

COUNCIL MEETING MINUTES



6:00 pm on Monday September 26, 2022

Livestreaming at www.bendigo.vic.gov.au/councilmeeting
Broadcast live on Phoenix FM 106.7 ***

Copies of the City of Greater Bendigo Council's Agendas & Minutes
can be obtained online at www.bendigo.vic.gov.au

NEXT MEETING:

October 24, 2022 6:00pm

COMMUNITY VISION

2021–2031

Greater Bendigo celebrates our diverse community.

We are welcoming, sustainable and prosperous.

Walking hand-in-hand with the Traditional custodians of this land.

Building on our rich heritage for a bright and happy future.

The community vision is underpinned by five values –
Transparency, sustainability, inclusion, innovation and equity.

COUNCIL PLAN (MIR WIMBUL) – OUTCOMES

The [Council Plan](#) (Mir wimbul) is based on seven outcomes, which are the main focus of the Council Plan.

Each outcome has a set of goals, objectives and actions that will help to achieve the community vision, and indicators to measure achievement against each goal:

1. Lead and govern for all
2. Healthy, liveable spaces and places
3. Strong, inclusive and sustainable economy
4. Aboriginal reconciliation
5. A climate-resilient built and natural environment
6. A vibrant, creative community
7. A safe, welcoming and fair community

STAFF VALUES AND BEHAVIOURS

The City of Greater Bendigo's [values and behaviours](#) describe how Councillors and staff will work together to be the best we can for our community.

They are aligned to our strategic documents, such as the Council Plan, which ensure they are meaningful for Council and the organisation.

A shared commitment to living our values and behaviours will help us to build the type of culture we need to be able to work together and support each other to deliver the best possible outcomes for the community.



This Council Meeting is conducted in accordance with the

- Local Government Act 2020
- [Governance Rules](#)

ORDER OF BUSINESS

1. ACKNOWLEDGEMENT OF COUNTRY	5
2. TRADITIONAL LANGUAGE STATEMENT	5
3. OPENING STATEMENT	5
4. MOMENT OF SILENT REFLECTION	5
5. ATTENDANCE AND APOLOGIES	6
6. LEAVE OF ABSENCE	6
7. SUSPENSION OF STANDING ORDERS	6
8. COMMUNITY RECOGNITION	7
9. PUBLIC QUESTION TIME	9
10. RESUMPTION OF STANDING ORDERS	9
11. WARD REPORTS	10
11.1. Eppalock Ward - Cr Evans	10
11.2. Lockwood Ward - Cr Williams	11
11.3. Whipstick Ward - Cr Fagg	12
12. DECLARATIONS OF CONFLICT OF INTEREST	13
13. CONFIRMATION OF PREVIOUS MINUTES	13
14. PETITIONS AND JOINT LETTERS	14
14.1. Response to petition - Breastfeeding walk in clinic	14
14.2. Response to petition from Save the Campaspe Community Group: Governance and finance of Greater Bendigo Climate Collaboration	28
14.3. Petition: Drainage at Homestead Estate, Huntly	36
15. LEAD AND GOVERN FOR ALL	42
15.1. Update to Instruments of Delegation	42
15.2. 2026 Commonwealth Games Legacy and Resourcing	187
15.3. Draft Annual Financial Statements 30 June 2022	199
15.4. Contracts Awarded under Delegation	268
15.5. Motions for State Council Meeting - Municipal Association of Victoria	270
16. HEALTHY, LIVEABLE SPACES AND PLACES	274
16.1. Planning Scheme Amendment C266gben Public Open Space Contributions	274
16.2. CA 10, Sec 18, Bendigo-Maldon Road, Lockwood South 3551 - Use and Development of Dwelling, Outbuilding, Driveway and Creation of Access from a Transport Zone 2	297

16.3. CA 6B Hewletts Road, LOCKWOOD SOUTH 3551 - Use and Development of a Dwelling.....	317
16.4. Melbury Court Playspace	336
17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY	341
17.1. Investment Prospectus Document for 2022 State Election	341
18. ABORIGINAL RECONCILIATION	361
19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT	361
20. A VIBRANT, CREATIVE COMMUNITY	361
21. A SAFE, WELCOMING AND FAIR COMMUNITY	362
21.1. Marong Kindergarten and Community Hub (stage 1)	362
22. URGENT BUSINESS	369
23. NOTICES OF MOTION	369
24. MAYOR'S REPORT.....	369
25. CHIEF EXECUTIVE OFFICER'S REPORT	371
26. CONFIDENTIAL (SECTION 66) REPORTS.....	372
27. CLOSE OF MEETING	372

1. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge that the City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

We would like to acknowledge and extend our appreciation to the Dja Dja Wurrung People, the Traditional Owners of the land that we are standing on today.

Today, we pay our respects to leaders and Elder's past, present and emerging for they hold the memories, the traditions, the culture and the hopes of all Dja Dja Wurrung People.

We express our gratitude in the sharing of this land, our sorrow for the personal, spiritual and cultural costs of that sharing and our hope that we may walk forward together in harmony and in the spirit of healing.

2. TRADITIONAL LANGUAGE STATEMENT

Bangek Knoorarook Bunjil Dja Dja Wurrung
William Talle tallingingorak wirrmbool bunjil

I honour the wisdom of the Dja Dja Wurrung.
We will speak words of truth and listen to your wisdom

3. OPENING STATEMENT

4. MOMENT OF SILENT REFLECTION

5. ATTENDANCE AND APOLOGIES

Attendance

- Mayor Cr Andrea Metcalf
 - Deputy Mayor Cr Matthew Evans
 - Cr Jennifer Alden
 - Cr David Fagg (remotely)
 - Cr Rod Fyffe OAM
 - Cr Margaret O'Rourke
 - Cr Greg Penna
 - Cr Julie Sloan
 - Cr Vaughan Williams
-
- Craig Niemann, Chief Executive Officer
 - Andrew Cooney, Director Commonwealth Games
 - Steve Hamilton, Director Strategy and Growth
 - Brian Westley, Director Presentation and Assets
 - Stacy Williams, Director Healthy Communities and Environments
 - Jenn Spelling, Acting Director Corporate Performance
 - Geoff Fallon, Coordinator Governance
 - Adele Hayes, Acting Manager Statutory Planning

6. LEAVE OF ABSENCE

Nil

7. SUSPENSION OF STANDING ORDERS

RESOLUTION - Resolution No. 22/09-1

Moved: Cr Fyffe

Seconded: Cr Penna

That Standing Orders be suspended to allow the conduct of the Community Recognition Section and Public Question Time.

CARRIED

8. COMMUNITY RECOGNITION

- To tonight's community section and much has happened since we were last together.
- Like people the world over, Council and staff of the City of Greater Bendigo are saddened by the passing of Queen Elizabeth the Second.
- Regardless of your views on the monarchy, her sense of service over self, unwavering integrity and steadfast leadership over 70 years was truly remarkable.
- The past few weeks' scenes of mourning, including the incredible state funeral, have been of a scale we are unlikely to see again.
- However you serve or lead, no matter what role it may be – Prime Minister, Mayor, sports club president – the Queen's approach to her reign was inspiring and her duty and commitment were something to be admired.
- Locally, we are mourning the passing of Uncle Jack Charles – a Boon Wurrung, Dja Dja Wurrung, Woiwurrung and Yorta Yorta man – in what is a significant loss for our Traditional Owner and First Nations community, as well as the arts community.
- Uncle Jack had a starring role in the opening of Ulumbarra Theatre in 2015, telling the story of our region's indigenous heritage – a performance he would return to perform the following year.
- He was known as the grandfather of Aboriginal theatre, and a great advocate for aspiring First Nations talent and also the LGBTQIA+ community.
- We are thinking of his family and local Traditional Owners and First Nations people at this time.
- We also acknowledge the passing of Mary Marky, a Kangaroo Flat resident and the first community representative appointed by Council to sit on the environment review committee for the Bendigo mining project.
- Mary was active as a community member for almost three decades and our condolences to Mary's family.
- To happier news...
- And it's been a winning few weeks for the City of Greater Bendigo.
- At last week's Premier's Sustainability Awards the Circular Greater Bendigo project won the Circular Economy Innovation category.
- Staff were recognised for their work in identifying, developing and implementing a number of circular economy and resource management solutions to handle, reprocess and recirculate end-of-life material resources.
- And Australia's Top Tourism Awards were announced recently in Canberra and Bendigo won silver in the 2022 Top Tourism Town category.
- We are thrilled with the win, which recognises Bendigo's strong commitment to deliver the very best experiences and high-quality customer service to visitors. Well done to our staff and all local hospitality, accommodation, retail and attractions businesses that have contributed to this win!
- Congratulations to outgoing Bendigo and District Aboriginal Cooperative Chief Executive, Raylene Harradine, who leaves the organisation to become the Department of Family, Fairness and Housing's first Aboriginal Self Determination and Outcomes deputy secretary.
- We look forward to Raylene remaining an advocate for the Bendigo region in her new role and wish her the best.
- Congratulations to the finalists across the various football and netball leagues and divisions that have played in Grand Finals over the past couple of weeks.

- It was exciting to see finals return after two years and to see the community's excitement, with suburbs and towns getting behind their teams. It is always wonderful to see that community pride on display.
- Finally, I would like to say thank you and congratulations to the Y Service Club, which last week held its final book sale, having donated more than \$850,000 to mostly local charities and organisations over the past 10 years – a huge commitment and many years of hard work and volunteer hours.
- It's also good to hear that Bendigo Foodshare will continue the tradition and run book sales at Easter and in spring in 2023.
- And that rounds out this month's community section.

9. PUBLIC QUESTION TIME

1. Pre-Registered Question from Kirsty:

- a. **Question** - Does the City of Greater Bendigo hold an Emergency Response/Evacuation Plan for those residents who live downstream of Fosterville Gold Mine who are at risk if there is a Catastrophic Failure of a Tailings Dam?
- b. **Answer** - Thank you for your question. The question relates to matters outside the control of Council; however to assist, the jurisdiction for emergency management preparedness and response regarding this mine resides with Earth Resources Regulation and Emergency Management Victoria, in conjunction with the mine operator.

2. Gallery Question from Meryl of Maiden Gully:

- a. **Question** - Will you please advise how you as Councillors propose to prevent regular ignoring of the Greater Bendigo Planning Scheme by the City staff particularly in respect to development within the lands subject to inundation areas for all future applications so residents especially those living in or nearby to flood plains do not have to continually object to City of Greater Bendigo staff recommendations that do not conform to the Greater Bendigo Planning Scheme.
- b. **Answer** - Thank you for your question:
 - i. The Greater Bendigo Planning Scheme is a statutory document that sets out the planning rules in each municipality. The Planning Scheme contains both policies and planning controls which are used to inform and guide planning decisions. They generally provide for any permit requirements and prohibitions on land use and development. The Council Planners professionally apply the planning scheme as it relates to all planning applications, and will continue to do so.
 - ii. Building and works are able to be approved in the Land Subject to Inundation Overlay Schedule 1 (LSIO1).
 - iii. With regard the last Council Meeting decision for Monsants Road, Maiden Gully (Application Number DS/422/2020), the applicant's subsequent flood modelling demonstrated that the revised subdivision would not result in increased downstream flood risk to surrounding properties, to the satisfaction of the North Central Catchment Management Authority (NCCMA, being the 'Recommending referral authority') and the City's Stormwater Engineering team.

10. RESUMPTION OF STANDING ORDERS

RESOLUTION - Resolution No. 22/09-2

Moved: Cr Fyffe

Seconded: Cr Penna

That Standing Orders be resumed.

CARRIED

11. WARD REPORTS

11.1. Eppalock Ward - Cr Evans

Eppalock Ward - Cr Evans presented a report on various issues and meeting/events, including:

- Spring has sprung and Bendigo is in bloom. So that's why I am delighted to present the Eppalock Ward report on behalf of Cr O'Rourke and Cr Penna at this ordinary meeting.
- Since the August Ordinary meeting, I wish to report that there have been two listening posts in the Eppalock Ward.
- The first was at Strathfieldsaye IGA and the second was at the Agnes Mudford Reserve Pavilion in Redesdale in partnership with the Redesdale and District Association.
- My fellow ward councillors and I appreciated the time residents and ratepayers took to raise their local issues and ideas with us. These ranged from concerns about native vegetation removal, fixing footpaths and roads, and other local matters.
- Although I was not able to attend these particular events in person, the Festival Launch Party of the Heathcote Wine & Food Festival at the Heathcote Winery, and a meeting with Axedale – Our Town Our Future committee in Axedale were noteworthy events.
- It also worth celebrating some of the works which have also been achieved recently. The Skate Park at Ewing Park is now complete with landscaping works still ongoing.
- I also note the completion of works at Wolstencroft Reserve. Although an official opening is yet to take place, it's wonderful to see families enjoying this community facility. I acknowledge the delivery of these works by the City staff.
- The Acknowledgement of Country shadow sculpture for the Taungurung has been installed along High Street near the Barrack Reserve pavilion and will be lit up every evening from 6pm. This sculpture is similar to shadow sculpture for the Dja Dja Wurrung located on View Street between Dudley House and the Engine Room.
- Taungurung artist, Isobel Morphy-Walsh, was inspired by the crow's view of Mount Camel and the mountain range in the area. The artwork focuses on the protection that the mountains give and provides a moment of reflection. I congratulate all those involved in this wonderful installation, including the BV&E Team.
- I also want to congratulate Joel Selwood on leading Geelong to another Premiership. Joel and his family grew up in Strathdale and Joel and the entire Selwood family have been great ambassadors of the game and for Bendigo. Joel has been a champion of the game over his entire career.
- Personally, I have enjoyed getting out in the community and attending several events. These events include attending the Onam Celebrations at the Strathdale Community Hall organised by the Bendigo Malayalee Association, speaking at the official opening of the new offices of the Loddon Campaspe Multicultural Service, and going down the Big Freeze Slide in Bendigo as part of the fundraiser towards fighting MND which was organised by Julie Baird.
- There is a lot to look forward to right across our city and region, but particularly in the Eppalock Ward. I know that everyone will be looking forward to several key events, a official openings, and meetings with our wonderful community groups.

- The Heathcote Food & Wine Festival is on this weekend, plus several events out at the Heathcote Park Raceway, the Bendigo Agriculture Show will be huge, Open House Bendigo will be fascinating and much more!
- Cr O'Rourke, Cr Penna, and all councillors are always ready to hear from you in the community. Feel free to get in touch with any local issues or ideas you may have.
- With this in mind, I would like to use this as an opportunity to encourage residents, ratepayers, and community organisations to start thinking about the upcoming City of Greater Bendigo Budget for 2022/2023. The City and Councillors are about to commence this process and we welcome your ideas, initiatives, and projects to be considered right from the get-go.
- Stay classy Greater Bendigo. See you in the community.

EVENTS & ENGAGEMENTS

- Bendigo Tourism Board AGM at the Lakeside Hotel
- Bendigo Airport Sod Turning Ceremony
- Speaking at the Victorian TAFE Association State Conference at the Bendigo Town Hall
- Joint meeting on Bendigo Netball with key stakeholders organised by Jacinta Allan MP
- Relay for Life at the Flora Hill Athletics Track
- Eppalock Ward Listening Post at Strathfieldsaye IGA
- White Night Bendigo
- Tour of Galkangu
- Presentation from LGBTIQ+ Commissioner Todd Fernando with fellow councillors and youth councillors
- Tour of In Our Time and Treasures of Dai Gum San with BCA President Doug Lougoon and Mayor Metcalf
- Speaking at the Onam Celebration at the Strathdale Community Hall organised by the Bendigo Malayalee Association.
- Speaking at the official opening of the new Loddon Campaspe Multicultural Services offices on Hargreaves Street.
- Visit to MADCOW Bendigo
- The Djaara Renewable Energy Strategy Launch at the Bendigo Tennis Centre
- Big Freeze Slide in Bendigo at the Bendigo Golf Course
- Bendigo Tourism Board Meeting
- Several briefings, meetings, and workshops

11.2. Lockwood Ward - Cr Williams

Lockwood Ward - Cr Williams presented a report on various issues and meeting/events, including:

- I have decided not to do a ward report as such, but address an epidemic that is growing in Bendigo, in fact the state and country as a whole.
- And that is homelessness and people forced to live on the street or their cars.
- There are around 3000 people on the waiting list for social housing and even worse from a 2018 report for Bendigo, stated, there was 400 homeless, with 100 living on the street. 4 years on in 2022, this would have more than doubled. Now that's a tragedy.

- Councillors met with Matt Parkinson from MADCOW (**Make a Difference, Change our World**), about the redevelopment of their homeless hub to cater for more homeless people. And to put that into perspective, they spend over \$30,000 per year on food alone.
- They are doing a great job and I would call on council for more support to this great endeavour.
- Lockwood Ward councillors also met with locals from the Lockwood South Community Hall and other ward locals.
- One of their concerns were the homeless people living out of tents at the Happy Jacks Reserve. They don't want to make them move but were asking how better they can be helped.
- Now we must understand that the Happy Jack Reserve and out at Huntly, these places are not fit for permanent living as there are not the proper amenities available, such as toilets and shower facilities etc.
- And with high inflation, mortgage crunch and high rental stress, this will only get worse moving forward.
- Of course, council has their Affordable Housing Action Plan and the state government has their big build plan, but I would see this as a step 3.
- Where step 1 is facilities like MADCOW helping people that are homeless and or living on the streets
- Step 2 would be Emergency / Transitional Housing. This seems to be the step that is almost missing and greatly needed, as well as much more social & affordable housing.
- Step 2 is the stage that is badly in need to be looked at, solutions researched and advocated for to state government.
- I will close it there but would just like to say.
- Politician's need to stop playing politics and do the simple thing... THE RIGHT THING.

11.3. Whipstick Ward - Cr Fagg

Whipstick Ward - Cr Fagg presented a report on various issues and meeting/events.

12. DECLARATIONS OF CONFLICT OF INTEREST

No attendee declared a conflict of interest.

Section 130 of the *Local Government Act 2020* (Vic) (**the Act**) provides that a relevant person must disclose a conflict of interest in respect of a matter and exclude themselves from the decision making process in relation to that matter including any discussion or vote on the matter at any Council meeting or delegated committee meeting and any action in relation to that matter.

The procedure for declaring a conflict of interest at a Council Meeting is set out at rule 18.2.4 of the Governance Rules.

Section 126 of the Act sets out that a relevant person (Councillor, member of a delegated Committee or member of Council staff) has a conflict of interest if the relevant person has a **general conflict of interest** or a **material conflict of interest**.

A relevant person has a **general conflict of interest** in a matter if an impartial, fair minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.

A relevant person has a **material conflict of interest** in a matter if an *affected person* would gain a benefit or suffer a loss depending on the outcome of the matter.

13. CONFIRMATION OF PREVIOUS MINUTES RECOMMENDED MOTION

That the Minutes of the Council Meeting held on August 22, 2022, as circulated, be taken as read and confirmed.

Previous minute location:

<https://www.bendigo.vic.gov.au/About/Council/Council-meetings/Past-Council-meetings>

RESOLUTION - Resolution No. 22/09-3

Moved: Cr Sloan

Seconded: Cr Alden

That the recommended motion be adopted.

CARRIED

14. PETITIONS AND JOINT LETTERS

14.1. Response to petition - Breastfeeding walk in clinic response to Petition, walk in breastfeeding clinic, Bendigo

Author:	Alanna Cooper, Early Years Senior Coordinator
Responsible Director:	Stacy Williams, Director, Healthy Communities and Environments

Purpose

The purpose of this report is to respond to a recent petition requesting Council “*please give great consideration into opening what we believe to be a very much needed in walk in breastfeeding clinic in Bendigo*”. The service would include “*free, quick, easily accessible facility offering face to face consultations.*”

Recommended Motion

That Council:

1. Acknowledge the health benefits associated with breastfeeding
2. Continue to support universal access to Maternal & Child Health (MCH) services for families within the City, including lactation support within the delivery of Key Ages and Stages (KAS) visits and additional consultations as required.
3. Continue to work with partner agencies to assess unmet need and advocate for increased services or further promote those services currently available
4. Commit to understanding client awareness of relevant family supports and resources, including lactation, as part of its annual client survey
5. Advise the lead petitioner of the outcome of this report.

RESOLUTION - Resolution No. 22/09-4

Moved: Cr Sloan

Seconded: Cr Alden

That the recommended motion be adopted.

CARRIED

Executive Summary

A petition was received on 14 July 2022 requesting that Council open a “*walk in Breastfeeding clinic in Bendigo*”. In addition, the service would be “*free, quick, easily accessible facility offering face to face consultations.*”

The proposed model was considered however, within the City, a variety of public and private services are available pre and post-birth. For the first six weeks postpartum (birth) Bendigo Health deliver direct lactation services for both inpatients and outpatients of the hospital.

Post-discharge, families are linked with the City Maternal and Child Health (MCH) service who will conduct an initial home visit within the first few days of returning home. An additional 9 Key Age and Stages (KAS) appointments are then delivered over the first three and a half years of the child's early life.

Lactation support is available and delivered as part of this City service. Where requested and a need presents, additional consultations beyond the standard 10 KAS appointment are also offered and can include lactation guidance amongst an array of other matters.

A variety of supports in the form of face to face, telehealth written and digital resources are available from national and local services and networks supporting families with informed breastfeeding and lactation guidance. Similarly, private lactation consults are available within the City though not covered by Medicare. In summary, supporting guidance and services include:

- Bendigo Health lactation consultancy pre and post-birth
- Bendigo Health digital and written resources
- City MCH Service – 10 KAS and additional consults as required
 - 24/7 MCH telephone line
 - Enhanced MCH program
 - Sleep and Settling / INFANT / First Time Parent Groups
- Australian Breastfeeding Association
 - One on one counselling
 - Written and digital supports
 - Mum2mum mobile app with personalised content
 - 24/7 telephone line
 - Mon-Fri 'live chat' function
- Raising Children Network (Online Digital and Written Resources)
- Better Health Channel – (Parentline)

Background

A petition was received on 14 July 2022 requesting that Council “*give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo*”. In addition, the service would be “*free, quick, easily accessible facility offering face to face consultations [that could] make or break some women's breastfeeding journey [and be] a valuable asset to the City of greater Bendigo*”.

