of a public road or ancillary area is transferred to or from another road authority.

5.2 Footpath Register

The Footpath Register lists constructed footpaths, for which Council is the responsible authority including;

- The name of the roadway or, if not in a road reserve, a description which enables the location of the footpath to be easily identified;
- the type of construction of the footpath; and
- a reference to any arrangement under which road management functions in respect of any part of a public road or ancillary area is transferred to or from another road authority.

5.3 Bridge Register

The Bridge Register lists bridges, for which Council is the responsible authority including;

- The name of the road on which the bridge is located; and
- The name of the watercourse, or other feature the bridge spans; and
- The location of the bridge.

6 **ROADS HIERARCHY**

Council has developed a Roads Hierarchy for its Municipal Roads to establish corporate policies, goals and strategies for improving and maintaining the road network.

The objective of the Roads Hierarchy is to establish:

- The design and construction standards and service levels that Council will endeavour to provide for the various classes of urban and rural roads,
- The conditions under which Council may be prepared to agree to the provision and maintenance of a road to a higher standard than that set out in the hierarchy of roads.

The road network in the municipality consists of the following types of roads:

- Arterial Roads which include national and state highways. The provision and maintenance of the Arterial Road Network is the responsibility of VicRoads,
- Municipal Roads for which Council is the Road Authority.
- Roads on Crown land for which Department of Land, Water and Planning is the Road Authority,
- Forest Roads for which Parks Victoria is the Road Authority, and
- Private Roads for which landowners are responsible

Under the Council's Road Hierarchy, municipal roads are categorised as Rural or Urban Roads.

Both Urban and Rural Roads are comprised of the following classifications –

- 3 – Transport Routes
Roads which usually connect two towns, villages or districts and carry traffic both private and commercial from within and outside the municipality.
- 4 – Collector or Through Roads
Rural roads which provide the major link between a number of residential and property access roads, and Link Roads or the arterial road network. Urban roads which provide the major link between a number of primary access roads and the arterial network, or are identified freight routes.
- 5 - Residential (Primary) Access Roads
Rural roads which provide all-weather access to occupied residential property. Urban roads which provide access to residential, commercial or industrial properties.
- 6 - Property (Secondary) Access Roads.
Rural roads which provide access to non-residential property. They are not necessarily all-weather roads. Urban roads or laneways which provide secondary access to residential, commercial or industrial property.
- 7 - Secondary Paddock Access Roads
Rural Roads which provide secondary access to farm paddock gates for utes, stock, or as fire access tracks. Roads are unmade earthen tracks that are not regularly maintained.

- 8 - Paper Roads
Road reserve where no physical road exists.

Note: Only roadways that are maintained by Council are included in the road hierarchy.

6.1 Bus Routes

Bus routes are roads that are used by school buses for transportation of students to and from school. Bus routes may change from year to year depending on the residential address of current primary and secondary school students.

The hierarchal classification of a road does not change if the road is designated as a bus route. Inspection levels, however on Class 4R, 5R, 6R, 4U and 5U Bus Routes are higher than those same classifications which are not bus routes.

Council recognises that a higher level of inspection will enable earlier intervention if required.

Bus routes are identified in Council's Bus Route Register.

6.2 Tourist Routes

Tourist routes are roads that are identified by Council as providing access to significant tourist attractions within the Shire. Tourist routes may change from time to time depending on the operation of private tourism operators.

The hierarchal classification of a road does not change if the road is designated as a tourist route. Inspection levels, however on Class 4R, 5R, 6R, 4U and 5U Tourist Routes are higher than those same classifications which are not tourist routes.

Council recognises that a higher level of inspection will enable earlier intervention if required.

Tourist routes are identified in Council's Tourist Route Register.

7 SERVICE STANDARDS

Service standards for roadways, pathways, road infrastructure and road-related infrastructure are based on engineering standards, community expectation, risk and safety, asset preservation, asset hierarchy, available funding and available resources.

8 STANDARDS FOR INSPECTIONS

8.1 Roads

Inspections of Council's roads and road related infrastructure are carried out in accordance with the Defect Inspection Frequency schedule in Appendix 1.

Inspection frequencies are based on road classification

8.2 Footpaths

Inspections of Council's footpaths are carried out annually, except where footpaths require a higher level of inspection due to the nature of use, including at hospitals, senior citizen centres, nursing homes, main streets and schools. Footpaths in these areas are inspected bi-annually.