82 signatories were attributed to the petition which can be found in attachment 1.

Report

As per the World Health Organisation (WHO), breastfeeding is one of the most effective ways to ensure child health and survival. It is safe, clean and contains antibodies which help protect against many common childhood illnesses. Breastmilk provides all the energy and nutrients an infant requires during the first months of life. In addition, it continues to provide up to half or more of a child's nutritional needs during the second half of the first year, and up to one third during the second year of life.

Bendigo Health – Antenatal (pre-birth)

Bendigo Health offer a suite of antenatal classes that offer a range of evidence-based information sessions to help families prepare for birth and parenthood. These sessions are available both in person and via an online platform.

In addition to the nine core antenatal modules, a standalone breastfeeding and lactation preparation session is offered during weeks 28-32 of pregnancy. During this session a lactation consultant will go through breastfeeding and normal newborns feeding patterns in the first weeks of life, as well as some strategies to assist you with this transition.

Bendigo Health – Postpartum (post birth)

Bendigo Health provides breastfeeding support through the Lactation Clinic up to 6 weeks postpartum. Activity-based funding from the Victorian Government supports this service. Various internal digital resources have also been developed which focus on breastfeeding and common infant behaviours. All families interested in lactation supports are provided with information to access these tools.

Access to a Lactation Consultant (LC) has recently increased for mothers on the maternity ward which now provides seven days a week access to a LC for in-patients with babies under 6 weeks.

Upon returning home, a number of resources are shared with families, most notably:

- Australia Breastfeeding Association (ABA)
- Bendigo Health Best Beginnings digital resources
- Raising Children Network (Online Digital and Written Resources)
- Better Health Channel – (Parentline)
- COVID-19 Information for Parents with Infants and Young Children (State Government Written resource)
- A referral to the City Maternal and Child Health (MCH) Service

Families will also be supplied with the “My Health, Learning and Development Book” (“Green Book”) which contains information about early childhood development and

relevant services and support that are available including the Australian Breastfeeding Association (ABA). The “Green Book” is utilised as part of the ongoing MCH Service.

Returning Home – Maternal and Child Health Service (MCH)

The City currently delivers the Universal Maternal & Child Health (MCH) program. Lactation supports are available as part of this service along with additional consults for families as required. The MCH service is a free, universally accessible, state-wide health, wellbeing and development service provided for all families with children aged from birth to school age.

In full, the MCH Service provides:

- a schedule of 10 Key Age and Stage (KAS) consultations between an MCH nurse and the child and family from birth to school entry age; these consist of an initial home visit and then consultations at 2, 4, and 8 weeks, 4, 8, 12, 18 and 24 months and then concluding at 3 1/2 years of age.
- further services to meet the needs of families not addressed through the standard KAS visits including:
 - additional one on one targeted consultations, including lactation support
 - first time parent groups
 - INFANT program
 - sleep and settling program
 - telehealth consultations.

In addition, the City delivers an Enhanced MCH (EMCH) program which is funded to provide targeted interventions for infants, children, mothers, and families with additional needs, who are currently experiencing vulnerability with two or more risk factors identified. The EMCH program offers breastfeeding guidance for enrolled families.

Furthermore, a 24-hour MCH telephone line provides information and advice about the care and health of your child (from birth to school age). Qualified MCH nurses can discuss concerns about child health and nutrition, breastfeeding, parents/carers own health and any parenting issues.

Bendigo & District Aboriginal Co-operative (BDAC)

A dedicated MCH service is available for persons identifying as Aboriginal or Torres Strait Islanders. This service is closely aligned with the City service.

Other Resources / Services

Australian Breastfeeding Association (ABA)

The ABA are Australia's leading authority on breastfeeding. ABA supports, educates and advocates for a breastfeeding inclusive society. Locally, the ABA has a presence in Bendigo with many services provided including:

- in person and online breastfeeding education classes
- a new "mum2mum" mobile app with personalised content and links to supports
- face to face group sessions (have been reduced due to staffing difficulties during Covid Pandemic)
- a breastfeeding library of print and digital resources including free information kits
- 50% discounts on hire of breast pumps
- a national 24hour breastfeeding help line
- a Monday to Friday "live chat" function
- connections to local mothers
- comprehensive website support including guidance / support materials

The ABA are a common resource to which many services such as the City and Bendigo Health refer families seeking additional and further support materials.

Bendigo Early Parenting Centre

A new Early Parenting Centre due for completion late 2022 will be managed by Bendigo Health in partnership with Tweddle Child and Family Health Service. The Centre will provide sleep, settling and feeding advice for new parents to support the development, health and wellbeing of children. The Centre will be staffed by a range of health professionals, including maternal and child health nurses, registered nurses, midwives, mental health and allied health clinicians, and paediatricians offering a range of parenting advice and supports.

Once formally established, the Early Parenting Centre will provide significant additional supports to families with young children, including access to lactation supports.

Private Lactation Services

Private consultancy services are also available in addition to the broader supports offered universally. Where families are seeking dedicated one-on-one support, a number of private lactation consultants are subsequently available across the City.

Lactation services are covered under Medicare, out of pocket expenses will be incurred directly to families utilising such supports.

Summary

In summary, there are many immediate direct, online and digital resources that support families seeking access to breastfeeding and lactation services within the City of Greater

Bendigo. With the pending opening of the new Early Parenting Centre, access to appropriate supports we be bolstered even further.

Anecdotally, and outside the scope of this petition, officers are unaware of unmet demand in breastfeeding and lactation information and services. Over 2200 hours of additional MCH consults were delivered across the 2021/22 financial year but due to system limitations, it is difficult to attribute how many of these related to breastfeeding and lactation concerns. As part of its ongoing annual survey of MCH clients, officers are committed to determining the level of understanding and satisfaction with existing MCH services including the availability of lactation supports.

Priority/Importance

Low priority

Options considered

Introducing an on-demand walk-in clinic is not considered an efficient, effective or necessary step in relation to providing breastfeeding and lactation supports given the relative plethora of direct, indirect and immediate options available to families.

Timelines

An annual client survey will be undertaken prior to Christmas with officers seeking to determine families understanding of available resources and services, including lactation supports.

Communications/Engagement

The lead petitioner is to be advised of the outcome of the petition

Financial Sustainability

There are numerous financial challenges in providing a spontaneous / walk in service as requested in the petition

- The staffing resource required to deliver such a service would impact the provision of the City's core Universal MCH program. A nurse would need to be taken offline to deliver this model which would reduce the MCH service by 8 appointments per day.
- Introducing a new role on a 1.0 FTE basis would incur an additional cost of \$110,000 per annum in salary costs alone. Weekend availability will naturally compound these costs.
- No dedicated facility is immediately available to deliver the service, and this will likely introduce additional lease / hire costs. In addition accessibility for all families across the City would need to be considered.

Risk Assessment

To do nothing in this scenario means maintaining the status quo. Anecdotally, the availability of breastfeeding and lactation supports is not considered problematic for families. Officers intend to challenge this thinking with some direct questioning to users of the MCH service as part of its annual survey. No complaints or been received in relation to breastfeeding and lactation supports within the City over recent years.

Due to the large number of services and additional written and digital resources available, the risks of maintaining the status quo in this instance remain very low.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 2 - Healthy, liveable spaces and places

Secondary Council Plan Reference(s)

Goal 1 - Strengthened community health and wellbeing
Goal 8 - Targeted investment in services, facilities, and programs to communities most in need

Other Reference(s)

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Petition - Walk-in Breastfeeding Clinic REDACTED [14.1.1 - 7 pages]

RECEIVED

WALK IN BREASTFEEDING CLINIC 14 JUL 2022**BENDIGO***City of Greater Bendigo*

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to please give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo.

Every parent knows just how important giving your child the best start to life is, but often it is not without its struggles.

Currently Bendigo Health only offers Lactation Consultant appointments up to 6 weeks postpartum, whereas a lot of women Breastfeed for many years and require support, help and advice during this time, not only for Breastfeeding but weaning and other ailments.

A free, quick, easily accessible facility offering face to face consultations could be the make or break of some women's Breastfeeding journeys and a valuable asset to the City Of Greater Bendigo.

NAME	POSTCODE	EMAIL
Rockelle Hyland		
Kelly Thomson		
Nicky Ramm		
Stacy Henman		
Nick Beaud		
Elten Henman		
Steve Henman		
Tarrant Sanders		
Gleat		
Stephen Liddall		
Zambri Mapson		
Demi Hall		
Dianne Ollington		
Rob OLLINGTON		
Sosh Hodson		
Stephanie Gillies		
Michelle Wang		
Alana McCallum		

WALK IN BREASTFEEDING CLINIC BENDIGO

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to please give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo.

Every parent knows just how important giving your child the best start to life is, but often it is not without its struggles.

Currently Bendigo Health only offers Lactation Consultant appointments up to 6 weeks postpartum, whereas a lot of women Breastfeed for many years and require support, help and advice during this time, not only for Breastfeeding but weaning and other ailments.

A free, quick, easily accessible facility offering face to face consultations could be the make or break of some women's Breastfeeding journeys and a valuable asset to the City Of Greater Bendigo.

NAME	POSTCODE	EMAIL
Amanda Seuda		
Djalla Perry		
Erin Barowski		
Kayla Apps		
Penny Williams		
Mel McCarthy		
David Seldor		
Sheryl Pydiah		
Jessica wall		
Fiona Barri		
Jessica Acquisto		
Katherine Post		
Tiaire Downs		
Ash Egbers.		
Liarna Randall		
Jacinta Belz		
Zoe Newlan		
Tim Connors		

WALK IN BREASTFEEDING CLINIC BENDIGO

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to please give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo.

Every parent knows just how important giving your child the best start to life is, but often it is not without its struggles.

Currently Bendigo Health only offers Lactation Consultant appointments up to 6 weeks postpartum, whereas a lot of women Breastfeed for many years and require support, help and advice during this time, not only for Breastfeeding but weaning and other ailments.

A free, quick, easily accessible facility offering face to face consultations could be the make or break of some women's Breastfeeding journeys and a valuable asset to the City Of Greater Bendigo.

NAME	POSTCODE	EMAIL
Grace Dunne		
Tamara Pattison		
Laura Seddon		
KARLA TUCCI		
Laura Barker		
EMMA McDowell		
Caitlin Burns		
Amy Curtain		
Silvia Gormey		
Liam Evans		
Kate Broughton		
Emma Mannes		
Shelby Doig		
Sophie Perris		
Andrea Perris		
Zara Clark		
Kyra Clarke		

WALK IN BREASTFEEDING CLINIC BENDIGO

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to please give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo.

Every parent knows just how important giving your child the best start to life is, but often it is not without its struggles.

Currently Bendigo Health only offers Lactation Consultant appointments up to 6 weeks postpartum, whereas a lot of women Breastfeed for many years and require support, help and advice during this time, not only for Breastfeeding but weaning and other ailments.

A free, quick, easily accessible facility offering face to face consultations could be the make or break of some women's Breastfeeding journeys and a valuable asset to the City Of Greater Bendigo.

NAME	POSTCODE	EMAIL
Clare Thomas		
Simone Richardson		
Chimere Robertson		
Cathy Smith		
Jaclyn Franks		
Karen Guthrie		
Mikeenly Buttk		
Melinda Smith		
Lanissa Rayden		
Emily Trickey		
Kim Newman		
Brendan Rowley		
Milly Bush		
Angela Cousins		

WALK IN BREASTFEEDING CLINIC BENDIGO

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to please give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo.

Every parent knows just how important giving your child the best start to life is, but often it is not without its struggles.

Currently Bendigo Health only offers Lactation Consultant appointments up to 6 weeks postpartum, whereas a lot of women Breastfeed for many years and require support, help and advice during this time, not only for Breastfeeding but weaning and other ailments.

A free, quick, easily accessible facility offering face to face consultations could be the make or break of some women's Breastfeeding journeys and a valuable asset to the City Of Greater Bendigo.

NAME	POSTCODE	EMAIL
Lori KEEBLE		
Kristy McKimmie		
Bridget Netley		
A. Van Der		
N. Wragg		
T. Franz		
Renee Keen		

WALK IN BREASTFEEDING CLINIC BENDIGO

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to please give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo.

Every parent knows just how important giving your child the best start to life is, but often it is not without its struggles.

Currently Bendigo Health only offers Lactation Consultant appointments up to 6 weeks postpartum, whereas a lot of women Breastfeed for many years and require support, help and advice during this time, not only for Breastfeeding but weaning and other ailments.

A free, quick, easily accessible facility offering face to face consultations could be the make or break of some women's Breastfeeding journeys and a valuable asset to the City Of Greater Bendigo.

NAME	POSTCODE	EMAIL
Melissa McLean		
Taylah Larkins		
Laura Bath		
Monique Humphries		
Jade McHechnie		
Jessica Clayton		

WALK IN BREASTFEEDING CLINIC BENDIGO

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to please give great consideration into opening what we believe to be a very much needed walk in Breastfeeding clinic in Bendigo.

Every parent knows just how important giving your child the best start to life is, but often it is not without its struggles.

Currently Bendigo Health only offers Lactation Consultant appointments up to 6 weeks postpartum, whereas a lot of women Breastfeed for many years and require support, help and advice during this time, not only for Breastfeeding but weaning and other ailments.

A free, quick, easily accessible facility offering face to face consultations could be the make or break of some women's Breastfeeding journeys and a valuable asset to the City Of Greater Bendigo.

NAME	POSTCODE	EMAIL
MEAGAN NICDAO		
JESSICA JOHNSTON		
Kimba H		

14.2. Response to petition from Save the Campaspe Community Group: Governance and finance of Greater Bendigo Climate Collaboration.

Author:	Michelle Wyatt, Manager Climate Change and Environment
Responsible Director:	Stacy Williams, Director, Healthy Communities and Environments

Purpose

To inform Council of the officer's response to the petition received from the Save the Campaspe Community Group seeking information about the governance of and donations to the Greater Bendigo Climate Collaboration.

Recommended Motion

That Council

1. Note the response to each question in this Report (attached)
2. Respond to the lead petitioner.

RESOLUTION - Resolution No. 22/09-5

Moved: Cr Alden

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

On 1 August 2022 Council received a petition with 13 signatories which was submitted by the Save the Campaspe Community Group.

The petition seeks information relating to the governance of the Greater Bendigo Climate Collaboration (the Collaboration) and details of financial transactions between Council and the Collaboration's Governance Group members.

A draft response has been prepared which is attached to this report.

Background

The Greater Bendigo Climate Collaboration is the outcome of three workshops held in 2019 which brought together representatives from government and community organisations to design a collaborative project aimed at reducing emissions across the City.

The City of Greater Bendigo agreed to host the project as a part of the City's core work to support climate action across the municipality. The project formally commenced in late 2021 with the appointment of a project manager and establishment of the Governance Group.

The Governance Group was established by Council officers based on discussions with the Collaboration's funding partners and the project's government and community group supporters. Major and Founding Partners were invited to be on the Governance Group as were strategic community, government, non-government organisation and business partners. While most of these organisations have taken up the opportunity to join the Governance Group, some decided to participate in the project through other means.

Financial contributions were sought from businesses and government organisations from across the City who are committed to climate action. Given that tackling climate change requires action from across all sectors, the project takes an inclusive approach to participation, seeking to work with all businesses, government agencies and community organisations to reduce emissions.

Report

On 1 August 2022 Council received a petition with 13 signatories which was submitted by the Save the Campaspe Community Group. The petition was formally received by Council at the 22 August 2022 Ordinary Council Meeting.

The petition seeks information relating to the governance of the Collaboration and details of tenders, contracts and donations between Council and the Collaboration's Governance Group members. This information was compiled by Council officers from the Finance, Procurement and Climate Change and Environment units.

A copy of the petition and the officer's draft response is attached to this report.

Priority/Importance

High – Council committed to responding to the petition when it was accepted at the 22 August 2022 Ordinary Council Meeting.

Options considered

Not applicable.

Timelines

Not applicable.

Communications/Engagement

Not applicable. The response to the petition was prepared internally and does not trigger the requirement for community engagement.

Financial Sustainability

Not applicable. The response to the petition has no financial implications for Council.

Risk Assessment

Officers have aimed to minimise the need for further community enquiries about the governance of the Greater Bendigo Climate Collaboration by providing a clear and comprehensive response to the queries raised in the petition.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 5 - A climate resilient and healthy landscape

Secondary Council Plan Reference(s)

Goal 1 - Zero carbon

Other Reference(s)

The Greater Bendigo Climate Collaboration is a Flagship project identified in the *Climate Change and Environment Strategy 2021-2026*. The project aims to facilitate the Strategy's goal to achieve zero emissions across the City by 2030.

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Petition- Governance and Donations to the Greater Bendigo Climate Collaboration Redacted [14.2.1 - 2 pages]
2. Letter to Save the Campaspe GBCC Petition [14.2.2 - 3 pages]

Kirsty McDonald



1st August 2022

RECEIVED

01 AUG 2022

City of Greater Bendigo

Mayor Cr Andrea Metcalf

Chief Executive Officer Craig Niemann

City of Greater Bendigo Council, 15 Hopetoun St,
Bendigo, Victoria 3550

Dear Mayor Metcalf and CEO Niemann of City of Greater Bendigo Council,

As a member of Save the Campaspe Community Group, I submit this petition on behalf of the undersigned residents and ratepayers of the Greater Bendigo City Council who formally request Council to provide the following information in relation to governance of and donations to the Greater Bendigo Climate Collaboration (GBCC).

- Details of the 35 people from 20 organisations who met to develop the Drawdown Alliance which later became the Greater Bendigo Climate Collaboration
- Details of the organisations that developed and approved the governance model and approved appointments made to the GBCC governance committee
- Details of funding for the GBCC and the process by which donations were recruited
- Details of any other donations made to the GBCC by current and previous members of the governance committee, including terms and conditions of contracts
- Details of any previous donations made to City of Greater Bendigo (COGB) programs, projects, buildings or services by these or any other members of the governance committee since 2017
- Details of any current/past tenders or supply contracts between COGB and members of the governance committee
- Details of any COGB funding allocated to the GBCC
- Clarification of the role major funding partners and other GBCC governance committee members have in relation to use of Council funds including appointment of staff and purchasing of goods and services

Thank you for your time and the opportunity to submit this petition.


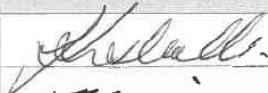


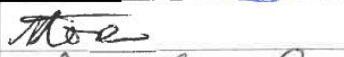
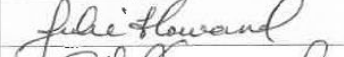

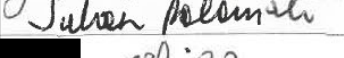
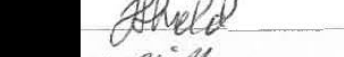
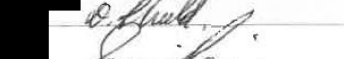

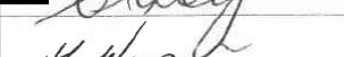


A handwritten signature in black ink, appearing to read 'K. McDonald'.

Kirsty McDonald

On behalf of Save the Campaspe Community Group

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to provide the following information in relation to governance of and donations to the Greater Bendigo Climate Collaboration (GBCC).

- Details of the 35 people from 20 organisations who met to develop the Drawdown Alliance which later became the Greater Bendigo Climate Collaboration
- Details of the organisations that developed and approved the governance model and approved appointments made to the GBCC governance committee
- Details of funding for the GBCC and the process by which donations were recruited
- Details of any other donations made to the GBCC by current and previous members of the governance committee, including terms and conditions of contracts
- Details of any previous donations made to City of Greater Bendigo (COGB) programs, projects, buildings or services by these or any other members of the governance committee since 2017
- Details of any current/past tenders or supply contracts between COGB and members of the governance committee
- Details of any COGB funding allocated to the GBCC
- Clarification of the role major funding partners and other GBCC governance committee members have in relation to use of Council funds including appointment of staff and purchasing of goods and services

Name	Address	Signature
KIRSTY McDONALD		
KAREN OLIVER		
Derek Cairney		
MICHELE SOVER		
NARELLE STONE		
Julie Howard		
P.T Howard		
Julian Poloniato		
Jennifer Shield		
David Shield		
Simon Perrin		
CHERYL ELVEN		
Lyn Wingrave		

RECEIVED

01 AUG 2022

City of Greater Bendigo



DATE

Kirsty McDonald
Save the Campaspe Community Group
[REDACTED]

Dear Kirsty,

Response to Greater Bendigo Climate Collaboration Petition

I refer to the petition dated 1 August 2022, submitted on behalf of the Save the Campaspe Community Group. Please see below a response to the group's requests.

1. *Details of the 35 people from 20 organisations who met to develop the Drawdown Alliance which later became the Greater Bendigo Climate Collaboration.*

Attendees at the three "drawdown alliance" meetings held in 2019 were from the following organisations:

- City of Greater Bendigo
- Bendigo Sustainability Group
- Latrobe University
- Coliban Water
- Make-a-Change
- Victorian Department of Environment, Land, Water and Planning (DELWP)
- Commoners Co-op
- North Central Catchment Management Authority
- Bendigo Students Association
- Sustainability Victoria
- Department of Transport
- Australian Conservation Foundation Bendigo
- Masons
- Bendigo Community Health Services
- Bendigo Foodshare

As consent for the release of personal information of the individuals who participated was not obtained for the purpose of disclosure of this nature, including their name, this information is protected information under privacy legislation.

2. *Details of the organisations that developed and approved the governance model and approved appointments made to the GBCC governance committee.*

The Greater Bendigo Climate Collaboration Governance Group was established by the City of Greater Bendigo. The City prepared the group's draft Terms of Reference and determined membership based on discussions with the Collaboration's funding partners and the government agencies and supporting community groups listed on the [Greater Bendigo Climate Collaboration website](#). Major and Founding Partners were invited to be

Greater Bendigo City Council
Address: 15 Hopetoun Street, Bendigo
Postal Address: PO Box 733, Bendigo Vic 3552
T: (03) 5434 6000
F: (03) 5434 6200
E: requests@bendigo.vic.gov.au
W: www.bendigo.vic.gov.au
A.B.N. 74 149 638 164

If you are deaf, hearing or speech impaired, please call us via the National Relay Service on 133 677 or www.relayservice.com.au

on the Governance Group as were strategic community, government, non-government organisation and business partners.

3. *Details of funding for the GBCC and the process by which donations were recruited.*

Funding for the Greater Bendigo Climate Collaboration was invited from organisations from across Bendigo's business and government sectors in order to create a broad alliance for climate action. To date, funding has been received from the following organisations:

- City of Greater Bendigo (\$150k + in kind contributions for staff and project management)
- Agnico Eagle (\$150k)
- Coliban Water (\$60k)
- Bendigo and Adelaide Bank (\$60k)
- North Central Catchment Management Authority (\$30k)
- Latrobe University (\$60k)
- CVGT (\$30k)
- Regional Development Victoria (\$25k)
- RACV Solar (\$150k)

4. *Details of any other donations made to the GBCC by current and previous members of the governance committee, including terms and conditions of contracts.*

No other donations have been made by members of the Governance Group to the Collaboration. The only other contribution received comprises \$6,000 from the Bendigo Sustainability Group to develop communications materials to promote the Community Power Hub and their information sessions.

Each funding partner signed a Memorandum of Understanding with Council to formalise the roles and responsibilities of each party. A copy of the template Memorandum of Understanding which each agreement is based upon is attached for your information. Please note the terms for each individual agreement may vary slightly to the template depending on the level of funding provided.

5. *Details of any previous donations made to City of Greater Bendigo programs, projects, buildings or service by these or any other members of the governance committee since 2017.*

According to Council's records, since 2017, the following donations have been received by Council from members of the Governance Group:

- Bendigo and Adelaide Bank – Sponsorship of the Easter Festival, the Bendigo Art Gallery and the Festival of Exploratory Music.
- Latrobe University – Sponsorship of the Bendigo Art Gallery.
- Agnico Eagle and Fosterville Goldmine's previous owner, Kirkland Lake Gold – Sponsorship of the Easter Festival, Summer in the Parks and the "Great Ideas Grant".
- DELWP – Contributions for the Local Government Project Growing Gender Equity

6. *Details of any current/past tenders or supply contracts between CoGB and members of the governance committee*

From Council's records, current and past tenders and contracts between the City and members of the Governance Group comprise:

- Bendigo and Adelaide Bank – Banking and Billing Services
- Coliban Water – Supply of Native Vegetation Credits
- CVGT – Provision of Trainee and Apprentices
- RACV Solar and Cola Solar – Solar Photovoltaic supply at 4 Council facilities; Solar PV installation program (sub-contractor) for installation
- Djaara (Djandak Enterprises) - Landscaping and Maintenance Services Panel; Vegetation Management – Waterways

7. *Details of any CoGB funding allocated to the GBCC*

Council has allocated \$150k to the Greater Bendigo Climate Collaboration as well as in kind contributions for staff and project management.

8. *Clarification of the role major funding partners and other GBCC governance committee members have in relation to use of Council funds including appointment of staff and purchasing of goods and services.*

The Governance Group and funding partners play no role in decisions relating to the appointment of staff, the purchase of goods or services or the allocation of financial resources.

We hope the above information is useful and helps your organisation gain a better understanding of the Greater Bendigo Climate Collaborations governance and relationships to other organisations. If you have any queries, or wish to discuss the governance of the Collaboration, please do not hesitate to contact Michelle Wyatt, Manager Climate Change and Environment at m.wyatt@bendigo.vic.gov.au.

Yours sincerely,

Craig Niemann
CEO

14.3. Petition: Drainage at Homestead Estate, Huntly

Purpose

Petitions and joint letters with ten or more signatures are to be included in the agenda for the next Council meeting or tabled at the meeting, unless there is a separate legal process for considering the petition or joint letter.

Summary

The following petition has been received from residents and ratepayers as outlined below:

“We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to put in drain pipes and close the open easement in affected properties in the Homestead estate in Huntly Victoria.

Our reason for this request is following,

1. To guarantee the safety of occupants, their children, guests and pets
2. For health reasons, the potential of mosquito born diseases
3. Dangers, the possibility of snakes hunting for frogs with the potential of run ins with occupants and or occupants pets.
4. Protection of assets, flooding, some properties already have been affected by flooding”.

Signatures - 62

Recommended Motion

That Council receive the petition and a response be prepared within two (2) meetings.

RESOLUTION - Resolution No. 22/09-6

Moved: Cr Sloan

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Petition regarding drainage at Homestead Estate Huntly Redacted [**14.3.1** - 4 pages]

Petition

Huntly, 14 August 2022

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to put in drain pipes and close the open easement in affected properties in the Homestead estate in Huntly Victoria.

Our reason for this request is following,

1. To guarantee the safety of occupants, their children, guests and pets
2. For health reasons, the potential of mosquito born diseases
3. Dangers, the possibility of snakes hunting for frogs with the potential of run ins with occupants and or occupants pets.
4. Protection of assets, flooding, some properties already have been affected by flooding.

Name	Address	Signature
Susan Heynders		Sue Heynders
Leon Heynders		L Heynders
Chris White		Chris White
Janice Johnson		Janice Johnson
Zoe Rynne		Zoe Rynne
Adam Crawley		Adam Crawley
Chloe Crawley		Chloe Crawley
Nick Crome		Nick Crome
Bree Crome		Bree Crome
Brauden Zimmer		Brauden Zimmer
Rachel Ellis		Rachel Ellis
Belinda Baker		Belinda Baker
Rachel Williams		Rachel Williams
KRISTY HARRIS		Kristy Harris
BEN HARRIS		Ben Harris
Elle Griffin		Elle Griffin
Klecy Griffin		Klecy Griffin
KRISTEN CARBOON		Kristen Carboon
ANDREW CARBOON		Andrew Carboon
Joe Farclough		Joe Farclough
Michael Sanders		Michael Sanders
Fiona Harrison		Fiona Harrison
MATT BROWN		Matt Brown
Liam Seagrave		Liam Seagrave

On behalf of above signees

Sue + Leon Heynders

Huntly vic 3551

1. To guarantee the safety of occupants, their children, guests and pets
2. For health reasons, the potential of mosquito born diseases
3. Dangers, the possibility of snakes hunting for frogs with the potential of run ins with occupants and or occupants pets.
4. Protection of assets, flooding, some properties already have been affected by flooding.

Huntly Vic 3551

Petition

Huntly, 14 August 2022

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request Council to put in drain pipes and close the open easement in affected properties in the Homestead estate in Huntly Victoria.

Our reason for this request is following,

1. To guarantee the safety of occupants, their children, guests and pets
2. For health reasons, the potential of mosquito born diseases
3. Dangers, the possibility of snakes hunting for frogs with the potential of run ins with occupants and or occupants pets.
4. Protection of assets, flooding, some properties already have been affected by flooding.

Name	Address	Signature
Simon FRIGERIO		
Prudence Sigston		
Kathia Sutherland		
CRYSTAL SUTHERLAND		
Gregoria Evans		
Bridan Beckett		
Danielle Oswald		
Itaden Oswald		
Prasanth Nair		
Riley DRISCOLL		
JOEL EVANS		
FRANK PEW		
SONU HEWY		
DON RAYNER		
Janelle Stevens		
Deon McLaughlan		
Jason Harriage		

On behalf of above signees

Sue + Leon Heynders

Huntly via 3551

15. LEAD AND GOVERN FOR ALL

15.1. Update to Instruments of Delegation

Author:	Aaron Day, Lawyer
Responsible Director:	Jessica Clarke-Hong, Acting Director Corporate Performance

Purpose

The purpose of this report is to seek endorsement of an updated suite of instruments that govern delegations of authority.

Recommended Motion

That Council approve the attached S6 Instrument of Delegation from Council to members of Council staff and the attached S18 Instrument of Sub-Delegation from Council to Members of Council Staff – Environmental Protection Act 2017 which will each come into force immediately upon the common seal of Council being affixed to the instrument.

RESOLUTION - Resolution No. 22/09-7

Moved: Cr O'Rourke

Seconded: Cr Evans

That the recommended motion be adopted.

CARRIED

Executive Summary

The S6 instrument delegates certain powers directly from Council to members of Council staff and has been updated to reflect legislative and organisational changes. The updated instrument requires approval from Council.

The S18 instrument delegates certain powers under the *Environment Protection Act 2017* directly from Council to members of Council staff and has been updated to reflect organisational changes. The updated instrument requires approval from Council.

Background

An instrument of delegation is a written document that specifies what powers are delegated and to whom.

Delegations empower employees with the authority to make binding decisions on behalf of the Council. This enables timely decisions to be made on the front line, by employees or

committees with the required specialised knowledge. For example, most decisions on planning permit applications are made by planning officers with the right level of expertise or qualification, subject to appropriate oversight.

Council currently delegates:

- Duties and powers to the CEO (subject to several limitations). The delegation is set out in the S5 Instrument of Delegation from Council to Chief Executive Officer authorised by Resolution of Council on 19 August 2020 and reviewed and approved by Council on 20 April 2022;
- Legislative powers to specific members of staff. These delegations are set out in the S6 Instrument of Delegation from Council to Members of Council Staff authorised by Resolution of Council on 20 April 2022; and
- S18 Instrument of Sub-Delegation from Council to Members of Council Staff under the *Environment Protection Act 2017* authorised by Resolution of Council on 19 July 2021.

Report

The S6 instrument relates to Council powers, duties and functions within various Acts and Regulations (or specific parts of those Acts or Regulations), which contain a specific power of delegation. This delegates certain powers directly from Council to Council staff due to the legislation referred to containing specific powers of delegation.

- *Planning and Environment Act 1987*:
 - Section 4I has been amended to refer to the duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with the public availability requirements.
 - Amendment of a typographical error at section 14.
 - Sections 18, 21(2), 26(2) and 46V(3) have been amended to include a note as to the period the documents must be made available in accordance with the public availability requirements.
 - Section 22(1) has been amended to clarify which submissions must be considered.
 - Section 22(2) has been inserted in two parts, which relate to the power to consider late submissions and the separate duty to consider late submissions.
 - Section 96J has been amended to refer to the duty rather than as a power.
 - Section 185B has been inserted, which relates to the duty to comply with a request from the Minister for information.

The updated S6 instrument has been circulated across all Directorates and amended to incorporate internal restructures, changes in position titles and other information provided by work units.

The S18 sub-delegates Council's powers (delegated to it by the EPA) to members of Council staff so that Council officers can exercise powers related to wastewater management systems (including septic tanks) and regulation of noise from residential construction.

The updated S18 instrument has been circulated across all Directorates and amended to incorporate internal restructures, changes in position titles and other information provided by work units.

Communications/Engagement

A period of consultation was undertaken across the organisation. The draft instruments were circulated to OLT and ADT for review. With the feedback received, the instruments were revised prior to a final draft being developed. The suite of instruments was then considered by EMT.

Financial Sustainability

The suite of instruments of delegation is based on the Maddocks' local government delegation service. Impact on the budget is negligible. The subscription to the Maddocks' service costs \$4,000 per year, which includes access to all materials relating to delegations and authorisations and bi-annual updates to ensure the instruments accurately reflect changes and additions to legislation.

Risk Assessment

Decisions made without proper authority can put the City at significant legal and financial risk.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Other Reference(s)

- Adherence to legislative obligations under LGA 2020
- The City's Delegations and Authorisations Policy

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. S5 delegation by Council to CEO (no updates) [**15.1.1** - 5 pages]
2. S6 delegation by Council to Staff (updates, track changes) [**15.1.2** - 124 pages]
3. S18 sub delegation from Council to Staff (updates, track changes) [**15.1.3** - 7 pages]
4. July 2022 explanatory notes, published by Maddocks [**15.1.4** - 5 pages]



S5 Instrument of Delegation to Chief Executive Officer

Greater Bendigo City Council

Instrument of Delegation

to

The Chief Executive Officer



Instrument of Delegation

In exercise of the power conferred by section 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the Greater Bendigo City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that:

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 19 August 2020.
2. the delegation:
 - 2.1 comes into force immediately upon the common seal of Council being affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

Dated this 21st day of August 2020

The Common Seal of **Greater Bendigo**
City Council was hereunto affixed in the
presence of:)



Chief Executive Officer





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:

1. if the issue, action, act or thing is an issue, action, act or thing which involves:
 - 1.1 awarding and executing a contract which exceeds the value of \$1.65 million (inclusive of GST), for fixed deliverables and \$1.65 million per annum for schedule of rates and provided that any contract awarded following a public tender process is reported to Council within 2 ordinary Council meetings following the finalisation of the tender process;
 - 1.2 awarding and executing fixed deliverable contract variations which exceed 30% of the original contract sum in the aggregate, or \$495,000 (inclusive of GST) individually, whichever is the lesser.
 - 1.3 awarding and executing schedule of rates contract variations which exceed 30% of the original contract sum in the aggregate per annum, or \$495,000 (inclusive of GST), whichever is the lesser.
 - 1.4 executing a variation of contract which exceeds 30% of the original contract sum in the aggregate, or \$495,000 individually (inclusive of GST), whichever is the lesser, in accordance with Council policy;
 - 1.5 acquiring an option to purchase property for strategic municipal purposes where the option fee exceeds \$100,000 (exclusive of GST) and provided that Council is advised of the acquisition of the option within 2 ordinary Council meetings following the finalisation of the option acquisition;
 - 1.6 initiating or continuing legal proceedings under section 232 of the Act if the proceedings may:
 - 1.6.1 raise substantial issues of controversy in the community;
 - 1.6.2 affect the City's/ relationship with other bodies; or
 - 1.6.3 require substantial financial commitment from the City,unless, in the delegate's reasonable opinion, due to the urgency of the matter the decision cannot be referred to a meeting of Council for a decision and:
 - 1.6.4 the delegate has first consulted with the Mayor; and
 - 1.6.5 arrangements are put in place to report the matter to Council at the first opportunity;



- 1.7 initiating or continuing legal proceedings, if the proceedings are likely (in the opinion of the delegate) to:
 - 1.7.1 raise substantial issues of controversy in the community; or
 - 1.7.2 require substantial financial commitment from the City,unless, due to the urgency of the matter the decision cannot be referred to a meeting of Council for a decision and:
 - 1.7.3 the delegate has first consulted with the Mayor; and
 - 1.7.4 arrangements are put in place to report the matter to Council at the first opportunity;
- 1.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
- 1.4 electing a Mayor or Deputy Mayor;
- 1.5 granting a reasonable request for leave under section 35 of the Act;
- 1.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
- 1.7 approving or amending the Council Plan;
- 1.8 adopting or amending any policy that Council is required to adopt under the Act;
- 1.9 adopting or amending the Governance Rules;
- 1.10 appointing the chair or the members to a delegated committee;
- 1.11 making, amending or revoking a local law;
- 1.12 approving the Budget or Revised Budget;
- 1.13 approving the borrowing of money;
- 1.14 appointing councillor or community delegates or representatives to external organisations; or
- 1.15 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. 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;
3. 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;
4. 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:
 - 4.1 policy; or
 - 4.2 strategy,



adopted by Council; or

5. 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 11(2)(a)-(n) (inclusive) of the Act or otherwise.



S6 Instrument of Delegation – Members of Staff

Greater Bendigo City Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on **20 April 26 September 2022**; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy,adopted by Council;

Commented [A1]: Proposed date

2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

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

APPROVED under the COMMON SEAL)
of the GREATER BENDIGO CITY COUNCIL)
in the presence of:)

.....
Chief Executive Officer

.....
Full name

.....
Date

.....
Usual address

SCHEDULE

INDEX

DOMESTIC ANIMALS ACT 1994	1
FOOD ACT 1984	1
HERITAGE ACT 2017	15
LOCAL GOVERNMENT ACT 1989	16
PLANNING AND ENVIRONMENT ACT 1987	16
RESIDENTIAL TENANCIES ACT 1997	71
ROAD MANAGEMENT ACT 2004	73
PLANNING AND ENVIRONMENT REGULATIONS 2015	89
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	91
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020	91
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	98
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	101
DOMESTIC ANIMALS ACT 1994	1
FOOD ACT 1984	2
HERITAGE ACT 2017	20
LOCAL GOVERNMENT ACT 1989	21
PLANNING AND ENVIRONMENT ACT 1987	21
RESIDENTIAL TENANCIES ACT 1997	76
ROAD MANAGEMENT ACT 2004	78
PLANNING AND ENVIRONMENT REGULATIONS 2015	94
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	96
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020	96
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	105
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	107
DOMESTIC ANIMALS ACT 1994	1
FOOD ACT 1984	2
HERITAGE ACT 2017	26
LOCAL GOVERNMENT ACT 1989	27
PLANNING AND ENVIRONMENT ACT 1987	27
RESIDENTIAL TENANCIES ACT 1997	83
ROAD MANAGEMENT ACT 2004	86
PLANNING AND ENVIRONMENT REGULATIONS 2015	102
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	104
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020	104

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016.....	115
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015.....	117
DOMESTIC ANIMALS ACT 1994.....	1
FOOD ACT 1984.....	2
HERITAGE ACT 2017.....	26
LOCAL GOVERNMENT ACT 1989.....	27
PLANNING AND ENVIRONMENT ACT 1987.....	27
RESIDENTIAL TENANCIES ACT 1997.....	83
ROAD MANAGEMENT ACT 2004.....	86
PLANNING AND ENVIRONMENT REGULATIONS 2015.....	102
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016.....	104
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020.....	104
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016.....	115
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015.....	117
DOMESTIC ANIMALS ACT 1994.....	1
FOOD ACT 1984.....	1
HERITAGE ACT 2017.....	26
LOCAL GOVERNMENT ACT 1989.....	27
PLANNING AND ENVIRONMENT ACT 1987.....	27
RESIDENTIAL TENANCIES ACT 1997.....	83
ROAD MANAGEMENT ACT 2004.....	86
PLANNING AND ENVIRONMENT REGULATIONS 2015.....	102
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016.....	104
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020.....	104
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016.....	115
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015.....	117
DOMESTIC ANIMALS ACT 1994.....	1
FOOD ACT 1984.....	1
HERITAGE ACT 2017.....	26
LOCAL GOVERNMENT ACT 1989.....	27
PLANNING AND ENVIRONMENT ACT 1987.....	27
RESIDENTIAL TENANCIES ACT 1997.....	83
ROAD MANAGEMENT ACT 2004.....	86
PLANNING AND ENVIRONMENT REGULATIONS 2015.....	102
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016.....	104
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020.....	104
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016.....	115

	ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015.....	117
--	------------------------------------------------------------------	-----



DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog.	<ul style="list-style-type: none"> • Director Health and Wellbeing <u>Director Healthy Communities and Environments</u> • Manager Safe and Healthy Environments Coordinator Investigations • Coordinator Local Laws and Animal Services 	Council may delegate this power to a Council authorised officer.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	If s 19(1) applies.
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	If s 19(1) applies.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	<p>If s 19(1) applies.</p> <p>Only in relation to temporary food premises or mobile food premises.</p>
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	<p>If s 19(1) applies.</p>



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	If s 19(1) applies.
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	If s 19(1) applies.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority.
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution.
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.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19CB(4)(b)	Power to request copy of records.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 19E(1)(d)	Power to request a copy of the food safety program.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19EA(3)	Function of receiving copy of revised food safety program	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	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.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician • Administration Systems and Support Officer 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority.
s 19IA(2)	Duty to give written notice to the proprietor of the premises.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority. Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19N(2)	Function of receiving notice from the auditor.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician • Administration Systems and Support Officer 	Where Council is the registration authority.
s 19NA(1)	Power to request food safety audit reports.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services 	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Except for an assessment required by a declaration under s 19C or an inspection under s 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	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.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	Power to register or renew the registration of a food premises.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	<p>Where Council is the registration authority.</p> <p>Refusal to grant/or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2)).</p>
s 36A	Power to accept an application for registration or notification using online portal.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 36B	Duty to pay the charge for use of online portal.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1).	<ul style="list-style-type: none"> • Not delegated 	<p>Where Council is the registration authority.</p> <p>Fees are determined in the Council's annual budget process.</p>



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38A(4)	Power to request a copy of a completed food safety program template.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b).	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d).	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38D(3)	Power to request copies of any audit reports.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 38E(2)	Power to register the food premises on a conditional basis.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5).
s 38E(4)	Duty to register the food premises when conditions are satisfied.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority. Only if satisfied of matters in s 39A(2)(a)-(c).



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 39A(6)	Duty to comply with a direction of the Secretary.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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</i> 2008.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40D(1)	Power to suspend or revoke the registration of food premises.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 40E	Duty to comply with a direction of the Secretary.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40F	Power to cancel registration of food premises.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority
s 43	Duty to comply with direction of the Secretary.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services • Environmental Health Officer • Environmental Health Technician 	Where Council is the registration authority.
s 45AC	Power to bring proceedings	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services 	



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services 	Where Council is the registration authority.