Footpaths inspections are recorded in accordance with the Footpaths and Tree Inspection schedule in Appendix 4.

8.3 Bridges

Inspections of Council's bridges are carried in out accordance with the Bridge Inspection Schedule in Appendix 5

9 STANDARDS FOR MAINTENANCE AND REPAIR

9.1 Intervention Levels and Response Times for Roads

Standards for maintenance and repair of Council's roads are set out in the following schedules in Appendix 2.

- Risk Assessment and Response – Sealed
- Risk Assessment and Response – Unsealed

The standards are based on road classification and the condition to be achieved in maintenance and repair of roads.

This includes but is not restricted to:

- The type and nature of defects.
- The time in which such defects should be repaired.

Road infrastructure, other than roadways includes signs, drains and drainage pits, line marking, bus shelters, and kerb and channel. In determining standards for maintenance and repair of road infrastructure, consideration is given to engineering standards, community expectations, relevant risk factors, available resources and potential impacts.

Roads and road infrastructure may be of similar nature having regard to the criteria listed above, however different standards may be adopted in regards to the nature of roads and road infrastructure.

9.2 Intervention Levels and Response Times for Footpaths

Intervention levels and response times for footpaths are set out in the Footpaths and Tree Inspections form in Appendix 4.

9.3 Intervention Levels and Response Times for Bridges

Due to the complex nature of bridges, and the type of defects which may occur, intervention levels and response times will be determined on the impact of each defect on safety, life of the asset, and available resources.

9.4 Routine Maintenance Service Levels for Roads

Routine maintenance service levels are set out in the following schedules in Appendix 3.

- Roads Hierarchy – Urban Roads: Routine Maintenance Service Levels and Standards
- Roads Hierarchy – Rural Roads: Routine Maintenance Service Levels and Standards

10 DEMARCATION OF RESPONSIBILITY

10.1 VicRoads

Responsibilities for road related infrastructure on and around arterial roads is set out in Road Management Act 2004 Code of Practice – Operational Responsibility for Public Roads.

10.2 Bordering Municipalities

Where a public road is a municipal road then Council is the co-ordinating and responsible Road Authority for the operational function. In the instance of boundary roads with other municipalities the responsibility is allocated according to an agreement between the two municipalities. The Hindmarsh Shire Council borders West Wimmera Shire Council, Horsham Rural City Council, Yarriambiack Shire Council and Mildura Rural City Council.

The Boundary road agreement sets the responsibilities as follows:

- Each municipality is responsible for all routine maintenance (grading and rolling), without any cost sharing, on the agreed length of boundary roads, and
- Periodic maintenance, rehabilitation and improvement works (including reseals and gravel re-sheeting) shall be proposed by the municipality responsible for the road, but the cost shall be shared on a 50:50 basis. The decision to carry out any works requires consent of both municipalities and must be detailed at Budget time.

The boundary road agreements are available for inspection in the Nhill Council Office.

10.3 Rail Road Interfaces

The Rail Safety Act 2006 requires Safety Interface Agreements (SIAs) to be entered into between the co-ordinating road authority and the rail infrastructure manager.

Hindmarsh Shire Council entered into an SIA with ARTC in 2011. This SIA is available as a referenced document to this plan.

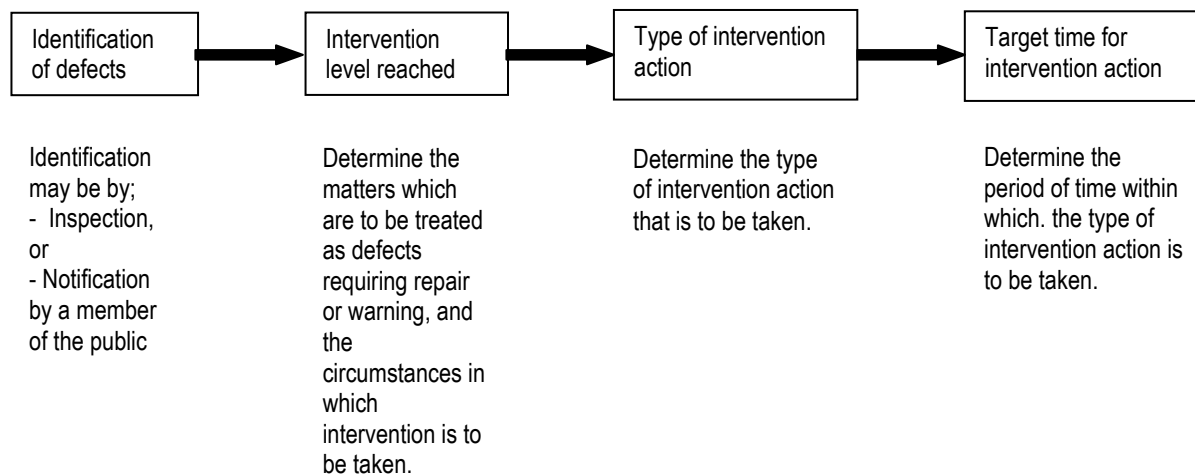
11 MANAGEMENT SYSTEM

Council's management system for inspection, maintenance and repair of roads and road related infrastructure includes:

- Policies and procedures;
- Monitoring asset condition;
- Establishing priorities and resources;

- Delivering maintenance programs;
- Recording asset performance;
- Responding to incidents.

Diagram illustrating Council’s system for inspection, maintenance and repair of road infrastructure.



12 “FORCE MAJEURE”

Hindmarsh Shire Council will make every endeavour to meet all aspects of its Road Management Plan.

In the event of natural disasters and other events including but not limited to, fires, floods, drought, pandemic and the like, together with human factors, such as a lack of staff or suitably qualified contractors, because of Section 83 of the Wrongs Act 1958 as amended, Council reserves the right to suspend its Road Management Plan.

In the event that the CEO of Council, has to, pursuant to Section 83 of the Wrongs Act, consider the limited financial resources of Council and its conflicting priorities, meaning Council’s Plan cannot be met, the CEO will inform Council’s Officer in Charge of its Road Management Plan in writing that some, or all, of the timeframes and response times are to be suspended.

Once the events beyond the control of Council have abated or partly abated, the CEO shall write to Council’s Officer in charge of its Road Management Plan informing which parts of Council’s Plan are to be reactivated and timeframes for each part of the plan to be reactivated.

13 REFERENCED DOCUMENTS

TITLE
Road Management Act 2004
Road Management (General) Regulations 2005
Road Management Act 2004 Codes of Practice
Code of Practice for Road Management Plans
Code of Practice: Operational Responsibility for Public Roads

Code of Practice: Management of Infrastructure in Road Reserves
Council Plan
Road Asset Management Plan
Road Register
Footpath Register
Bridge Register
Bus Route Register
Tourist Route Register
Agreements for responsibility for boundary roads
Safety Interface Agreement for railway crossings
Asset Management Policy

14 **ASSOCIATED DOCUMENTS**

TITLE
Council Plan
Road Asset Management Plan
Road Hierarchy Review
Moloney Asset Management System
Rural and Residential Tree Trimming and Removal Policy
Roadside Management Strategy
Risk Management Standards AS/NZS 4360:1999

15 **APPENDICES**

- APPENDIX 1 - Defect Inspection Frequency
- APPENDIX 2 - Risk and Assessment Response – Sealed
- Risk and Assessment Response – Unsealed
- APPENDIX 3 - Roads Hierarchy – Urban Roads, Routine Maintenance Service Levels and Standards
- Roads Hierarchy – Rural Roads, Routine Maintenance Service Levels and Standards
- APPENDIX 4 - Footpath and Tree Inspections
- APPENDIX 5 - Bridge Inspection Frequency

APPENDIX 1

DEFECT INSPECTION FREQUENCY

NATURE OF INSPECTION	INSPECTION FREQUENCY BY ROAD CLASSIFICATION								
	RURAL						URBAN		
	3R (Transport Routes)	Bus Routes / Tourist Routes	4R (Collector or Through)	5R (Resident Primary Access)	6R (Property Secondary Access)	6S (Strategic)	4U (Collector or Through)	5U (Residential Primary Access)	6U (Property Secondary Access)
DAY TIME Level 1 (Pavement / shoulder / road furniture)	1 time per year		1 time per 2 years	1 time per 2 years	Nil	1 time per 2 years	1 time per year	1 time per 2 years	Nil
DAY TIME Level 2 (Pavement / kerb & channel / shoulder / road furniture / table drains / culverts / vegetation)	1 time per year	1 time per year	1 time per 2 years	1 time per 2 years	1 time per 3 years	1 time per 2 years	1 time per year	1 time per 2 years	1 time per 2 years
NIGHT TIME Level 1 (Pavement / shoulder / road furniture)	1 time per year	1 time per year	1 time per 2 years	1 time per 2 years	Nil	Nil	1 time per year	1 time per 2 years	Nil

Note1: Level 1 inspection frequencies have been split into Day and Night as some defects are more readily identified at night.