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers.	<ul style="list-style-type: none"> • Not delegated 	<p>Must first obtain Executive Director's written consent.</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation.</p>



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	<ul style="list-style-type: none"> • CEO 	The only member of staff who can be a delegate is the CEO

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 Victorian Planning Provisions.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	If authorised by the Minister.
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4I	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 8A(5)	Function of receiving notice of the Minister's decision.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • <u>Senior Strategic Planner</u> • Strategic Planner 	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 12B(1)	Duty to review planning scheme.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 12B(2)	Duty to review planning scheme at direction of Minister.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 17(1)	Duty of giving copy amendment to the planning scheme.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 17(2)	Duty of giving copy s 173 agreement.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner • Subdivision Officer 	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18	Duty to make amendment etc. available in accordance with public availability requirements.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	<u>Until the proposed amendment is approved or lapsed</u>
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	Power to not give notice is delegated only to Chief Executive Officer and Director.
s 19	Function of receiving notice of preparation of an amendment to a planning scheme.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	Where Council is a planning authority.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 21(2)	Duty to make submissions available in accordance with public availability requirements.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	<u>Until the end of 2 months after the amendment comes into operation or lapses</u>
s 21A(4)	Duty to publish notice.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 22(1)	Duty to consider all submissions <u>received before the date specified in the notice.</u>	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	Except submissions which request a change to the items in s 22(5)(a) and (b).
s 22(2)	<u>Power to consider a late submission</u> <u>Duty to consider a late submission, if directed by the Minister</u>	<ul style="list-style-type: none"> • <u>Manager Strategic Planning</u> • <u>Coordinators in the Strategic Planning Unit</u> 	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator in the Strategic Planning Unit 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D).	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior <u>Strategic</u> Planner • <u>Strategic</u> Planner 	<p>Includes to instruct legal providers or consultants with the required expertise to represent Council.</p> <p>Planner may only exercise power subject to prior consultation with Coordinator in the Strategic Planning Unit.</p>
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	<u>During the inspection period</u>
s 27(2)	Power to apply for exemption if panel's report not received.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 28(1)	Duty to notify the Minister if abandoning an amendment.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	Note: the power to make a decision to abandon an amendment cannot be delegated.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 28(2)	Duty to publish notice of the decision on Internet site	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
S 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 30(4)(a)	Duty to say if amendment has lapsed.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 30(4)(b)	Duty to provide information in writing upon request.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 32(2)	Duty to give more notice if required.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 33(1)	Duty to give more notice of changes to an amendment.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 36(2)	Duty to give notice of approval of amendment.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior <u>Strategic</u> Planner • Planner 	
s 38(5)	Duty to give notice of revocation of an amendment.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	
s 40(1)	Function of lodging copy of approved amendment.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Senior Strategic Planner • Strategic Planner 	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements.	<ul style="list-style-type: none"> • Manager Statutory Planning • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • Planning Coordinator • Senior Strategic Planner • Strategic Planner 	
s 46AW	Function of being consulted by the Minister.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is a responsible public entity.
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy. Power to endorse the draft Statement of Planning Policy.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is a responsible public entity.
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit • 	Where Council is a responsible public entity.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinators in the Strategic Planning Unit 	Where Council is a responsible public entity.
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning 	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency.
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GP	Function of receiving a notice under s 46GO.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is the collecting agency.
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GR(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ.	<ul style="list-style-type: none"> • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general.	<ul style="list-style-type: none"> • Manager Strategic Planning 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference.	<ul style="list-style-type: none"> • Manager Strategic Planning 	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution. Power to specify the manner in which the payment is to be made.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer 	Where Council is the collecting agency.
s 46GV(3)(b)	Power to enter into an agreement with the applicant	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency.
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is the collecting agency.
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency.
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GY(1)	Duty to keep proper and separate accounts and records.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Manager Financial Strategy 	Where Council is the collecting agency.
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i> .	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Financial Strategy • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is the collecting agency.
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is that planning authority.
s 46GZ(2)(a)	Function of receiving the monetary component.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where the Council is the planning authority. This duty does not apply where Council is also the collecting agency.
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(b)	Function of receiving the monetary component.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	<p>Where Council is the development agency under an approved infrastructure contributions plan.</p> <p>This provision does not apply where Council is also the collecting agency.</p>
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	<p>Where Council is the collecting agency under an approved infrastructure contributions plan.</p> <p>This provision does not apply where Council is also the relevant development agency.</p>
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	<p>Where Council is the development agency specified in the approved infrastructure contributions plan.</p> <p>This provision does not apply where Council is also the collecting agency.</p>



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	<p>If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4).</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan.</p> <p>This duty does not apply where Council is also the development agency.</p>
s 46GZ(9)	Function of receiving the fee simple in the land.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	<p>Where Council is the development agency under an approved infrastructure contributions plan.</p> <p>This duty does not apply where Council is also the collecting agency.</p>
s 46GZA(1)	Duty to keep proper and separate accounts and records.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is a development agency under an approved infrastructure contributions plan.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i> .	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	<p>If the VPA is the collecting agency under an approved infrastructure contributions plan.</p> <p>Where Council is a development agency under an approved infrastructure contributions plan.</p>
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	<p>Where Council is the development agency under an approved infrastructure contributions plan.</p> <p>This duty does not apply where Council is also the collecting agency.</p>
s 46GZE(2)	Function of receiving the unexpended land equalisation amount.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	<p>Where Council is the collecting agency under an approved infrastructure contributions plan.</p> <p>This duty does not apply where Council is also the development agency.</p>
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the development agency under an approved infrastructure contributions plan.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZF(3)	S 46GZF(3)(a) Function of receiving proceeds of sale.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collection agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the development agency.
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is a collecting agency or development agency.
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	Where Council is a collecting agency or development agency.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning • Planning Coordinator • Coordinator Development Contributions and Infrastructure Planning 	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning • Manager Engineering 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning 	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning 	
s 46Q(1)	Duty to keep proper accounts of levies paid.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning 	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning 	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).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Strategic Planning 	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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Must be done in accordance with Part 3.
s46Q(4)(e)	Duty to expend that amount on other works etc.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning 	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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning 	
s 46QD	Duty to prepare report and give a report to the Minister.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Strategic Planning • Coordinator Development Contributions and Infrastructure Planning 	Where Council is a collecting agency or development agency.
s 47	Power to decide that an application for a planning permit does not comply with that Act.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 50(4)	Duty to amend application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 50(5)	Power to refuse to amend application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 50(6)	Duty to make note of amendment to application in register.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 50A(1)	Power to make amendment to application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(4)	Duty to note amendment to application in register.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 52(1)(b)	Duty to give notice of the application to other municipal councils where appropriate.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 52(3)	Power to give any further notice of an application where appropriate.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1)	Power to require the applicant to provide more information.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 54(1A)	Duty to give notice in writing of information required under s 54(1).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 54(1B)	Duty to specify the lapse date for an application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 57A(5)	Power to refuse to amend application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 57A(6)	Duty to note amendments to application in register.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 57C(1)	Duty to give copy of amended application to referral authority.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 58	Duty to consider every application for a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 58A	Power to request advice from the Planning Application Committee.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 60	Duty to consider certain matters.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60(1A)	Duty to consider certain matters.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner 	<p>Power is subject to the following conditions:</p> <p>(a) Delegates may only approve an application if four (4) or fewer valid objections have been received;</p> <p>(b) Delegates may only refuse an application:</p> <p>(i) where an application has been inactive for a period of 6 months or more and the applicant has failed to provide reasonable justification for a lack of action; or</p> <p>(ii) where an application is for a use or development which is prohibited.</p> <p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner 	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit.	<ul style="list-style-type: none"> • Not delegated 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner 	
s 62(1)	Duty to include certain conditions in deciding to grant a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 62(2)	Power to include other conditions.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected).	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	This provision applies also to a decision to grant an amendment to a permit - see s 75.
s 64(3)	Duty not to issue a permit until after the specified period.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	This provision applies also to a decision to grant an amendment to a permit - see s 75.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(5)	Duty to give each objector a copy of an exempt decision.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	This provision applies also to a decision to grant an amendment to a permit - see s 75.
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	This provision applies also to a decision to grant an amendment to a permit - see s 75A.
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit.
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit.
s 69(1)	Function of receiving application for extension of time of permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 69(1A)	Function of receiving application for extension of time to complete development.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 69(2)	Power to extend time.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 70	Duty to make copy permit available in accordance with the public availability requirements.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 71(1)	Power to correct certain mistakes.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	Senior Planner and Planner have delegation only to make corrections following consultation with the Planning Coordinator or Manager Statutory Planning.
s 71(2)	Duty to note corrections in register.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 73	Power to decide to grant amendment subject to conditions.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 74	Duty to issue amended permit to applicant if no objectors.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority.
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit.
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit.
s 76D	Duty to comply with direction of Minister to issue amended permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83	Function of being respondent to an appeal.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	The ability to settle a matter at VCAT (at a Compulsory Conference or Hearing) is limited to the settlement being generally in accordance with a decision of Council or the Delegated Planning Panel.
s 83B	Duty to give or publish notice of application for review.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit.	<ul style="list-style-type: none"> • Not delegated 	
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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 84(6)	Duty to issue permit on receipt of advice within 3 <u>working-business</u> days.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 84AB	Power to agree to confining a review by the Tribunal.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 86	Duty to issue a permit at order of Tribunal within 3 <u>working-business</u> days.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 91(2)	Duty to comply with the directions of VCAT.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 93(2)	Duty to give notice of VCAT order to stop development.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 95(3)	Function of referring certain applications to the Minister.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 95(4)	Duty to comply with an order or direction.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land.	<ul style="list-style-type: none"> • Chief Executive Officer • Directors • Manager Engineering • Manager Parks and Open Space • Manager Property Services • Manager Active and Healthy LifestyleCommunities 	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land.	<ul style="list-style-type: none"> • Chief Executive Officer • Directors • Manager Engineering • Manager Parks and Open Space • Manager Property Services • Manager Active and Healthy LifestyleCommunities 	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment.	<ul style="list-style-type: none"> • Manager Statutory Planning • <u>Manager Strategic Planning</u> • Planning Coordinator • <u>Coordinators in the Strategic Planning Unit</u> 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 96F	Duty to consider the panel's report under s 96E.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>).	<ul style="list-style-type: none"> • Not delegated 	
s 96H(3)	Power to give notice in compliance with Minister's direction.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 96J	Power <u>Duty</u> to issue permit as directed by the Minister.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 96K	Duty to comply with direction of the Minister to give notice of refusal.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 97C	Power to request Minister to decide the application.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
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.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth • Manager Statutory Planning 	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 97L	Duty to include Ministerial decisions in a register kept under s 49.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 97MH	Duty to provide information or assistance to the Planning Application Committee.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee.	<ul style="list-style-type: none"> • Chief Executive Officer • Directors • Manager Statutory Planning • Planning Coordinator 	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 97Q(4)	Duty to comply with directions of VCAT.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 101	Function of receiving claim for expenses in conjunction with claim.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 103	Power to reject a claim for compensation in certain circumstances.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 107(1)	Function of receiving claim for compensation.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 107(3)	Power to agree to extend time for making claim.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 114(1)	Power to apply to the VCAT for an enforcement order.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Compliance Officer 	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Compliance Officer 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 123(1)	Power to carry out work required by enforcement order and recover costs.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Compliance Officer 	
s 123(2)	Power to sell buildings, materials, etc. salvaged in carrying out work under s 123(1).	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	Except Crown Land.
s 129	Function of recovering penalties.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 130(5)	Power to allow person served with an infringement notice further time.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Compliance Officer 	
s 149A(1)	Power to refer a matter to the VCAT for determination.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Manager Property Services 	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	Where Council is the relevant planning authority.
s 171(2)(f)	Power to carry out studies and commission reports.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 171(2)(g)	Power to grant and reserve easements.	<ul style="list-style-type: none"> • Manager Statutory Planning • Manager Engineering • Planning Coordinator • Conveyancing Services Officer 	Delegation for Conveyancing Services Officer to lodge documents.
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Presentation and Assets • Manager Engineering • Conveyancing Services Officer 	<p>Where Council is a development agency specified in an approved infrastructure contributions plan.</p> <p>Manager Engineering and Conveyancing Services Officer have delegation only for drainage easements.</p>
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4).	<ul style="list-style-type: none"> • Chief Executive Officer • Director Presentation and Assets • Manager Engineering • Conveyancing Services Officer 	<p>Where Council is a collecting agency specified in an approved infrastructure contributions plan.</p> <p>Manager Engineering and Conveyancing Services Officer have delegation only for drainage easements</p>



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4).	<ul style="list-style-type: none"> • Chief Executive Officer • Director Presentation and Assets • Manager Engineering • Conveyancing Services Officer 	<p>Where Council is the development agency specified in an approved infrastructure contributions plan.</p> <p>Manager Engineering and Conveyancing Services Officer have delegation only for drainage easements</p>
s 173(1)	Power to enter into agreement covering matters set out in s 174.	<ul style="list-style-type: none"> • Chief Executive Officer • Director Strategy and Growth 	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	Where Council is the relevant responsible authority.
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	<ul style="list-style-type: none"> • Director Strategy and Growth • Director Presentation and Assets • Manager Engineering • Manager Statutory Planning • Manager Property Services • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Chief Executive Officer • Subdivision Officer • Conveyancing Services Officer 	
s 178A(1)	Function of receiving application to amend or end an agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178A(5)	Power to propose to amend or end an agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner • Subdivision Officer • Conveyancing Services Officer 	
s 178C(4)	Function of determining how to give notice under s 178C(2).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner • Subdivision Officer • Conveyancing Services Officer 	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	<p>If no objections are made under s 178D.</p> <p>Must consider matters in s 178B.</p>



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	After considering objections, submissions and matters in s 178B.
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	After considering objections, submissions and matters in s 178B.
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	After considering objections, submissions and matters in s 178B.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(d)	Power to refuse to amend or end the agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	After considering objections, submissions and matters in s 178B.
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d).	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Subdivision Officer • Conveyancing Services Officer 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer • Conveyancing Services Officer 	
s 179(2)	Duty to make available a copy of each agreement available in accordance with the public availability requirements.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Coordinator Legal Services • Lawyer • Subdivision Officer • Conveyancing Services Officer 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Coordinator Legal Services • Lawyer • Subdivision Officer • Conveyancing Services Officer 	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Coordinator Legal Services • Lawyer • Subdivision Officer • Conveyancing Services Officer 	
s 182	Power to enforce an agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Coordinator Legal Services • Lawyer • Subdivision Officer • Conveyancing Services Officer 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
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.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 184G(2)	Duty to comply with a direction of the Tribunal.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 184G(3)	Duty to give notice as directed by the Tribunal.	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
s 185B(1)	<u>Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice</u>	<ul style="list-style-type: none"> • <u>Director Strategy and Growth</u> • <u>Manager Statutory Planning</u> • <u>Planning Coordinator</u> 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 198(1)	Function to receive application for planning certificate	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer 	
s 199(1)	Duty to give planning certificate to applicant	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer 	
s 201(1)	Function of receiving application for declaration of underlying zoning	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator • Subdivision Officer 	
s 201(3)	Duty to make declaration	<ul style="list-style-type: none"> • Director Strategy and Growth • Manager Statutory Planning • Planning Coordinator 	
-	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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
	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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
-	Power to give written authorisation in accordance with a provision of a planning scheme.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	



RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
s 522(1)	Power to give a compliance notice to a person.	<ul style="list-style-type: none"> • Director Health and Wellbeing <u>Director Healthy Communities and Environments</u> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	



RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case).	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer 	
s 525(4)	Duty to issue identity card to authorised officers.	<ul style="list-style-type: none"> • Director Health and Wellbeing <u>Director Healthy Communities and Environments</u> 	
s 526(5)	Duty to keep record of entry by authorised officer under s 526.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	



RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 526A(3)	Function of receiving report of inspection.	<ul style="list-style-type: none"> • Director Health and Wellbeing <u>Director Healthy Communities and Environments</u> • Manager Safe and Healthy Environments • Coordinator Inspections • Coordinator Environmental Health (North and South) • Coordinator Investigations • Coordinator Local Laws and Animal Services 	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case).	<ul style="list-style-type: none"> • Director Health and Wellbeing <u>Director Healthy Communities and Environments</u> • Manager Safe and Healthy Environments 	

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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Obtain consent in circumstances specified in s 11(2).



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer • <u>CEO</u> 	
s 11(9)(b)	Duty to advise Registrar.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Subject to s 11(10A).
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Where Council is the coordinating road authority.
s 12(2)	Power to discontinue road or part of a road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	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
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Power of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies.
s 12(5)	Duty to consider written submissions received within 28 days of notice.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies.
s 12(6)	Function of hearing a person in support of their written submission.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Function of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies.
s 12(7)	Duty to fix day, time and place of meeting under ss (6) and to give notice.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies.
s 12(10)	Duty to notify of decision made.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Duty of coordinating road authority where it is the discontinuing body. Does not apply where an exemption is specified by the regulations or given by the Minister.



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate.
s 14(4)	Function of receiving notice from the Head, Transport for Victoria.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 15(2)	Duty to include details of arrangement in public roads register.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 16(7)	Power to enter into an arrangement under s 15.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 16(8)	Duty to enter details of determination in public roads register.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(2)	Duty to register public road in public roads register.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Where Council is the coordinating road authority.
s 17(3)	Power to decide that a road is reasonably required for general public use.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	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
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	Where Council is the coordinating road authority.
s 18(1)	Power to designate ancillary area.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2).
s 18(3)	Duty to record designation in public roads register.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	
s 19(4)	Duty to specify details of discontinuance in public roads register.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(5)	Duty to ensure public roads register is available for public inspection.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering • Transportation Engineer • Traffic and Infrastructure Engineer • Conveyancing Services Officer 	
s 21	Function of replying to request for information or advice.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Obtain consent in circumstances specified in s 11(2).
s 22(2)	Function of commenting on proposed direction.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 22(5)	Duty to give effect to a direction under s 22.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 40(1)	Duty to inspect, maintain and repair a public road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
s 42(1)	Power to declare a public road as a controlled access road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Power of coordinating road authority and sch 2 also applies.
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Power of coordinating road authority and sch 2 also applies.
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Where Council is the coordinating road authority. If road is a municipal road or part thereof and where road is to be specified a freight road.
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport).	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Where Council is the responsible road authority, infrastructure manager or works manager.
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 49	Power to develop and publish a road management plan.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 51	Power to determine standards by incorporating the standards in a road management plan.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc. of document in road management plan.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 54(2)	Duty to give notice of proposal to make a road management plan.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 54(6)	Power to amend road management plan.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 54(7)	Duty to incorporate the amendments into the road management plan.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 63(1)	Power to consent to conduct of works on road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the infrastructure manager.



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(1)	Duty to comply with clause 13 of sch 7.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Where Council is the infrastructure manager or works manager.
s 66(1)	Power to consent to structure etc.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Where Council is the coordinating road authority.
s 67(3)	Power to request information.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Where Council is the coordinating road authority.
s 68(2)	Power to request information.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	Where Council is the coordinating road authority.
s 71(3)	Power to appoint an authorised officer.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 72	Duty to issue an identity card to each authorised officer.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 85	Function of receiving report from authorised officer.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 86	Duty to keep register re s 85 matters.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 87(1)	Function of receiving complaints.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(2)	Duty to investigate complaint and provide report.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 96	Power to authorise a person for the purpose of instituting legal proceedings.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 112(2)	Power to recover damages in court.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Engineering 	
s 116	Power to cause or carry out inspection.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
s 119(2)	Function of consulting with the Head, Transport for Victoria.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria).	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1).	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
s 121(1)	Power to enter into an agreement in respect of works.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 122(1)	Power to charge and recover fees.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
s 123(1)	Power to charge for any service.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
sch 2 cl 3(1)	Duty to make policy about controlled access roads.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
sch 2 cl 5	Duty to publish notice of declaration.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7, cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the infrastructure manager or works manager.
sch 7, cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the infrastructure manager or works manager.
sch 7, cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure.
sch 7, cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the infrastructure manager or works manager.
sch 7, cl 10(2)	Where sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	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
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 12(5)	Power to recover costs.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7, cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7, cl 13(2).	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the works manager.
sch 7 cl 13(2)	Power to vary notice period.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7, cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7, cl 13(1).	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the infrastructure manager.



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 16(1)	Power to consent to proposed works.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 16(4)	Duty to consult.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority, responsible authority or infrastructure manager.
sch 7 cl 16(5)	Power to consent to proposed works.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 16(6)	Power to set reasonable conditions on consent.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 16(8)	Power to include consents and conditions.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 18(1)	Power to enter into an agreement.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	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
sch 7 cl 19(1)	Power to give notice requiring rectification of works.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
sch 7A cl 2	Power to cause street lights to be installed on roads.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the responsible road authority.
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the responsible road authority.
sch 7A cl (3)(1)(f),	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal Council (re: operating costs).



PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r. 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	<p>Where Council is not the planning authority and the amendment affects land within its municipal district; or</p> <p>Where the amendment will amend the planning scheme to designate Council as an acquiring authority.</p>
r.21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
r.25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	Where Council is the responsible authority.
r.25(b))	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	Where Council is not the responsible authority but the relevant land is within Council's municipal district.
r.42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or



PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r. 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	<p>Where Council is not the planning authority and the amendment affects land within its municipal district; or</p> <p>Where the amendment will amend the planning scheme to designate Council as an acquiring authority.</p>
r.21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	
r.25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	Where Council is the responsible authority.
r.25(b))	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator • Senior Planner • Planner 	Where Council is not the responsible authority but the relevant land is within Council's municipal district.
			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 AND LIMITATIONS
r.19	Power to waive or rebate a fee relating to an amendment of a planning scheme.	<ul style="list-style-type: none"> • Manager Strategic Planning 	
r.20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme.	<ul style="list-style-type: none"> • Manager Statutory Planning • Planning Coordinator 	
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.	<ul style="list-style-type: none"> • Manager Statutory Planning • Manager Strategic Planning 	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	Power to enter into a written agreement with a caravan park owner	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer 	
r.10	Function of receiving application for registration	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician • System and Support Officer 	
r.11	Function of receiving application for renewal of registration.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician • System and Support Officer 	
r.12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Environmental Health Technician 	
r.12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations.	<ul style="list-style-type: none"> • Director Health and Wellbeing <u>Director Healthy Communities and Environments</u> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations.	<ul style="list-style-type: none"> • Director Health and Wellbeing <u>Director Healthy Communities and Environments</u> 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Manager Safe and Healthy Environments 	
r. 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.12(4) & (5)	Duty to issue certificate of registration.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.14(1)	Function of receiving notice of transfer of ownership.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.14(3)	Power to determine where notice of transfer is displayed.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.15(1)	Duty to transfer registration to new caravan park owner.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.15(2)	Duty to issue a certificate of transfer of registration.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.17	Duty to keep register of caravan parks.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.18(4)	Power to determine where the emergency contact person's details are displayed.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.18(6)	Power to determine where certain information is displayed.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Environmental Health Officer • Environmental Health Technician 	
r.22(2)	Duty to consult with relevant emergency services agencies.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.23	Power to determine places in which caravan park owner must display a copy of emergency procedures.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.24	Power to determine places in which caravan park owner must display copy of public emergency warnings.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.25(3)	Duty to consult with relevant floodplain management authority.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.26	Duty to have regard to any report of the relevant fire authority.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> Coordinator Local Laws and Animal Services Coordinator Inspections Coordinator Environmental Health (North and South) Environmental Health Officer Environmental Health Technician 	
r.40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe.	<ul style="list-style-type: none"> Manager Safe and Healthy Environments Coordinator Investigations Coordinator Local Laws and Animal Services Coordinator Inspections Coordinator Environmental Health (North and South) Environmental Health Officer Environmental Health Technician 	
r.40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe.	<ul style="list-style-type: none"> Manager Safe and Healthy Environments Coordinator Investigations Coordinator Local Laws and Animal Services Coordinator Inspections Coordinator Environmental Health (North and South) Environmental Health Officer Environmental Health Technician 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.41(4)	Function of receiving installation certificate.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Environmental Health Technician 	
r.43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections • Coordinator Environmental Health (North and South) • Environmental Health Officer • Municipal Building Surveyor • Coordinator Building Services • Building Inspector 	
Sch 3 clause 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling.	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Local Laws and Animal Services • Coordinator Inspections 	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • Coordinator Environmental Health (North and South) • Environmental Health Officer • Municipal Building Surveyor • Coordinator Building Services • Building Inspector 	

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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
r.9(2)	Duty to produce written report of review of road management plan and make report available.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
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).	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.



ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
r.13(1)	Duty to publish notice of amendments to road management plan.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	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.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	
r.16(3)	Power to issue permit.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
r.18(1)	Power to give written consent re damage to road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
r.23(2)	Power to make submission to Tribunal.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.
r.23(4)	Power to charge a fee for application under s 66(1) Road Management Act.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority.



ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	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)).	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the responsible road authority.
r.25(5)	Power to recover in the Magistrates' Court, expenses from person responsible.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	

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 Sch 7 of the Act to give notice as to the completion of those works.	<ul style="list-style-type: none"> • Director Presentation and Assets • Manager Works • Manager Engineering 	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act.
r.22(2)	Power to waive whole or part of fee in certain circumstances.	<ul style="list-style-type: none"> • Director Presentation and Assets 	Where Council is the coordinating road authority.

***S18 Instrument of Sub-Delegation
under the Environment Protection Act 2017***

Greater Bendigo City Council

Instrument of Sub-Delegation

to

Members of Council staff

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

June 2024-July 2022 Update

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('**Act**') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
2. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on 19 July 2021 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
3. the delegation:
 - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
 - 3.2 remains in force until varied or revoked;
 - 3.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 3.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
4. this Instrument of Sub-Delegation is subject to the following limitations:
 - 4.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
 - 4.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
 - 4.1.2 noise from the construction, demolition or removal of residential premises;
5. the delegate must not determine the issue, take the action or do the act or thing:
 - 5.1.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 5.1.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

June 2021-July 2022 Update

- 5.1.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 5.1.4 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.

APPROVED under the COMMON SEAL)
of the GREATER BENDIGO CITY COUNCIL)
in the presence of:)

.....
Chief Executive Officer

.....
Full name

.....
Date

.....
Usual address

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

June 2021-July 2022 Update

SCHEDULE

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

~~June 2021-July 2022~~ Update



ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • Coordinator Investigations • Coordinator Inspections <u>Coordinator Environmental Health (North and South)</u> • <u>Coordinator Local Laws and Animal Services</u> • Environmental Health Officer • Environmental Health Technician • Team Leader Local Laws • Senior Local Laws Officer 	
s 272	Power to issue prohibition notice	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • <u>Coordinator Environmental Health (North and South)</u> • <u>Coordinator Local Laws and Animal Services</u> • Coordinator Investigations • Coordinator Inspections • Environmental Health Officer • Environmental Health Technician • Team Leader Local Laws • Senior Local Laws Officer 	
s 279	Power to amend a notice	<ul style="list-style-type: none"> • Manager Safe and Healthy Environments • <u>Coordinator Environmental Health (North and South)</u> • <u>Coordinator Local Laws and Animal Services</u> • Coordinator Investigations • Coordinator Inspections • Environmental Health Officer • Environmental Health Technician • Team Leader Local Laws • Senior Local Laws Officer 	

ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 358	Functions of the Environment Protection Authority	<ul style="list-style-type: none"> • CEO • Directors • Manager Safe and Healthy Environments • <u>Coordinator Environmental Health (North and South)</u> • <u>Coordinator Local Laws and Animal Services</u> • Coordinator Investigations • Coordinator Inspections • Environmental Health Officer • Environmental Health Technician • Team Leader Local Laws • Senior Local Laws Officer • Planning Compliance Officer 	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	<ul style="list-style-type: none"> • CEO • Directors • Manager Safe and Healthy Environments • <u>Coordinator Environmental Health (North and South)</u> • <u>Coordinator Local Laws and Animal Services</u> • Coordinator Investigations • Coordinator Inspections • Environmental Health Officer • Environmental Health Technician • Team Leader Local Laws • Senior Local Laws Officer • Planning Compliance Officer 	
s 359(2)	Power to give advice to persons with duties or obligations	<ul style="list-style-type: none"> • CEO • Directors • Manager Safe and Healthy Environments • <u>Coordinator Environmental Health (North and South)</u> 	

ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<ul style="list-style-type: none"> • <u>Coordinator Local Laws and Animal Services</u> • Coordinator Investigations • Coordinator Inspections • Environmental Health Officer • Environmental Health Technician • Team Leader Local Laws • Senior Local Laws Officer • Planning Compliance Officer 	



Maddocks

Lawyers
Collins Square, Tower Two
Level 25, 727 Collins Street
Melbourne VIC 3008
Australia

Telephone 61 3 9258 3555
Facsimile 61 3 9258 3666

info@maddocks.com.au
www.maddocks.com.au

DX 259 Melbourne

Email Letter

From Maryam Popal	Date 27 July 2022
Direct 03 9258 3305	Email Maryam.Popal@maddocks.com.au
Partner Melanie Olynyk	

Our Ref MSB:MARP:628721

Dear subscriber

Delegations and Authorisations Service Update Second update for 2022

We are pleased to provide you with our second update to the Delegations and Authorisations Service for 2022. This takes into account legislative changes which were assented to, or made, on or after 23 June 2022, and some other miscellaneous changes, which affect council's powers, duties and functions.

This update is contained on the new Maddocks Digital platform, which can be accessed by clicking the following link: <https://indepth.maddocks.com.au/>.

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

Changes made in this update

This update amends our S6, S7, S13, S11 and S12 Instruments. We outline some of the changes to each Instrument below. We have also introduced two new Instruments, which are described below.

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

The following changes have been made to the S6:

- 1.1. There have been a number of minor changes to the *Cemeteries and Crematoria Act 2003*. These include:

- 1.1.1. Section 74 of the Act has been amended to insert subsection (3) and remove reference to provision commencing on 1 March 2022.
- 1.1.2. Sections 83(2) and 110(1A) of the Act have been amended to remove reference to the provision commencing on 1 March 2022.
- 1.1.3. Section 84I(4) of the Act has been inserted by virtue of the *Cemeteries and Crematoria Amendment Act 2021*, which relates to the power to exercise the rights of a holder of a right of internment.

Interstate offices
Canberra Sydney

[628721: 33396229_1]



Maddocks

- 1.2. As an example, the following changes have been made to the *Planning and Environment Act 1987*:
 - 1.2.1. Section 4I of the Act has been amended to refer to the duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with the public available requirements.
 - 1.2.2. Amendment of a typographical error at s 14 of the Act.
 - 1.2.3. Sections 18, 21(2), 26(2) and 46V(3) of the Act have been amended to include a note as to the period the documents must be made available in accordance with the public availability requirements.
 - 1.2.4. Section 22(1) of the Act has been amended to clarify which submissions must be considered.
 - 1.2.5. Section 22(2) of the Act has been inserted in two parts, which relate to the power to consider late submissions and the separate duty to consider late submissions.
 - 1.2.6. Sections 46V(4), (5) and (6) of the Act have been included with respect to the Melbourne Airport Environs Strategy Plans. This will only be relevant to those councils whose municipal district is wholly or partly within the Melbourne Airport Environs Area.
 - 1.2.7. Section 96J of the Act has been amended to refer to the duty rather than as a power.
 - 1.2.8. Section 185B of the Act has been inserted, which relates to the duty to comply with a request from the Minister for information.

2. Changes to the S7 Instrument of Delegation, CEO to Members of Council staff (S7)

The following changes have been made to the S7:

- 2.1. There have been a number of changes to the *Domestic Animals Act 1994* by virtue of the *Domestic Animals Amendment (Reuniting Pets and Other Matters) Act 2022*. These include:
 - 2.1.1. Section 55 of the Act has been amended to remove reference to s 54E.
 - 2.1.2. Section 58AL of the Act has been amended to insert the function of receiving notice of the Minister's grant to refuse to grant or renew a commercial dog breeder approval.
 - 2.1.3. Section 84DD(2) of the Act has been inserted, which relates to the function of receiving report. This provision is not yet in operation and will commence on 1 October 2022.
 - 2.1.4. Section 84Y of the Act has been amended to refer to the power to enter into a written agreement to also 'receive' dogs or cats. This provision is not yet in operation and will commence on 1 October 2022.
- 2.2. Regulation 161 of the *Environment Protection Regulations 2017*, which relates to the function of receiving notification relating to an on-site waste water management system, is now in force.
- 2.3. There have been a number of changes made to the *Fines Reforms Act 2014* by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022*. These include:
 - 2.3.1. Section 10D(3) of the Act has been removed.



Maddocks

- 2.3.2. Section 10F(4) of the Act has been amended to remove reference to the Secretary and replaced with the Director.
- 2.3.3. Section 10W(4) of the Act has been amended.
- 2.3.4. Section 54(5) of the Act has been amended.
- 2.4. Section 22 of the *Infringements Act 2006* has also been amended by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022* to insert a note an internal review conducted under division 3 of Part 2 of the *Infringements Act 2006* must be conducted by a person employed by Council and who did not issue the infringement notice.
- 2.5. Sections 58 of the *Food Act 1984* has been amended to replace the reference to the Victorian Commission for Gambling and Liquor Regulation with the Victorian Liquor Commission in light of the *Casino and Liquor Legislation Amendment Act 2022*.
- 2.6. Schedule 2 clause 18(3) of the *Liquor Control Reform Act 1998* has been repealed and removed by virtue of the *Liquor Control Reform Amendment Act 2021*.
- 2.7. Section 67A of the *Public Health and Wellbeing Act 2008* has been inserted, which relates to the function of receiving an application for registration of lower risk prescribed accommodation. This amendment has been made by virtue of the *Public Health and Wellbeing Amendment Act 2022* and will commence on 15 February 2023. A note to this effect has been inserted.
- 2.8. Sections 311A(2) and 311ZDA(2) of the *Residential Tenancies Act 1997* have been repealed and removed by virtue of a number of legislative amendments, namely s 240 of the *Residential Tenancies Amendment Act 2018*.
- 2.9. Sections 9 and 14 of the *Service Victoria Act 2018* have been repealed by *Service Victoria Amendment Act 2022* and so removed from the instrument.
- 2.10. Sections 47E and 54A(2) of the *Service Victoria Act 2018* have been inserted by virtue of the *Service Victoria Amendment Act 2022*.
- 2.11. The *Dangerous Goods (Explosive) Regulations 2021* has been revoked and replaced with the *Dangerous Goods (Explosive) Regulations 2022*.
- 2.12. Regulation 3 of the *Road Safety (Traffic Management) Regulation 2019* has been replaced with r 5. This relates to a person authorised by Council as a school crossing supervisor.
- 2.13. Section B of the *Miscellaneous and Administrative Powers* section has been amended to insert reference to the power to determine fees relating to swimming pool or spa barriers under the *Building Act 1993* and *Building Regulations 2018*.

3. Changes to the S13 Instrument of Delegation by CEO of CEO Powers (S13)

The S13 contains powers conferred on the CEO that may be delegated to other Council staff. Additional powers have been conferred on the CEO under the *Service Victoria Act 2018* by virtue of the *Service Victoria Amendment Act 2022* (see ss 9A(1), 14A(1), 24A(2)(a), 47A and 47G), and so these could be subdelegated by the CEO.

4. Changes to the S11 Instrument of Appointment and Authorisation (S11)

The following changes have been made to the S11:

- 4.1. Footnote 13 has been amended to remove reference to s 81Y of the *Local Government Act 1989*. This section has been repealed.



Maddocks

- 4.2. Footnote 3 has been amended to add that, before appointing a person as an inspector under s 36 of the *Tobacco Act 1987*, the Secretary must be satisfied that the person has the necessary skills, training and expertise to exercise the powers of an inspector (see new section 36AA).

5. Changes to the S12 Instrument of Delegation and Authorisation by the Municipal Building Surveyor (S12)

The S12 is the Instrument of Delegation and Authorisation by the Municipal Building Surveyor. The following changes have been made to it:

- 5.1. A typographical error has been fixed in paragraph 5.3 of the preamble (i.e. to insert the missing word 'to').
- 5.2. Section 23 of the *Building Act 1993* has been amended to correct the reference to r 281 of the *Building Regulations 2018*.
- 5.3. Sections 25AB, 25AC and 25AD of the *Building Act 1993* have been inserted. These relate to changes to the engagement of a building practitioner, an endorsed building engineer or an architect.

6. New Municipal Fire Prevention Officer Package - S19A and S19B Instruments of Delegation from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer (S19A and S19B)

- 6.1. Under s 96A(2) of the *Country Fire Authority Act 1958*, the municipal fire prevention officer has power to delegate to an assistant fire prevention officer any power or duty of the fire prevention officer under this Act or the regulations (except the power of delegation). For this purpose, we have introduced the new **S19A Instrument of Delegation** from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer under s 96A(2) of the *Country Fire Authority Act 1958*.
- 6.2. Similarly, under s 5A(2) of the *Fire Rescue Victoria Act 1958*, the municipal fire prevention officer has power to delegate to an assistant fire prevention officer any power or duty of the fire prevention officer under this Act or the regulations (except the power of delegation). For this purpose, we have introduced the new **S19B Instrument of Delegation** from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer under s 5A(2) of the *Fire Rescue Victoria Act 1958*.

Other matters

There are some additional matters to bring to your attention.

1. The *Sex Work Decriminalisation Act 2022* has been introduced to decriminalise sex work and provide for the reduction of discrimination against, and harm to, sex workers. This involves phased changes to the *Sex Work Act 1994*. Stage 1 involves amendments to the *Sex Work Act 1994*, such as repealing certain offences, and of other Acts. Stage 2 involves the repeal of the *Sex Work Act 1994* on 1 December 2023. These changes have not yet been applied to the S7 Instrument.

Section 3 of the *Sex Work Decriminalisation Act 2022* provides that local laws made under the *Local Government Act 2020* must not be inconsistent with or undermine the purposes of this Act.

2. New sections 9D and 14D of the *Service Victoria Act 2018* now provide that the CEO of a council can delegate to the Service Victoria CEO, or authorise the performance by Service Victoria CEO, of certain functions under the Act. These provisions have been inserted by the *Service Victoria Amendment Act 2022*.



Maddocks

3. You may recall that the S5 Instrument of Delegation to Council's CEO was recently amended to insert reference to an expenditure limit. This was due to s 11(5) of the *Local Government Act 2020*, which states that a delegation that includes the power to enter into a contract or make any expenditure must specify a maximum monetary limit that cannot be exceeded. We inserted wording to enable a different limit to be specified for general expenditure versus expenditure that is required by or under legislation (e.g. fire services property levy).

When preparing the S7 CEO's Instrument of Sub-delegation, you should keep in mind what those expenditure limits are if sub-delegating any powers that relate to expenditure. Taking the fire services property levy as an example, you will need to specify the relevant expenditure limit (that is no greater than that contained in the S5) in the 'Conditions & Limitations' column against the delegations under ss 19, 20 and 41 of the *Fire Services Property Levy Act 2012*. This will ensure consistency between the two instruments of delegation.

Local Laws

While this has been mentioned in our previous updates, we again remind councils of the importance of delegating not only the powers, duties and functions existing under legislation, but also any council powers, duties and functions existing in any local laws made by their council.

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

Updating your instruments

As always, we recommend that you re-make all of your council delegations regularly to ensure that they remain up to date and cover all relevant provisions. This includes the S5 Instrument.

If you have any questions about this Update, please direct your queries to Maryam Popal (maryam.popal@maddocks.com.au) or myself (melanie.olynyk@maddocks.com.au).

Yours sincerely
Maddocks

Transmission authorised by:
Melanie Olynyk
Partner

15.2. 2026 Commonwealth Games Legacy and Resourcing

Author:	Craig Niemann, CEO
Responsible Director:	Craig Niemann, CEO

Purpose

This report provides an update for Council on the 2026 Commonwealth Games preparations, legacy priorities and initial resourcing options.

Recommended Motion

That Council:

1. Note the update on the preparations for the 2026 Commonwealth Games
2. Endorse the Legacy Plan document, including the six legacy outcome themes
3. Approve to create an additional Director-level position for a fixed term position to lead Council's Commonwealth Games coordination and preparations
4. Note that as more information is understood about Council's role, and following the recruitment of a Director, the required resources and structure may change.

RESOLUTION - Resolution No. 22/09-8

Moved: Cr Evans

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

Being a Host City for the 2026 Commonwealth Games provides an excellent opportunity to showcase Greater Bendigo and the region to the world! We will welcome thousands of visitors to engage in the Sports, Entertainment and Cultural experiences on offer. We will also have images of our City and surrounding landscapes beamed across the world via TV and the internet. More than 1.5 billion people tuned into the Gold Coast Games and just over 1 billion people watched the opening ceremony of the Birmingham Games.

To ensure that Greater Bendigo and our region is able to achieve the best outcome we can for the community, it is important that Council develops a strategic approach to the legacy we seek and the resources that are allocated.

This report includes a Legacy Plan, based on the information that is known so far. It is likely that this plan will continue to evolve and be updated, particularly as the sports and

venue programs are both finalised and the State Government's legacy framework is released.

The report also provides insight into early planning for the resources required by Council to support the planning and delivery of the Games in Bendigo. This will also evolve over the next four years as the Games moves through its various stages from planning to delivery.

Report

In April 2022, the Victorian State Government announced that the 2026 Commonwealth Games would be held in Regional Victoria with Bendigo nominated as one of four Host Cities.

These Games provide an opportunity to build on our reputation for delivering high-quality, world-class events, and attract people from around the world to experience Bendigo and regional Victoria.

It was historic and enduring event for Greater Bendigo to see the Dja Dja Wurrung, our Traditional Owners, represented at the Birmingham Commonwealth Games closing ceremony. As part of this ceremony, Rodney Carter, CEO of the Dja Dja Wurrung Group, extended an invitation for the Games to be held on the lands of the Djaara people.

This display of leadership and inclusion is a significant and critical reference point for the 2026 Games and serves as a reminder of the importance of honouring our First Nations People. As a co-host for the Games, we want to ensure the event delivers a lasting, positive outcome for healing Country and furthering reconciliation.

We are seeking an integrated approach that considers not only the development of necessary infrastructure, but also achieving legacy outcomes for First Nations People, our community, the environment, culture and creativity, and the economy.

There is an opportunity to bring forward and implement ideas and plans that have been worked on with our community for many years. In most instances, the high-level planning and consultation has already been completed. Careful engagement over many years has told us what our community needs and now is the time to act and accomplish our shared vision for the future of Greater Bendigo and the wider region.

We know that surrounding Councils and communities across the Loddon Mallee region will have a role to play in the Games delivery. These communities are very much a part of our Games story and we want to make sure there is a legacy for rural and regional communities across Victoria.

To ensure Greater Bendigo is well positioned to advocate and deliver these legacy outcomes, it is important that the City allocates an appropriate level of resourcing to this. A Director Commonwealth Games position was appointed on 1 July 2022 for a fixed term period of 6 months to assist with the coordination of the required responses and commence planning for Council's role.

Whilst the Director of Commonwealth Games role is the only additional resource that has been employed so far, a number of other Council Officer level, have been providing valuable expertise and links to existing Council strategies and plans.

It is important that these links are maintained to ensure we continue to advocate for legacy outcomes that align with our established direction.

It is recommended that a Director-level role be appointed to lead the function for a period of four years. Reasons to support this recommendation are:

- A single point of Coordination at a Senior level can respond to internal and external requests with the necessary authority and delegation to make decisions
- A Director will have the delegation to advocate and negotiate for outcomes that align with Council's established strategic directions
- A Director-level position is likely to have the seniority, key relationships and experience to work with key stakeholders, including local community groups and Government agencies to deliver positive outcomes and resolve issues
- Due to the current volume of work, multiple work streams and short response times, it would be a challenge for one of Council's existing Directors to take on the role as part of their substantive role without adversely impacting the delivery of their existing priorities.

The appointment of the Director-level position to coordinate the Commonwealth Games function would not diminish the important leadership role that all Directors have for Games advocacy and delivery, or the Governance oversight role that Council's Executive will continue to have.

Priority/Importance

There is a high level of priority to decide on the leadership resourcing required to ensure that Council is prepared respond to requests and actions during this important planning phase.

Options considered

Council could choose not to approve the CEO to appoint an additional Director and request that the Commonwealth Games planning and preparations be incorporated into and existing Directorate.

Timelines

The current interim resourcing arrangements conclude on 31 December 2022.

Communications/Engagement

To ensure an integrated approach to Greater Bendigo's Games involvement and legacy priorities, a number of Council's key strategic documents, that have been developed from consultation with the community, have been referenced in the Legacy Plan. These include:

- *Mir wimbul 2021-2025*
- *Barpgangu*
- Rosalind Park Master Plan
- Climate Change and Environment Strategy 2021-2026
- City of Greater Bendigo Economic Development Strategy 2020-2030

A number of community groups, sporting clubs and other organisations have requested to have projects included as legacy priorities. The current version of the Legacy Plan does not seek to include a level of every project or improvement that could be delivered.

It is deliberately intended for this document to focus on the outcomes that Council would like to see achieved and some higher profile flagship projects, such as the Bendigo Art Gallery expansion, the Bendigo Low-Line safe transport connection and further expansion of the 100Gb network.