Note2: Inspections to be scheduled such that each inspection type is carried out at the frequencies shown. Each inspection type is to be carried out independently of other inspections for each road.

APPENDIX 2

RISK ASSESSMENT AND RESPONSE - SEALED

NATURE OF INSPECTION	TARGET STANDARD CONDITION	HAZARD INTERVENTION LEVEL	TARGET TIME FOR INTERVENTION ACTION			
			3 (Transport Route)	4 (Collector or Through)	5 (Residential Primary Access)	6 (Property Secondary Access)
Pothole Patching	Hole is to be repaired to a smooth surface consistent to line and level of surrounding pavement.	Hole is more than 450mm diameter or more than 75mm deep.	1 week	3 weeks	2 months	6 months
Regulation of Wheel Ruts and Depressions	Return to line, level, and trafficable surface, with no ponding of water evident.	Wheel rut or depression is more than 75mm deep and more than 20m ² in area.	2 weeks	1 month	3 months	12 months
Edge Repairs	To provide a trafficable lane.	Edge breakaway is more than 125mm over 5m in length.	2 weeks	1 month	3 months	6 months
Pavement Failures	Failure is to be repaired to a smooth pavement surface consistent with line and level of surrounding pavement.	Surface disruption is more than 75mm over area more than 20m ² .	1 week	3 weeks	2 months	6 months
Kerb and Channel	Minimal ponding	When ponded water extends outside the lip of the channel.	Subject to finding	Subject to finding	Subject to finding	Subject to finding
Table Drains	Minimal ponding	Any obstruction that significantly free flow of water	6 months	12 months	12 months	In conjunction with works program

APPENDIX 2 Cont.

RISK ASSESSMENT AND RESPONSE – SEALED (Cont...)

NATURE OF INSPECTION	TARGET STANDARD CONDITION	HAZARD INTERVENTION LEVEL	TARGET TIME FOR INTERVENTION ACTION			
			3 (Transport Route)	4 (Collector or Through)	5 (Residential Primary access)	6 (Property Secondary Access)
Culverts	Water flow is unrestricted	Silting or 50% obstruction of cross section	3 months	6 months	12 months	2 years
Shoulder Grading	Provision of a trafficable surface which is free draining and which prolongs the pavement life.	Edge drop off is more than 100mm over more than 50m in length.	3 weeks	6 weeks	3 months	6 months
Roadside Signage/Guide Posts	A fully visual signposted and delineated road network.	Illegible or missing warning signs or missing guide posts at culverts	2 weeks (see note 3)	1 month (see note 3)	3 months	6 months
Roadside Grass Cutting	To maintain sight distance and reduce fire risk.	Inadequate visibility at intersections or on curves.	1 month	3 months	6 months	12 months

Note 1: Where the defect warrants emergency action, this is taken within 24 hours of receipt of notification.

Note 2: The times shown in the above tabulation are subject to variation in times of extreme weather conditions when extra demands may be placed on Council resources.

Note 3: Depends on availability of signs/guideposts.

RISK ASSESSMENT AND RESPONSE – UNSEALED

APPENDIX 2 Cont.

NATURE OF INSPECTION	TARGET STANDARD CONDITION	HAZARD INTERVENTION LEVEL	TARGET TIME FOR INTERVENTION ACTION				
			3 (Transport Route)	4 (Collector or Through)	5 (Residential Primary access)	6 (Property Secondary Access)	6S (Strategic)
Potholes and Corrugations	Trafficable pavement free of potholes, corrugations and other surface defects.	Potholes and corrugations are more than 600mm diameter and 150mm deep	1 month	2 months	6 months	12 months	6 months
Pavement Failure	Failure is to be repaired to a smooth pavement surface consistent with line and level of surrounding pavement.	Area of failed pavement is more than 20m ² in area.	1 month	2 months	6 months	12 months	6 months
Roadside Signage/Guide Posts	A fully visual signposted and delineated road network.	Illegible or missing warning signs or missing guide posts at culverts.	1 month (see note 3)	3 months	6 months	12 months	12 months
Roadside Grass Cutting	To maintain sight distance and reduce fire risk.	Inadequate visibility at intersections or on curves.	1 month	3 months	6 months	12 months	12 months
Table Drains	Minimal ponding	Any obstruction that significantly obstructs free flow of water	6 months	12 months	12 months	In conjunction with works program	12 months
Culverts	Water flow is unrestricted	Silting or 50% obstruction of cross section	3 months	6 months	12 months	2 years	12 months

Note 1: Where the defect warrants emergency action, this is taken within 24 hours of receipt of notification.