Key stakeholders the City has been working with so far on the Games have been consulted on the current resourcing arrangements. Feedback has been received from Ministers, State Government Departmental Officers, Games Organisers, EMT, internal staff and local clubs. These stakeholders have all indicated their support for an arrangement that provides a single point of contact at a senior level in the organisation to coordinate Council's Games efforts.

Financial Sustainability

Work is still underway between Council Officers and the State Government to clarify the Council's role in Games delivery. The State Government will make a number of decisions prior to the conclusion of this financial year which will clarify and provide guidance on funding.

Council has not yet been requested to set a budget for any costs relating to the Commonwealth Games. The current costs being incurred are staff time which is being provided within the existing Council-approved 2022/23 budget.

It is likely that budget allocation to fund Council's role in Games delivery will be requested in future budgets.

Risk Assessment

Having an approved legacy plan enables a unified approach to identifying legacy priorities. This results in a greater likelihood of priority initiatives being funded and decreases the risk of initiatives that are not priorities being funded.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Conflict of Interest

The current Director Commonwealth Games provided input into this report and recommendation and declared a conflict of interest when this report was presented to Council's Executive.

To mitigate any risks associated with this conflict, if Council approves the recommendation, recruitment will be conducted in accordance with Council's *Recruitment and Selection Policy*.

Attachments

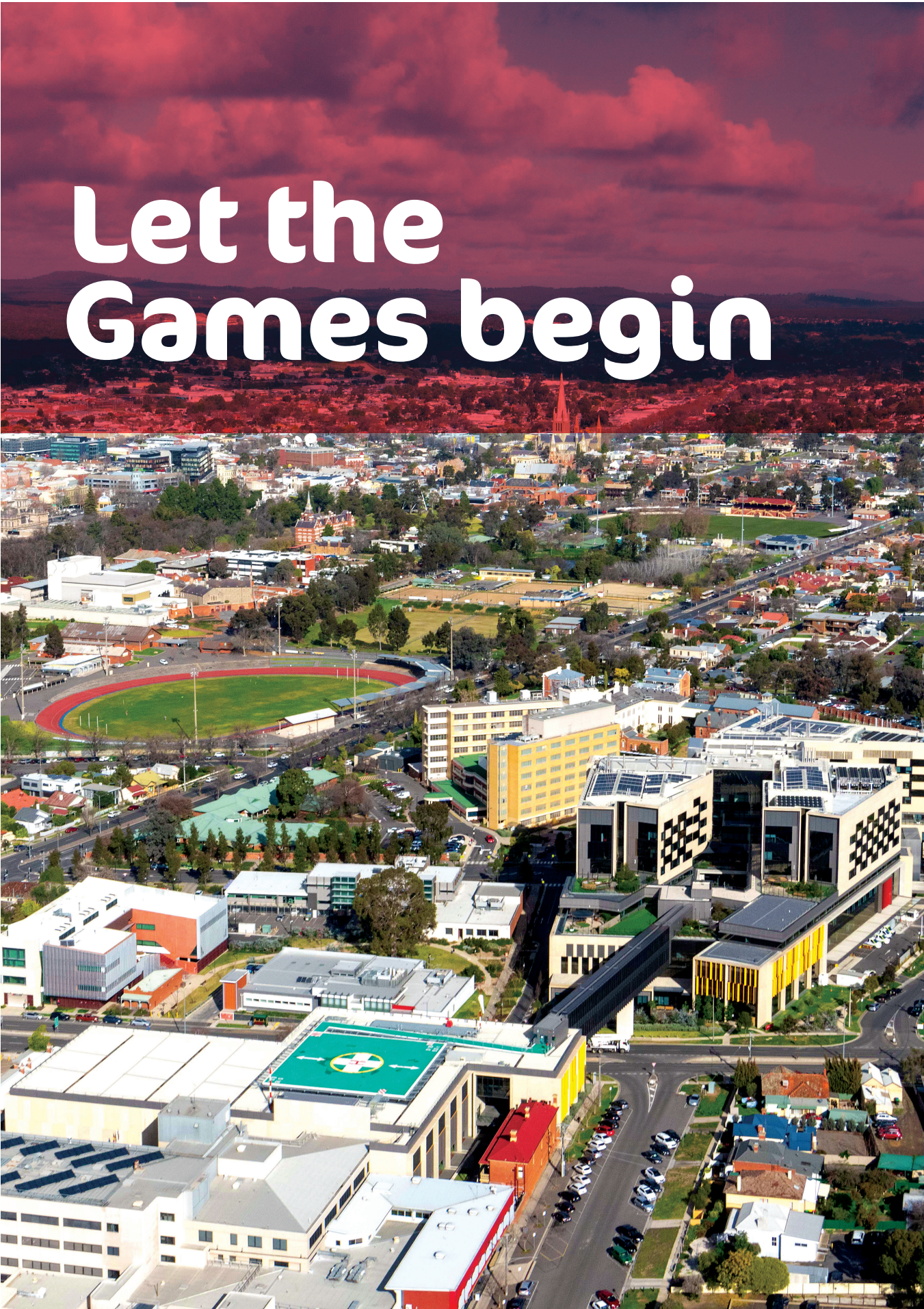
1. COGB Let the Games Begin 2026 Commonwealth Games Legacy document [15.2.1 - 7 pages]



Let the Games begin

**City of Greater Bendigo
Victoria 2026
Commonwealth Games**

Legacy document



**City of Greater Bendigo
Victoria 2026
Commonwealth Games**
Legacy document

The City of Greater Bendigo is proud to partner with the Commonwealth Games Federation and Victorian Government to be a host city for the Victoria 2026 Commonwealth Games.

The Games provide an opportunity to build on our reputation for delivering high-quality, world-class events, and attract people from around the world to experience Bendigo and regional Victoria.

It was an honour to have our Traditional Owners represented in the Birmingham Commonwealth Games closing ceremony, when Rodney Carter, CEO of the Dja Dja Wurrung Group, extended an invitation for the Games to be held on the lands of the Djaara people.

This display of leadership and inclusion is a significant and critical reference point for the 2026 Games and serves as a reminder of the importance of honouring our First Nations People. As a co-host for the Games, we want to ensure the event delivers a lasting, positive outcome for healing Country and furthering reconciliation.

We are seeking an integrated approach that considers not only the development of necessary infrastructure, but also includes achieving aspirational legacy outcomes for First Nations People, our community, the environment, culture and creativity, and the economy.

There is an opportunity to bring forward and implement ideas and plans that have been worked on with our community for many years. Through our engagement efforts, our community has already told us what it needs. Now is the time to act and accomplish our shared vision for the future of Greater Bendigo as we grow toward 200,000 people by 2050.

We know that surrounding councils and communities across the Loddon Campaspe region will also have a role to play in the delivery of the Games. These communities are very much a part of our Games story and we want to make sure there is a legacy for rural and regional communities across Victoria.

There is much to do and a compressed timeframe to get the work done. We must ensure the Games leave a positive legacy that aligns with the needs and aspirations of our community, and Council's strategic direction.

The benefits for Greater Bendigo and the wider region must continue long after the last race is run and the last medal is awarded.

Let the Games begin!



Acknowledgement of Country

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

We would like to acknowledge and extend our appreciation to the Dja Dja Wurrung and Taungurung Peoples, the Traditional Owners of the land.

We pay our respects to leaders and Elders past, present and emerging for they hold the memories, the traditions, the culture and the hopes of all Dja Dja Wurrung and Taungurung Peoples.

We express our gratitude in the sharing of this land, our sorrow for the personal, spiritual and cultural costs of that sharing, and our hope that we may walk forward together in harmony and in the spirit of healing.

A legacy we can be proud of

This advocacy document outlines six key themes where the City of Greater Bendigo sees opportunities for the 2026 Games to leave a lasting and positive legacy for our community.

First Nations

- First Nations People are meaningfully engaged in the design of the athletes’ hub
- First Nations People benefit from the future use of the athletes’ hub
- Educate athletes, visitors and the community on the culture, traditions and language of our First Nations People, and incorporate this into a complementary cultural program
- First Nations employment and business opportunities are created through the Games’ procurement
- Support Traditional Owners to achieve their aspirations of ‘healing country’

Our community

- Expand the capacity and reach of Greater Bendigo’s network connectivity
- Ensure a variety of free and low-cost activities are included in the Games’ program
- Provide incentives and support to encourage volunteers to be involved in the Games’ experience
- Work with the relevant support agencies to understand the potential impact of the Games on vulnerable members of the community
- Create an inclusive event that provides a safe experience for athletes, spectators and the community

Climate and environment

- Delivery of a carbon-positive Games, including investment in local vegetation offset projects
- Delivery of a zero waste Games
- Delivery of a zero carbon athletes’ hub
- Funding for the Bendigo Stadium solar and battery storage project
- Investment in alternative fuel vehicles to provide transport during and after the Games
- Additional tree planting and urban greening to cool streets and make it safer as people move around

Culture, creativity and culinary

- Expanded Bendigo Art Gallery to be the cultural hub for the Games and host a major exhibition
- Australian Government to provide Central Victorian Goldfields with a ‘tentative listing’ to support the World Heritage bid
- Performances and events showcasing talented artists in venues, live sites and community spaces during the Games to activate precincts in and around the city centre
- Local food producers and hospitality venues to be promoted and supported to add to the vibrancy of the city centre and celebrate the City of Gastronomy designation

Jobs and the regional economy

- A Victorian Government funding allocation to support investment in accommodation infrastructure
- Program to identify skills in demand for the Games and match people to jobs and training packages, including working with local agencies to engage with young people
- Continue to promote Bendigo’s 100gb internet capacity and seek funding to extend this network
- Mandating local content for key construction and service contracts required to deliver the Games
- Investment in destination marketing and associated infrastructure to increase visitation and enhance the experience for tourists in small towns in the region

Infrastructure

- Funding and construction of the Bendigo Low Line safe transport connection
- Funding and construction of key off-road tracks and trails to enable safe connections to the city centre, Games’ precincts and athletes’ hub
- Funding for the development of the Bendigo Showgrounds
- Provide passenger train access for the Bendigo Showgrounds and Harcourt, including the construction of new platforms
- Increase frequency of Bendigo-Melbourne, Bendigo-Echuca, Bendigo-Swan Hill rail services
- Restoring duplication of the Bendigo-Kyneton rail line
- Funding to significantly increase the delivery of universal access change facilities at rural and regional sporting facilities
- Funding for swimming pool refurbishment program for rural pools



First Nations

The closing ceremony at the Birmingham Commonwealth Games included a celebration of the cultures and traditions of First Nations People, as well as a demonstration from the next generation of talented and inspiring young indigenous performers. This was effectively the launchpad for the 2026 Games.

Our planning will seek to identify opportunities to honour the culture, traditions and language of our First Nations People. There are no boundaries for this – it can include performance, art, food and education about local history.

The design process for the athletes’ hub must continue to meaningfully engage our First Nations People and deliver on a key objective to heal Country. From our perspective, it will also be essential for First Nations People to benefit from future social and affordable housing outcomes that stem from the hub after the Games.

There are several talented First Nations artists and performers in Greater Bendigo and across regional Victoria. With ambitions for Bendigo to have a central role in a strong cultural and creative program during the Games, we will ensure First Nations artists and performers have the chance to demonstrate and share their culture.

Greater Bendigo has several local indigenous businesses that should also have the opportunity to benefit from business and employment opportunities throughout the Games’ procurement.

Legacy outcomes

- First Nations People are meaningfully engaged in the design of the athletes’ hub
- First Nations People benefit from the future use of the athletes’ hub
- Educate athletes, visitors and the community on the culture, traditions and language of our First Nations People, and incorporate this into a complementary cultural program
- First Nations employment and business opportunities are created through the Games’ procurement
- Support Traditional Owners to achieve their aspirations of ‘healing country’

Our community

The announcement of the Games is already generating a level of interest and pride in our community. There is an interest in how our community can shape the Games and what the Games will do for Bendigo, and local clubs and volunteers are well placed to provide the necessary support.

We need to ensure they are engaged in planning for the Games, so they know how they can make a valuable contribution. This is a once-in-a-lifetime opportunity, and they are the perfect ambassadors to share their knowledge and showcase the pride they have for their city to ensure the Games are a success.

Planning is already underway for the hub that athletes will call home during the Games. Providing social and affordable housing opportunities from the hub will ensure our community benefits after the athletes leave.

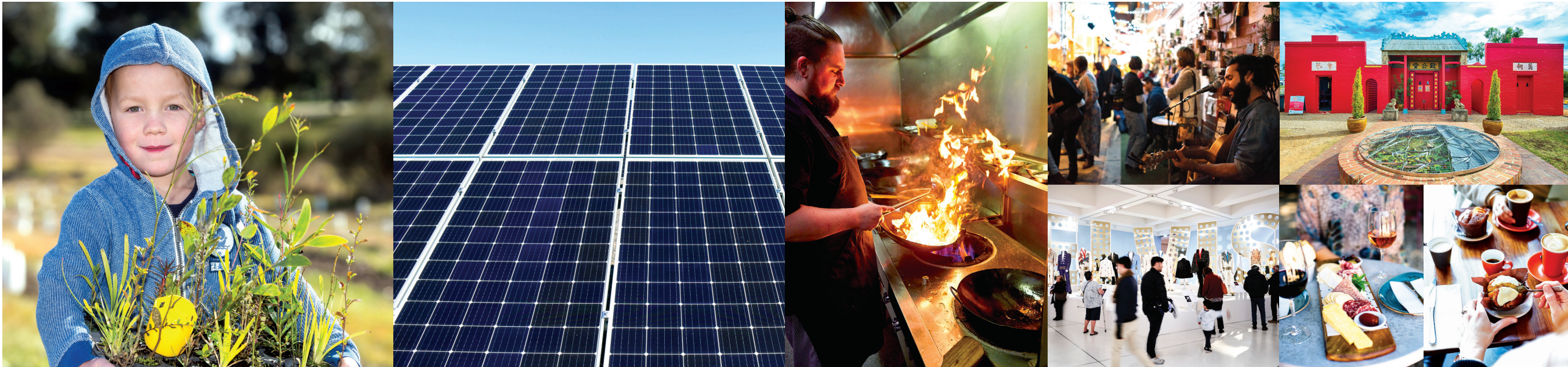
In keeping with the theme of inclusion, while the Games will bring many wonderful sporting and cultural events to Bendigo, it is important it delivers a range of free and low-cost events so that everyone has a chance to be part of the experience.

It will also be critical to work with the appropriate support agencies to manage the additional pressure hosting the Games will have on available accommodation (e.g., reduced rental properties or increased rent) and ensure, as much as possible, this does not then impact on cost of living for vulnerable community members.

We know internet and mobile connectivity across Greater Bendigo is already under pressure and, in some areas, reliability is a challenge. We must improve the capacity of the network and extend its coverage. This will improve the experience for spectators, visitors and emergency services during the Games, and leave a positive legacy for our community afterwards.

Legacy outcomes

- Expand the capacity and reach of Greater Bendigo’s network connectivity
- Ensure a variety of free and low-cost activities are included in the Games’ program
- Provide incentives and support to encourage volunteers to be involved in the Games’ experience
- Work with the relevant support agencies to understand the potential impact of the Games on vulnerable members of the community
- Create an inclusive event that provides a safe experience for athletes, spectators and the community



Climate and environment

The Games are a great opportunity to demonstrate Bendigo’s commitment to caring for Country and enhancing our natural beauty.

Consistent with our targets of net zero carbon emissions from our operations by 2030 and for a 90 per cent reduction in waste by 2036, it is important to the City that the Games can be run as a zero net carbon and zero waste event. With thousands of additional visitors, planning and action for this must start immediately.

We must be able to move people to and around Bendigo safely and in large numbers. This means increased reliance on public transport and needs to include significant investment in electrified fleet and charging stations.

Autumn is a beautiful time of the year and we must encourage people, if they are able, to walk and cycle. Tracks and trails need to be safe, connected and clearly signed. A key part of this is the construction of the Bendigo Low Line project, which will enable Games visitors to easily and safely connect to the Games precinct and enjoy Bendigo Creek. This is a strategic connection that will also enable safe passage for our community into the future.

There are many positive messages about a ‘zero waste Games’. This must be matched with action and all stakeholders must be engaged in this approach, including businesses, vendors and spectators.

Design of the athletes’ hub and venue upgrades must also be sustainable and energy efficient.

Legacy outcomes

- Delivery of a carbon-positive Games, including investment in local vegetation offset projects
- Delivery of a zero waste Games
- Delivery of a zero carbon athletes’ hub
- Funding for the Bendigo Stadium solar and battery storage project
- Investment in alternative fuel vehicles to provide transport during and after the Games
- Additional tree planting and urban greening to cool streets and make it safer as people move around

Culture, creativity and culinary

Bendigo excels at delivering major events and this will be an event like no other. Whilst sport will be an entry point for people to have a Games experience, there must also be other options for our community, visitors, spectators and broadcast viewers to engage in the Games, our city, our natural beauty and the wider region.

A key priority for the City is for an expanded Bendigo Art Gallery to be the cultural hub for the Games, hosting a major exhibition and enhancing our reputation as Australia’s leading regional gallery. The Gallery is also a designated Place of Keeping for repatriated Dja Dja Wurrung artefacts.

Our theatres, Ulumbarra and The Capital, are great venues and will also have an important role in the Games, which could be for events, performances and ceremonies. Our creative and cultural program that accompanies the Games will provide diversity of options for visitors and spectators.

As one of only two UNESCO Creative Cities of Gastronomy in Australia, we will provide a unique culinary experience for visitors that will showcase food that is grown and produced in our region. This could include local farmers’ markets, food stalls, tours and dining experiences in local venues. A range of complementary events could also be planned to celebrate the UNESCO Creative City designations of Melbourne (City of Literature), Geelong (City of Design) and Ballarat (City of Crafts and Folk Art).

Our goldfields region is an important part of local history and has world-wide significance. Greater Bendigo, in collaboration with 12 other Local Government areas, is working to have the Central Victorian Goldfields included on the UNESCO World Heritage list. A World Heritage listing for the Central Victorian Goldfields aims to share the extraordinary story of this region with people from around the world. The listing will also build local capacity to attract investment to deliver world-class visitor offerings across the goldfields region.

Legacy outcomes

- Expanded Bendigo Art Gallery to be the cultural hub for the Games and host a major exhibition
- Australian Government to provide Central Victorian Goldfields with a ‘tentative listing’ to support the World Heritage bid
- Performances and events showcasing talented artists in venues, live sites and community spaces during the Games to activate precincts in and around the city centre
- Local food producers and hospitality venues to be promoted and supported to add to the vibrancy of the city centre and celebrate the City of Gastronomy designation



Jobs and the regional economy

We have many skilled, talented and hardworking businesses in Greater Bendigo and across our region. Hosting the Games in Bendigo will drive increased economic activity and local businesses must have the chance to compete for this work.

A combination of low unemployment and skills shortages are resulting in a high demand for workers nationwide, particularly in the sectors that will be relied upon to deliver the Games, such as hospitality.

We also have more than 800 young people still in school that have completed certificate-level qualifications as part of their studies. Having already committed to this important training, these young people are ideal employees of the Games.

There must be a focus on identifying skill needs, matching this with available talent and providing additional training to support businesses to provide services and add to the Games experience.

It is important we maximise benefits to our regional economies from the increased number of people that will be visiting, ensuring the experience of our visitors is first-rate and enhances our reputation as being an accredited Welcoming City.

We must also continue to promote Bendigo's high-speed 100 gigabit per second broadband network as a key enabler for businesses that are already here and those that seek to capitalise on opportunities the Games present.

We need a diversity of accommodation products and increased transport connections to enable visitors to stay locally. A Victorian Government funding allocation to enable accommodation developments to be brought forward would be beneficial for the region.

We have a tight delivery timeframe; all governments and regulators must review approval times and, where possible, reduce red tape and other barriers that could impede the delivery of projects and investments.

Legacy outcomes

- A Victorian Government funding allocation to support investment in accommodation infrastructure
- Program to identify skills in demand for the Games and match people to jobs and training packages, including working with local agencies to engage with young people
- Continue to promote Bendigo's 100gb internet capacity and seek funding to extend this network
- Mandating local content for key construction and service contracts required to deliver the Games
- Investment in destination marketing and associated infrastructure to increase visitation and enhance the experience for tourists in small towns in the region

Infrastructure

There is ongoing and understandable interest in the infrastructure required to successfully deliver the Games. While some planning is underway for venue upgrades, the sports program and venue selections are still being finalised and more work is required on this.

We know that some venues will require temporary upgrades, particularly seating, to ensure that we maximise the number of spectators that can view the sports. We are seeking a balance and for permanent upgrades to also be put in place to ensure our community benefits in the long term.

It is anticipated that people will come to Bendigo from around the world, other states in Australia and across the region to engage in the Games and associated cultural and entertainment experiences.

Bendigo is already well set up to enable people to visit using a variety of transport modes, including direct interstate flights to Bendigo Airport and intra-city rail travel on the Bendigo Metro Rail network. Additional investment and planning will ensure that more people can travel more often without needing to rely on a car.

This will create better environmental outcomes and avoid congestion challenges.

To complement this and deliver positive health outcomes, we are seeking to create a safe city for people to walk and cycle to and through. We are seeking to minimise the number of vehicles in the city centre and Games' precincts, and plan for a people-friendly experience.

There are several key strategic tracks and trails connections that can be planned and implemented prior to the Games, including the Bendigo Low Line project and the Ironbark Gully Trail to provide safe connection to the Games' precincts, entertainment sites and athletes' hub.

The Bendigo Showgrounds is ideally positioned to play a key role in the Games for Bendigo. The venue already successfully delivers events, concerts and the popular Sunday market that attracts more than 5,000 people. Further investment in this multipurpose facility, will enhance the potential to attract more events, sports, tourists and jobs for Bendigo.