Note 2: The times shown in the above tabulation are subject to variation in times of extreme weather conditions when extra demands may be placed on Council resources.

Note 3: Depends on availability of signs/guideposts.

APPENDIX 3

ROADS HIERARCHY – URBAN ROADS ROUTINE MAINTENANCE SERVICE LEVELS & STANDARDS

CLASSIFICATION	DEFINITION	SEALED ROADS				UNSEALED ROADS	
		PAVEMENT WORKS	EDGE REPAIRS	SHOULDER GRADING & DRAINS	KERBING	GRADING	SHOULDERS & DRAINS
4U COLLECTOR OR THROUGH	Unclassified roads linking parts of the townships or leading to the town centre. Would be sealed or surfaced all weather roads.	Annually or when I.L. exceeded.	Annually or when I.L. exceeded	Annually	When I.L. exceeded	Annually	As necessary
5U RESIDENTIAL PRIMARY ACCESS	Unclassified road providing access to occupied residential, industrial or commercial properties. Would be sealed or surfaced all weather roads.	Annually or when I.L. exceeded.	Annually	Annually	When I.L. exceeded	Annually	Annually
6U PROPERTY SECONDARY ACCESS	Roads or laneways providing alternate access to occupied properties or access to vacant land. Would not necessarily be all weather construction.	Annually	Annually	As necessary	When I.L. exceeded	As necessary	As necessary

I.L. – Intervention level

APPENDIX 3 Cont.

ROADS HIERARCHY – RURAL ROADS ROUTINE MAINTENANCE SERVICE LEVELS & STANDARDS

CLASSIFICATION	DEFINITION	SEALED ROADS			UNSEALED ROADS	
		PAVEMENT WORKS	EDGE REPAIRS	SHOULDER GRADING & DRAINS	GRADING	SHOULDERS & DRAINS
3R LINK	Unclassified roads connecting two towns, villages or districts. May be sealed or formed and surfaced.	Annually or when I.L. exceeded.	2 times per year or when I.L. exceeded	Annually or when I.L. exceeded	2 times per year or when I.L. exceeded	Annually
4R COLLECTOR	Unclassified road linking residence and property access roads into higher class roads. May be sealed or formed and surfaced.	Annually or when I.L. exceeded.	Annually or when I.L. exceeded	Annually	Annually or when I.L. exceeded	Annually
5R RESIDENTIAL ACCESS	Unclassified road providing all weather access to occupied houses in rural or rural residential areas.	Annually	Annually or when I.L. exceeded	As necessary	Annually	As necessary
6R PROPERTY ACCESS	Roads providing access to rural properties for farming purposes. Would not necessarily be an all weather road.	N/A	N/A	N/A	As necessary	As necessary
6S STRATEGIC	Class 6 road considered strategic and maintained more regularly	N/A	N/A	N/A	Annually or when I.L. exceeded	As necessary

I.L. – Intervention level

BRIDGE INSPECTION FREQUENCY

The following tabulation, in accordance with the VicRoads Bridge Inspections Manual guidelines, indicates the frequency and detail required for the inspections of all bridges within the Shire.

	DESCRIPTION	FREQUENCY (MINIMUM)
LEVEL 1	To check the general serviceability of the structure , particularly for the safety of road users, and identify any emerging problems	Every 6 months
LEVEL 2	To assess and rate the conditions of the structure (as a basis for assessing the effectiveness of past maintenance treatments, identifying current maintenance needs, modeling and forecasting future changes in condition and estimating future budget requirements)	All new structures within 12 months of opening, thereafter on a 5 year cycle.
LEVEL 3	To assess the structural condition and behavior of a structure, to identify and quantify the current and projected deterioration of the structure, and to assess appropriate management options.	Bridges; <ul style="list-style-type: none"> • reporting poor condition in the Bridge Inspection System • showing evidence of accelerated deterioration • for which significant works such as rehab, strengthening or widening is proposed