Legacy outcomes

- Funding and construction of the Bendigo Low Line safe transport connection
- Funding and construction of key off-road tracks and trails to enable safe connections to the city centre, Games' precincts and athletes' hub
- Funding for the development of the Bendigo Showgrounds
- Provide passenger train access for the Bendigo Showgrounds and Harcourt, including the construction of new platforms
- Increase frequency of Bendigo-Melbourne, Bendigo-Echuca, Bendigo-Swan Hill rail services
- Restoring duplication of the Bendigo-Kyneton rail line
- Funding to significantly increase the delivery of universal access change facilities at rural and regional sporting facilities
- Funding for swimming pool refurbishment program for rural pools



Contact

P 1300 002 642

E requests@bendigo.vic.gov.au

www.bendigo.vic.gov.au



15.3. Draft Annual Financial Statements 30 June 2022

Author:	Nathan Morsillo, Manager Financial Strategy
Responsible Director:	Jessica Clarke-Hong, Acting Director Corporate Performance

Purpose

The purpose of this report is to provide Council with the 30 June 2022 draft Annual Financial Statements, noting their draft pre-audit status at the time of writing this report.

Recommended Motion

1. That Council:
 - a. approve in principle the draft Financial Statements and the draft Performance Statement as presented; and
 - b. authorise the Mayor, Cr Metcalf and Cr Sloan (or their delegates), as the Finance Committee/Audit and Risk Committee representatives to certify the Financial Statements and the Performance Statement in their final form on behalf of the Council of City of Greater Bendigo.
2. The Principal Accounting Officer (Manager Financial Strategy) be authorised to make any non-material changes to the Financial Statements and the Performance Statement that may arise as a result of the audit.
3. The Chair of the Audit and Risk Committee be notified of any material changes proposed to be made to any of the Statements so that it may be decided whether the Audit and Risk Committee needs to meet further to consider such proposed changes prior to two Councillors signing off the Statements.
4. A copy of the Statements in their final form be forwarded to the members of the Audit and Risk Committee.

RESOLUTION - Resolution No. 22/09-9

Moved: Cr O'Rourke

Seconded: Cr Fyffe

That the recommended motion be adopted.

CARRIED

Executive Summary

The City of Greater Bendigo has prepared draft Annual Financial Statements and the Performance Statement for the financial year ending 30 June 2022.

This agenda item seeks a resolution authorising two Councillors to certify the statements. The statements are in the process of being reviewed by the Victorian Auditor General's Office (VAGO), and are considered to be in draft form.

Background

Section 98 of the Local Government Act 2020 requires the following:

- (1) A Council must prepare an annual report in respect of each financial year.
- (2) An annual report must contain the following:
 - (a) a report of operations of the Council;
 - (b) an audited performance statement;
 - (c) audited financial statements;
 - (d) a copy of the auditor's report on the performance statement;
 - (e) a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;
 - (f) any other matters prescribed by the regulations.

The annual report must be presented to a council meeting (open to the public) by 31 October 2022. Council can submit the final version of the Financial Statements to its auditor once it has passed a resolution giving its approval in principle to the Financial Statements and Performance Statement.

Report

Annual financials

The City of Greater Bendigo has prepared draft Annual Financial Statements and the Performance Statement for the financial year ending 30 June 2022.

Headline results in the financial statements

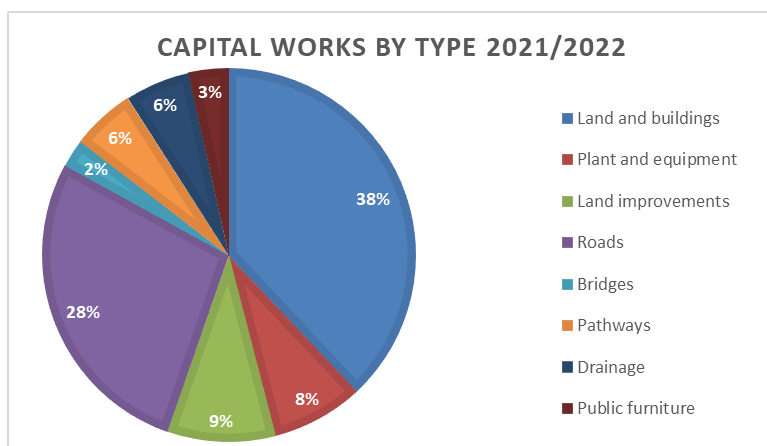
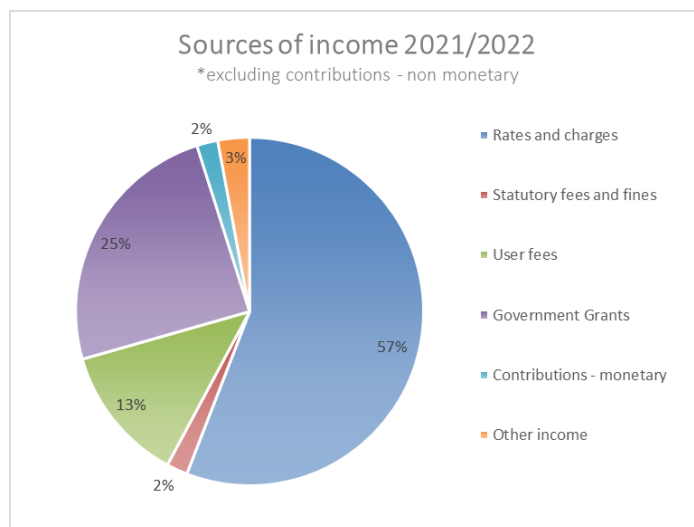
The financial statements, including comprehensive income, balance sheet, cash flows, equity and capital works summarise the financial position as at 30 June 2022. The following section highlights items of note in the Financial Statements.

The year end result is a \$35.2M operating surplus. The budgeted operating surplus was \$21.8M, resulting in a variance of \$13.4M to budget. This result is influenced significantly by grants received during the year. This result is reported in line with applicable Accounting Standards.

Key financials:

- Total income of \$245.4M for the financial year
- Total operating expenses, including non-cash items of \$210.2M
- The City expended \$55M in Capital Works during 2021/2022 (\$40.6M in 2020/2021)

- Capital Works project funding carried forward to 2022/2023 totalled \$12.7M (\$11.9M in 2020/2021).



Cash balances at 30 June 2022 are \$93.9M, a decrease of \$1.16M from the prior year. A large percentage of the 30 June cash balance has some form of restriction or intended allocation for future needs (refer Note 5.1). These include:

- Trust funds and deposits \$3.6M
- Grant funding received in advance \$9.3M
- Reserves \$38.8M
- Cash held to fund carried forward capital works \$11.9M.

An important ratio reported by Councils is the Working Capital Ratio, which demonstrates the level of current assets to current liabilities. The City's Working Capital Ratio is 1.96:1 (2020/2021 was 1.60:1). This is categorised by VAGO financial sustainability assessment criteria to be of low risk. There is significant further analysis of the City's finances available in the 10 year financial plan, available on the City's website.

Council assets have a written down value of \$1.73B across property, infrastructure plant and equipment. Roads, footpaths, drainage, public furniture, land improvement, bridges

and statues and monuments were all revalued during the 2021/2022 financial year. An overall increase in value of \$22M was a result of this revaluation process.

Performance Statement

The Local Government Performance Reporting Framework (LGPRF) requires councils to report against prescribed indicators and measures as part of their Annual Report.

Data and information has been collected and finalised to fulfil the requirements of the LGPRF. This information is used in both the Report of Operations and the Performance Statement in the Annual Report. Only the data and information that goes into the Performance Statement is required to be audited. There are a larger set of indicators which will be reported through the LGPRF framework and published on the [knowyourcouncil](https://www.knowyourcouncil.vic.gov.au/) website.

Indicators and associated audited commentary has been reviewed to include reference to any impact that COVID-19 continues to have on these results.

Communications/Engagement

The draft Annual Financial Statements and the Performance Statement has been presented to the Executive Management Team. The Audit and Risk Committee reviewed and endorsed the draft Statements on 9 September 2022. The financial statements have been reviewed by RSD Audit, who are contracted by the Victorian Auditor General's Office (VAGO) to undertake the external audit.

Financial Sustainability

The annual audit of the Council's Financial Statements costs are \$51,300 and Performance Statements costs approximately \$5,200 which is provided for in the budget. There is also an additional charge of \$1,100 for the audit of the Roads to Recovery funding program which is also completed by VAGO under the same engagement.

Budget Allocation in the Current Financial Year:	Yes
Current Tender Price:	\$57,600
Projected costs for future financial years:	CPI Plus

Risk Assessment

Financial sustainability remains a key City strategic risk, currently in draft back to Audit and Risk Committee as being Medium.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Other Reference(s)

City of Greater Bendigo Financial Plan 2021-2031

City of Greater Bendigo Budget 2021/2022

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. COGB - Financial Statements 30.06.2022 [**15.3.1** - 53 pages]
2. COGB - Performance Statement 30.06.2022 [**15.3.2** - 11 pages]

**Greater Bendigo City Council
ANNUAL FINANCIAL REPORT**

For the Year Ended 30 June 2022

Greater Bendigo City Council
Financial Report
Table of Contents

FINANCIAL REPORT		Page
	Certification of the Financial Statements	1
Financial Statements		
	Comprehensive Income Statement	4
	Balance Sheet	5
	Statement of Changes in Equity	6
	Statement of Cash Flows	7
	Statement of Capital Works	8
Notes to Financial Statements		
Note 1	Overview	9
Note 2	2.1 Performance against budget	11
	2.1.1. Income and expenditure	11
	2.1.2. Capital works	13
	2.2 Analysis of Council results by program	15
Note 3	Funding for the delivery of our services	17
	3.1. Rates and charges	17
	3.2. Statutory fees and fines	17
	3.3. User fees	17
	3.4. Funding from other levels of government	18
	3.5. Contributions	20
	3.6. Net gain/(loss) on disposal of property, infrastructure, plant and equipment	20
	3.7. Other income	20
Note 4	The cost of delivering services	21
	4.1. Employee costs	21
	4.2. Materials and services	21
	4.3. Depreciation	22
	4.4. Amortisation - Intangible assets	22
	4.5. Amortisation - Right of use assets	22
	4.6. Finance Costs - Leases	22
	4.7. Other expenses	22
Note 5	Our financial position	23
	5.1. Financial assets	23
	5.2. Non-financial assets	25
	5.3. Payables, trust funds and deposits and unearned income/revenue	25
	5.4. Interest-bearing liabilities	26
	5.5. Provisions	26
	5.6. Financing arrangements	28
	5.7. Commitments	28
	5.8. Leases	30
Note 6	Assets we manage	31
	6.1. Property, infrastructure plant and equipment	31
	6.2. Investments in associates, joint arrangements and subsidiaries	38
Note 7	People and relationships	39
	7.1. Council and key management remuneration	39
	7.2. Related party disclosure	41
Note 8	Managing uncertainties	42
	8.1. Contingent assets and liabilities	42
	8.2. Change in accounting standards	43
	8.3. Financial instruments	43
	8.4. Fair value measurement	45
	8.5. Events occurring after balance date	45
Note 9	Other matters	46
	9.1. Reserves	46
	9.2. Reconciliation of cash flows from operating activities to surplus/(deficit)	48
	9.3. Superannuation	48
Note 10	Change in accounting policy	51

Greater Bendigo City Council
2021/2022 Financial Report

Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.

Nathan Morsillo, FCPA

Principal Accounting Officer

Date : 26/09/2022

Bendigo

In our opinion the accompanying financial statements present fairly the financial transactions of the Greater Bendigo City Council for the year ended 30 June 2022 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Andrea Metcalf

Councillor

Date : 26/09/2022

Bendigo

Julie Sloan

Councillor

Date : 26/09/2022

Bendigo

Craig Niemann

Chief Executive Officer

Date : 26/09/2022

Bendigo

Greater Bendigo City Council
2021/2022 Financial Report

<INSERT VAGO REPORT - PAGE 1>

<INSERT VAGO REPORT - PAGE 2>

Greater Bendigo City Council
2021/2022 Financial Report

Comprehensive Income Statement
For the Year Ended 30 June 2022

	Note	2022 \$'000	2021 \$'000
Income			
Rates and charges	3.1	133,126	126,357
Statutory fees and fines	3.2	5,340	4,435
User fees	3.3	29,685	20,215
Grants - operating	3.4	41,320	34,135
Grants - capital	3.4	18,504	10,931
Contributions - monetary	3.5	3,497	2,754
Contributions - non monetary	3.5	9,676	12,546
Share of net profits of associates	6.2	180	162
Other income	3.7	4,102	1,988
Total income		245,430	213,523
Expenses			
Employee costs	4.1	76,063	74,766
Materials and services	4.2	80,256	68,183
Depreciation	4.3	41,900	40,582
Amortisation - intangible assets	4.4	931	656
Amortisation - right of use assets	4.5	2,658	2,758
Bad and doubtful debts		624	512
Borrowing costs		1,365	1,820
Finance costs - leases	4.6	258	351
Net loss on disposal of property, infrastructure, plant and equipment	3.6	5,677	11,161
Other expenses	4.7	519	956
Total expenses		210,251	201,745
Surplus/(deficit) for the year		35,179	11,778
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment/(decrement)	6.1	22,013	80,317
Total other comprehensive income		22,013	80,317
Total comprehensive result		57,192	92,095

Greater Bendigo City Council
2021/2022 Financial Report

Balance Sheet
As at 30 June 2022

	Note	2022 \$'000	2021 \$'000
Assets			
Current assets			
Cash and cash equivalents	5.1	47,910	95,075
Other financial assets	5.1	43,000	-
Trade and other receivables	5.1	10,742	11,410
Inventories		214	145
Other assets	5.2	3,748	1,847
Total current assets		105,614	108,477
Non-current assets			
Trade and other receivables	5.1	18	31
Other financial assets	5.1	3,000	-
Investments in associates	6.2	3,735	3,555
Property, infrastructure, plant and equipment	6.1	1,730,095	1,691,935
Right-of-use assets	5.8	4,599	6,892
Forestry plantations		105	105
Intangible assets	5.2	2,513	2,105
Total non-current assets		1,744,065	1,704,623
Total assets		1,849,679	1,813,100
Liabilities			
Current liabilities			
Trade and other payables	5.3	14,694	12,856
Trust funds and deposits	5.3	3,630	3,284
Unearned income/revenue	5.3	13,235	14,474
Provisions	5.5	15,375	18,929
Interest-bearing liabilities	5.4	4,793	15,599
Lease liabilities	5.8	2,247	2,618
Total current liabilities		53,974	67,760
Non-current liabilities			
Provisions	5.5	11,369	11,482
Interest-bearing liabilities	5.4	20,168	24,961
Lease liabilities	5.8	2,615	4,536
Total non-current liabilities		34,152	40,979
Total liabilities		88,126	108,739
Net assets		1,761,553	1,704,361
Equity			
Accumulated surplus		804,021	774,557
Reserves	9.1	957,532	929,804
Total Equity		1,761,553	1,704,361

Greater Bendigo City Council
2021/2022 Financial Report

Statement of Changes in Equity
For the Year Ended 30 June 2022

		Total	Accumulated Surplus	Revaluation Reserve	Other Reserves
	Note	\$'000	\$'000	\$'000	\$'000
2022					
Balance at beginning of the financial year		1,704,361	774,557	896,702	33,102
Surplus/(deficit) for the year		35,179	35,179	-	-
Net asset revaluation increment/(decrement)	6.1	22,013	-	22,013	-
Transfers to other reserves	9.1	-	(21,260)	-	21,260
Transfers from other reserves	9.1	-	15,545	-	(15,545)
Balance at end of the financial year		1,761,553	804,021	918,715	38,817

		Total	Accumulated Surplus	Revaluation Reserve	Other Reserves
		\$'000	\$'000	\$'000	\$'000
2021					
Balance at beginning of the financial year		1,612,266	766,929	816,385	28,952
Surplus/(deficit) for the year		11,778	11,778	-	-
Net asset revaluation increment/(decrement)		80,317	-	80,317	-
Transfers to other reserves	9.1	-	(17,118)	-	17,118
Transfers from other reserves	9.1	-	12,968	-	(12,968)
Balance at end of the financial year		1,704,361	774,557	896,702	33,102

Greater Bendigo City Council
2021/2022 Financial Report

Statement of Cash Flows
For the Year Ended 30 June 2022

		2022	2021
		Inflows/ (Outflows)	Inflows/ (Outflows)
	Note	\$'000	\$'000
Cash flows from operating activities			
Rates and charges		133,505	128,561
Statutory fees and fines		5,422	4,545
User fees		29,960	17,217
Grants - operating		40,082	44,653
Grants - capital		18,504	10,930
Contributions - monetary		3,497	2,754
Interest received		462	385
Trust funds and deposits taken		357	410
Other receipts		125	1,673
Net GST refund/(payment)		(717)	729
Employee costs		(76,222)	(72,632)
Materials and services		(82,212)	(70,934)
Net cash provided by/(used in) operating activities	9.2	72,763	68,291
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	6.1	(55,046)	(40,658)
Proceeds from sale of property, infrastructure, plant and equipment	3.6	998	6,859
Net cash provided by/(used in) investing activities		(54,048)	(33,799)
Cash flows from financing activities			
Net (increase)/decrease in other financial assets		(46,000)	-
Proceeds from borrowings		-	3,000
Finance costs		(1,365)	(1,820)
Repayment of lease liabilities		(2,916)	(2,913)
Repayment of borrowings		(15,599)	(4,164)
Net cash provided by/(used in) financing activities		(65,880)	(5,897)
Net increase (decrease) in cash and cash equivalents		(47,165)	28,595
Cash and cash equivalents at the beginning of the financial year		95,075	66,480
Cash and cash equivalents at the end of the financial year	5.1	47,910	95,075
The following notes also provide details on the city's cash position			
Financing arrangements	5.6		
Restrictions on cash assets	5.1		

Greater Bendigo City Council
2021/2022 Financial Report

Statement of Capital Works
For the Year Ended 30 June 2022

	Note	2022 \$'000	2021 \$'000
Property			
Land		3,875	461
Buildings		17,065	8,256
Total property		20,940	8,717
Plant and equipment			
Plant, machinery and equipment		4,327	3,900
Fixtures, fittings and furniture		4	157
Fountains, statues and monuments		37	102
Total plant and equipment		4,368	4,159
Infrastructure			
Land improvements		4,061	1,195
Bridges		1,363	276
Sealed roads		11,825	11,601
Unsealed roads		3,367	2,976
Pathways		3,018	4,216
Drainage		3,099	3,196
Public furniture and fittings		3,005	4,322
Total infrastructure		29,738	27,782
Total capital works expenditure	6.1	55,046	40,658
Represented by:			
New asset expenditure		19,873	13,112
Asset renewal expenditure		34,704	26,768
Asset upgrade expenditure		469	778
Total capital works expenditure		55,046	40,658

Notes to the Financial Report For the Year Ended 30 June 2022

Note 1 OVERVIEW

Introduction

The Greater Bendigo City Council was established by an Order of the Governor in Council on 10th September 1993 and is a body corporate. The Council's customer service centre is located at 15 Hopetoun Street, Bendigo, Victoria.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Significant accounting policies

(a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3)
- the determination, in accordance with *AASB 16 Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not *AASB 1059 Service Concession Arrangements: Grantors* is applicable
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

(b) Impact of Covid-19

The 2021/2022 budget was developed on the basis of a relatively stable level of trade and limited restrictions. The budget settings which assumed that a 'COVID-normal' 2021/2022 would emerge were optimistic in the first half of the financial year.

The COVID-19 pandemic continued to have an impact on Greater Bendigo households and businesses in our community over the financial year, including a lockdown in the region in August 2021 and State Government direction for people to continue working from home where possible until early 2022. The City's approach in this financial year was to provide support initiatives to those in the community most affected by the COVID-19 pandemic and pursue measures for community sustainability and recovery. The City continued to provide a range of financial hardship measures to support the community. A number of community fees and charges were frozen for a second year in a row at 2019/2020 levels, together with deferral options for rates payments and waiver of interest charges for those experiencing financial hardship, which reduced the overall income.

Despite the continuing challenges from the COVID-19 pandemic and a lockdown between August 2 to September 10, essential City services for the community continued to operate. A number of services which had fees and charges income related to large group gatherings or events had significantly reduce revenue. However overall for the City this was largely offset by decreased costs where certain services could not be undertaken due to State Government restrictions. With high double vaccination rates in the community, the region adjusted to a 'new normal' COVID environment and more free movements of people in Victoria. This led to more events being planned and a boost to the domestic visitor economy in 2022.

COVID-19 also impacted delivery of the City's Capital Program. Absenteeism due to illness and/or isolation requirements across the City (and the wider construction sector) had a general impact on the delivery of the capital works program as a whole. \$13.5m of the 2021/2022 capital works program is being carried forward for completion in future financial years.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 2.1 Performance against budget

The performance against budget notes compare the City's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. The City has adopted a materiality threshold with explanations provided if the operational expense variance is greater than 10% and is greater than \$2,500,000 (capital expenditure greater than 10% and \$1,000,000). Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

2.1.1 Income and expenditure

	Budget 2022 \$'000	Actual 2022 \$'000	Variance \$'000	Variance %	Ref
Income					
Rates and charges	132,935	133,126	191	0%	
Statutory fees and fines	5,429	5,340	(89)	-2%	
User fees	27,226	29,685	2,459	9%	
Grants - operating	27,620	41,320	13,700	50%	1
Grants - capital	13,397	18,504	5,107	38%	2
Contributions - monetary	3,204	3,497	293	9%	
Contributions - non monetary	15,225	9,676	(5,549)	-36%	3
Share of net profits of associates	95	180	85	89%	
Other income	2,486	4,102	1,616	65%	4
Total income	227,617	245,430	17,813	8%	
Expenses					
Employee costs	74,096	76,063	(1,967)	-3%	5
Materials and services	79,810	80,256	(446)	-1%	
Depreciation	42,217	41,900	317	1%	
Amortisation - intangible assets	845	931	(86)	-10%	
Amortisation - right of use assets	2,439	2,658	(219)	-9%	
Bad and doubtful debts	335	624	(289)	-86%	
Borrowing costs	1,639	1,365	274	17%	
Finance costs - leases	258	258	-	0%	
Net loss on disposal of property, infrastructure, plant and equipment	4,100	5,677	(1,577)	-38%	
Other expenses	92	519	(427)	-464%	
Total expenses	205,831	210,251	(4,420)	-2%	
Surplus/(deficit) for the year	21,786	35,179	13,393	61%	

*The budget for other income at Interest Revenue has been realigned to be comparable against actual revenue.

2.1.1 Income and expenditure (cont.)

(i) Explanation or material variations

1. Grants - operating

The City received 75% of the 2022/2023 financial assistance grant in advance totalling \$14.8m however only 50% early payment of \$11m was included in the adopted budget. This advance payment is not known until late each financial year. A \$3m grant was also received during the year to contribute to the costs associated with the move to the new Galkangu shared government services hub. Unbudgeted operating grant revenue was also received to help deliver the Healthy Heart Victoria program which is an initiative aimed at improving the health of people in the Loddon Campaspe region – the 'heart' of Victoria.

2. Grants - capital

The City received and recognised various grants during the financial year to fund capital projects that were not in the original adopted budget (\$5.1m). The majority of unbudgeted capital grants were for the Golden Dragon Museum & Precinct (\$794,000), Bancroft Street safety works (\$781,000), Bendigo Airport Terminal & Precinct (\$687,000), Bendigo Art Gallery Redevelopment (\$560,000), Bendigo Showgrounds Upgrade (\$280,000), Raywood Recreation Reserve - Netball/Tennis Courts (\$254,000) and the Woodvale Recreation Reserve Community Hub (\$248,000).

3. Contributions - non monetary

The City's contributions - non-monetary budget is set based on an assessment of recent years actual contributions received, the majority of which is infrastructure received through the sub division process. It is difficult to get an estimate of when subdivision infrastructure will be handed over to the City at the time the budget is set.

4. Other income

Other income included \$1.4m in relation to the change in the discounted amount. This is due to changes in estimates on timing and the effect of any change in the discount rate for the landfill rehabilitation estimate. This is particularly related to the aftercare component of this provision.

5. Employee Costs

During the financial year there were a number of staff vacancies which resulted in underspends across the City of approximately \$1m. This underspend was offset by the City receiving unbudgeted external grant funding to support the delivery of specific projects, resulting in an additional spend of \$2.9m in employee costs.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

2.1.2 Capital works

	Budget 2022 \$'000	Actual 2022 \$'000	Variance \$'000	Variance %	Ref
Property					
Land	5,950	3,875	(2,075)	-35%	1
Buildings	14,343	17,065	2,722	19%	2
Total property	20,293	20,940	647	3%	
Plant and equipment					
Plant, machinery and equipment	3,840	4,327	487	13%	3
Fixtures, fittings and furniture	962	4	(958)	-100%	
Fountains, statues and monuments	55	37	(18)	-33%	
Total plant and equipment	4,857	4,368	(489)	-10%	
Infrastructure					
Land improvements	4,212	4,061	(151)	-4%	
Bridges	1,254	1,363	109	9%	
Sealed roads	11,640	11,825	185	2%	
Unsealed roads	3,200	3,367	167	5%	
Pathways	3,000	3,018	18	1%	
Drainage	3,160	3,099	(61)	-2%	
Public furniture and fittings	3,683	3,005	(678)	-18%	
Total infrastructure	30,149	29,738	(411)	-1%	
Total capital works expenditure	55,299	55,046	(253)	0%	
Represented by:					
New asset expenditure	20,788	19,873	(915)	-4%	
Asset renewal expenditure	34,188	34,704	516	2%	
Asset upgrade expenditure	323	469	146	45%	
Total capital works expenditure	55,299	55,046	(253)	0%	

2.1.2 Capital works (cont.)

(i) Explanation of material variations

1. Land

The City purchased 2 parcels of land during the year in relation to the land development plan implementation project. The remaining unspent budget balance will be carried forward into 2022/2023 and 2023/2024.

2. Buildings

Several key projects utilised carried forward budget from 2020/2021 totaling \$2.19m. Included in these projects is the multi-year Bendigo Botanical Gardens Central Hub.

Bendigo Airport Apron Expansion, Bendigo Airport Terminal & Precinct and Bendigo Showgrounds Upgrade had combined expenditure of \$1.76m, over and above the original budget.

3. Fixtures, fittings and furniture

This budget line is predominantly for the purchase of IT equipment and computers. The majority of these assets purchased in 2021/2022 were not assessed as capital expenditure in line COGB's capitalisation policy and Australian accounting standards, and therefore have not been included as part of the Statement of Capital Works.

Note 2.2 Analysis of Council results by program

The City delivers its functions and activities through the following organisational structure.

2.2.1 Corporate Performance

The Corporate Performance directorate leads, enables and strengthens the organisation to ensure it has the resources and capability to deliver on the Community Plan. The directorate does this through developing our people and culture, systems and processes, good governance practices and financial stewardship to ensure the delivery of high quality services and programs. The directorate leads innovation, change, transformation and project management, to ensure we are ready to meet the challenges and opportunities of the future in partnership with our community.

Healthy Communities and Environment

The Healthy Communities and Environment directorate plans and delivers a broad and diverse range of community services and programs aimed at supporting people to live their lives fully and be active, safe, engaged and healthy. The focus of the directorate is on developing policy, plans and programs in partnership with the community, delivering services, and supporting the delivery of community infrastructure projects.

Presentation and Assets

The Presentation and Assets directorate provides and maintains high quality assets and services that help make Greater Bendigo a great place to live, while planning and delivering new assets and services to support Bendigo's ongoing growth. Demonstrating and committing to environmentally responsible thinking and practices and encouraging this throughout the organisation and community is an important focus for the directorate. Business units include Engineering, Resource Recovery and Education, Works, Parks and Open Space and Property Services.

Strategy and Growth

The Strategy and Growth directorate incorporates responsibility for Bendigo Art Gallery, Economic Development, Bendigo Venues and Events, Strategic Planning, Statutory Planning, and Tourism and Major Events. The overarching role of the directorate is to contribute to the economic, cultural and social prosperity of our region by identifying and supporting investment opportunities, employment generation and the integrated planning for the sustainable growth of our City and region.

Further details on the services provided by each directorate can be found within the City's annual Budget, published on the City's website.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

2.2.2 Summary of income, expenses, assets and capital expenses by program

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2022					
Corporate Performance *	162,182	26,333	135,849	27,713	133,970
Healthy Communities & Environments	29,811	38,967	(9,156)	14,950	217,533
Presentation and Assets	35,544	115,985	(80,441)	13,648	1,434,064
Strategy and Growth	17,893	28,966	(11,073)	3,513	64,112
	245,430	210,251	35,179	59,824	1,849,679

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2021					
Corporate Performance *	157,238	18,582	138,656	18,646	131,319
Health and Wellbeing	23,853	41,229	(17,376)	11,806	213,231
Presentation and Assets	23,505	117,118	(93,613)	12,582	1,405,706
Strategy and Growth	8,927	24,816	(15,889)	2,032	62,844
	213,523	201,745	11,778	45,066	1,813,100

* Includes the Office of the CEO for the purpose of this reporting.

Further details relating to individual services, areas, and expenditure to support the Council Plan is best reviewed in the City's budget, published annually. The City's budget can be accessed at www.bendigo.vic.gov.au. A variety of other service details, reporting and ratios are also accessible for all Local Government entities at www.knowyourcouncil.vic.gov.au.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 3 Funding for the delivery of our services	2022	2021
3.1 Rates and charges	\$'000	\$'000

The City declares rates on the Capital Improved Value (CIV) of all rateable property within the municipal district. The CIV is the value of the land and all its improvements. Valuations are undertaken annually by the Valuer General of Victoria.

The valuation base used to calculate general rates for 2021/22 was \$25,923,717,000 (2020/21 \$23,877,068,000).

General rates	107,911	104,298
Supplementary rates and rate adjustments	1,622	1,546
Garbage charge	13,782	11,595
Recyclable charge	5,263	5,078
Organics charge	4,166	3,840
Interest on rates and charges	382	-
Total rates and charges	133,126	126,357

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2021, and the valuation was first applied in the rating year commencing 01 July 2021. Annual rates and charges are recognised as revenues when the City issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2 Statutory fees and fines

Building and planning	2,400	2,498
Parking	352	213
Regulatory service	312	283
Fines	1,333	900
Other fees and charges	943	541
Total statutory fees and fines	5,340	4,435

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

3.3 User fees

Leisure centre and recreation	698	472
Child care / children's programs	4,084	3,571
Parking	3,022	2,534
Saleyard yarding	1,038	1,164
Regulatory service	1,210	952
Ticket income *	6,639	1,444
Sales income	1,896	858
Waste management services	7,673	6,641
Other fees and charges	3,425	2,579
Total user fees	29,685	20,215
User fees by timing of revenue recognition		
User fees recognised over time	6,639	1,444
User fees recognised at a point in time	23,046	18,771
Total user fees	29,685	20,215

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms. * Ticket income consists of ticket sales through Ulumburra Theatre, the Capital Theatre, Bendigo Art Gallery and the Visitor Information Centre.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

3.4 Funding from other levels of government

Grants were received in respect of the following:

	2022	2021
Summary of grants	\$'000	\$'000
Commonwealth funded grants	37,016	24,210
State funded grants	22,808	20,856
Total grants received	59,824	45,066

(a) Operating Grants

Recurrent - Commonwealth Government

Financial Assistance Grants - Unallocated	19,773	13,195
Financial Assistance Grants - Local Roads	4,900	3,544
Aged Services	4,483	4,393
Health services - immunisation	10	9

Recurrent - State Government

Aged	55	46
Arts and culture	311	328
Community safety	-	369
Environment	70	58
Family and children	140	247
Health services - immunisation	80	79
Maternal and child health	2,008	1,574
Rural access initiative	733	723
School crossing supervisors	284	260
Youth	84	46

Total recurrent operating grants

32,931	24,871
---------------	---------------

Non-recurrent - Commonwealth Government

Aged	-	25
Arts & Culture	100	5
Inclusive employment initiative	-	389
Recreation / healthy communities	5	-
Transport	-	80

Non-recurrent - State Government

Airport	50	-
Arts and culture	694	41
Business development	-	598
Business support	1,174	555
Community and strategy planning	502	171
Community employment connectors	-	260
Community safety	95	35
Cultural diversity	416	-
Emergency management	100	73
Environment	66	61
Family and children	126	259
Galkangu	3,000	1,000
Recreation / healthy communities	1,523	952
Tourism / events projects	237	226
Working for Victoria	-	4,404
Youth	-	39
Other	301	91

Total non-recurrent operating grants

8,389	9,264
--------------	--------------

Total operating grants

41,320	34,135
---------------	---------------

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

3.4 Funding from other levels of government (cont.)

	2022	2021
	\$'000	\$'000
(b) Capital Grants		
<i>Recurrent - Commonwealth Government</i>		
Roads to recovery	2,246	2,246
<i>Non-recurrent - Commonwealth Government</i>		
Airport	279	93
Local roads & community infrastructure	3,829	-
Parks and open spaces	644	231
Recreation / healthy communities	747	-
<i>Non-recurrent - State Government</i>		
Airport	407	94
Art gallery redevelopment	560	-
Family and children	-	86
Footpaths	60	365
Golden dragon museum & precinct	794	-
Heritage	100	99
Local roads and streets	1,805	5,491
Parks and open spaces	3,269	352
Recreation / healthy communities	3,287	1,861
TAC towards zero	-	13
Showgrounds upgrade	280	-
Waste	197	-
Total non-recurrent capital grants	16,258	8,685
Total capital grants	18,504	10,931

(c) Unspent grants received on condition that they be spent in a specific manner

Operating

Balance at start of year	9,257	9,430
Received during the financial year and remained unspent at balance date	3,040	9,097
Received in prior years and spent during the financial year	(9,257)	(9,270)
Balance at year end	3,040	9,257

Capital

Balance at start of year	272	350
Received during the financial year and remained unspent at balance date	6,344	-
Received in prior years and spent during the financial year	(272)	(78)
Balance at year end	6,344	272

(d) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with *AASB 15 Revenue from Contracts with Customers*. When both these conditions are satisfied, the Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies *AASB 1058 Income for Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

3.4 Funding from other levels of government (cont.)

	2022	2021
	\$'000	\$'000
Income recognised under AASB 1058 Income of Not-for-Profit Entities		
General purpose	24,673	16,738
Specific purpose grants to acquire non-financial assets	18,060	10,601
Other specific purpose grants	3,517	2,635
Revenue recognised under AASB 15 Revenue from Contracts with Customers		
Specific purpose grants	13,574	15,092
	59,824	45,066

3.5 Contributions

Monetary	3,497	2,754
Non-monetary - developer contributed assets	9,334	12,284
Non-monetary - donated / gifted assets	342	262
	9,676	12,546
Total contributions	13,173	15,300

Contributions of non monetary assets were received in relation to the following asset classes.

Artworks	342	262
Land	1,926	3,834
Buildings	-	183
Sealed roads	3,686	4,265
Unsealed roads	85	48
Pathways	1,183	1,324
Drainage	1,882	2,358
Bridges	-	272
Other	572	-
Total non-monetary contributions	9,676	12,546

Monetary and non monetary contributions are recognised as revenue at their fair value when the City obtains control over the contributed asset.

3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment

Proceeds of sale	998	6,859
Written down value of assets disposed	(6,675)	(17,770)
Disposal of assets classified as held for sale	-	(250)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	(5,677)	(11,161)

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.7 Other income

Rental income	1,620	1,281
Revenue from volunteer services	332	97
Interest on investment	439	350
Landfill Rehabilitation	1,404	-
Other income	307	260
Total other income	4,102	1,988

Revenue from volunteer services responds AASB 1058, and is an estimate of work undertaken during the year, which matches Note 4.7 other expenses.

Interest is recognised as it is earned.

Landfill rehabilitation income represents the movement in the rehabilitation estimate for closed sites due to the change in the discounted amount arising because of time and the effect of any change in the discount rate.

Other income is measured at the fair value of the consideration received or receivable and is recognised when the City gains control over the right to receive the income.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 4 The cost of delivering services	2022	2021
4.1 (a) Employee costs	\$'000	\$'000
Wages and salaries	66,703	65,676
WorkCover	1,236	856
Superannuation	6,531	6,256
Fringe benefits tax	198	226
Agency Staff	1,395	1,752
Total employee costs	76,063	74,766

(b) Superannuation

The City made contributions to the following funds:

Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	331	356
Employer contributions - other funds	-	-
	331	356
Employer contributions payable at reporting date.	-	-

Accumulation funds

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	3,594	3,114
Employer contributions - Aware Super	456	393
Employer contributions - Australian Super	447	241
Employer contributions - Hostplus Super	290	337
Employer contributions - other funds	1,413	1,815
	6,200	5,900
Employer contributions payable at reporting date.	286	257

Refer to Note 9.3 for further information relating to the City's superannuation obligations.

4.2 Materials and services

Contract payments (by Service Unit)*		
Resource Recovery & Education	14,129	11,462
Parks & Open Space	3,451	3,323
Library Services	3,237	3,191
Active and Healthy Communities	2,275	2,271
Bendigo Venues and Events	2,394	822
Engineering	1,482	956
Capital/Major Projects	1,832	484
Works	1,224	902
Tourism and Major Events	984	546
Economic Development	879	599
Art Gallery	988	449
Property Services	613	528
Strategic Planning	488	622
Safe & Healthy Environments	493	475
Community Wellbeing	468	231
Other contract payments	1,325	1,991
Administration expense	7,154	6,061
Utility expenses	5,293	5,303
Materials, concrete products and hardware	6,917	5,966
Maintenance and consumables	11,588	11,337
Plant and equipment operating expenses	6,018	4,879
Contributions and donations	5,181	4,013
Insurance	1,843	1,772
Total materials and services	80,256	68,183

* The City has disclosed larger categories of Contract payments by Service Unit.

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

	2022	2021
	\$'000	\$'000
4.3 Depreciation		
Property	9,664	8,546
Plant and equipment	3,157	3,206
Infrastructure	29,079	28,830
Total depreciation	41,900	40,582

Refer to Note 5.2, 5.8 and 6.1 for a further detailed breakdown of depreciation and amortisation charges and accounting policy.

4.4 Amortisation - Intangible assets

Landfill airspace	931	656
Total Amortisation - Intangible assets	931	656

4.5 Amortisation - Right of use assets

Property	1,480	1,617
Plant and equipment	1,143	1,106
Other	35	35
Total Amortisation - Right of use assets	2,658	2,758

4.6 Finance Costs - Leases

Interest - Lease Liabilities	258	351
Total finance costs	258	351

4.7 Other expenses

Auditors' remuneration - VAGO - audit of the financial statements, performance statement	62	58
Auditors' remuneration - Internal Audit and grant acquittals	57	34
Cost of service for volunteer services	332	97
Discount rate movement of landfill provision	68	(628)
Landfill rehabilitation and aftercare	-	1,395
Total other expenses	519	956

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 5 Our financial position

	2022	2021
5.1 Financial assets	\$'000	\$'000
(a) Cash and cash equivalents		
Cash on hand	25	24
Cash at bank	33,848	7,480
Term deposits (maturity dates of less than 3 months)	14,037	87,571
Total cash and cash equivalents	47,910	95,075

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

(b) Other financial assets		
Term deposits - current (maturity dates of three to 12 months)	43,000	-
Term deposits - non-current (maturity dates of greater than 12 months)	3,000	-
Total other financial assets	46,000	-
Total financial assets	93,910	95,075

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

The City's cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

- Trust funds and deposits (Note 5.3)	3,630	3,284
- Grants received in advance (Note 5.3)	9,384	12,570
Total restricted funds	13,014	15,854
Total unrestricted cash and cash equivalents	34,896	79,221

Total unrestricted cash and cash equivalents, and financial assets (term deposits)	80,896	79,221
-------------------------------------------------------------------------------------------	---------------	---------------

Intended allocations

Although not externally restricted the following amounts have been allocated for specific future purposes by the City:

- Other reserves - internal allocation determined by Council	38,817	33,102
- Cash allocated for carried forward capital projects	11,916	11,947
Total funds subject to intended allocations	50,733	45,049

Refer to Note 9.1 (b) Other Reserves for further detail relating to the City's intended allocations being held in reserves.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

5.1 Financial assets (cont.)	2022	2021
(c) Trade and other receivables	\$'000	\$'000
Current		
<i>Statutory receivables</i>		
Rates debtors	2,043	2,437
Infringement debtors	4,378	4,146
Provision for doubtful debts - infringements	(1,700)	(1,385)
Net GST receivable	1,676	959
<i>Non statutory receivables</i>		
Other debtors	432	275
General debtors - grants	1,367	2,986
General debtors - other	2,591	2,123
Allowance for doubtful debts - general debtors	(45)	(131)
Total current trade and other receivables	10,742	11,410
Non-current		
<i>Non statutory receivables</i>		
Other debtors	18	31
Total non-current trade and other receivables	18	31
Total trade and other receivables	10,760	11,441

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of Receivables

The ageing of the City's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	2,540	3,047
Past due by up to 30 days	751	947
Past due between 31 and 180 days	507	838
Past due between 181 and 365 days	268	59
Past due by more than 1 year	297	393
Total trade and other receivables	4,363	5,284

(e) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$1,744,855 (2021: \$1,516,155) were impaired. The amount of the provision raised against these debtors was \$1,744,855 (2020: \$1,516,155). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with the City's debt collectors or are on payment arrangements. The largest component of the increase as at 30 June 2022 is in relation to Statutory amounts held by Fines Victoria, predominantly related to parking and animal infringements. The City has no control over collection once information is remitted to Fines Victoria, and the increase in provision is in line with infringement debts >3 years old increasing, and changed Victorian economic conditions.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	7
Past due between 181 and 365 days	11	61
Past due by more than 1 year	1,734	1,448
Total trade & other receivables	1,745	1,516

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

5.2 Non-financial assets	2022	2021	
(a) Other assets	\$'000	\$'000	
Prepayments	1,215	1,448	
Accrued Income	2,533	399	
	3,748	1,847	
(b) Intangible assets			
Landfill air space	2,269	1,861	
Water rights	244	244	
Total intangible assets	2,513	2,105	
	Landfill	Water Rights	Total
	\$'000	\$'000	\$'000
Gross carrying amount			
Balance at 1 July 2021	5,090	244	5,334
Other additions	1,338	-	1,338
Balance at 30 June 2022	6,428	244	6,672
Accumulated amortisation and impairment			
Balance at 1 July 2021	(3,229)	-	(3,229)
Amortisation expense	(930)	-	(930)
Balance at 30 June 2022	(4,159)	-	(4,159)
Net book value at 30 June 2021	1,861	244	2,105
Net book value at 30 June 2022	2,269	244	2,513

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

5.3 Payables, trust funds and deposits and unearned income/revenue

(a) Trade and other payables

Non-statutory payables

Trade payables	7,808	7,318
Sundry creditors	6,733	5,212
Accrued expenses	153	326
Total trade and other payables	14,694	12,856

(b) Trust funds and deposits

Refundable security holding deposits	3,052	2,691
Fire service levy (held for the state revenue office)	408	421
Other	170	172
Total trust funds and deposits	3,630	3,284

(c) Unearned income

Grants received in advance - operating	3,040	4,636
Grants received in advance - capital	6,344	7,934
Pre sold ticket income	3,851	1,904
Total unearned income	13,235	14,474

Unearned income/revenue represents contract liabilities and reflect consideration received in advance from customers in respect of delivering a service or constructing an asset that will benefit the City's residents. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

Amounts received as deposits and retention amounts controlled by the City are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in the City gaining control of the funds, are to be recognised as revenue at the time of forfeit.

Purpose and nature of items

Fire Service Levy - the City is the collection agent for fire services levy on behalf of the State Government. Payments receipted by the City before the end of financial year are held in trust until the payment is made to the State Revenue Office on due dates.

Refundable security holding deposits - deposits are taken by the City as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Pre sold ticket income - sales for upcoming performances, predominantly at the Capital and Ulumburra theatres, are held as a deposit and only recognised as income once the performance has occurred.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

5.4 Interest-bearing liabilities	2022 \$'000	2021 \$'000
Current		
Borrowings - secured	4,793	15,599
Treasury Corporation of Victoria borrowings - secured	-	-
	4,793	15,599
Non-current		
Borrowings - secured	20,168	24,961
Treasury Corporation of Victoria borrowings - secured	-	-
	20,168	24,961
Total	24,961	40,560
Borrowings are secured against a charge over the City's rate revenue.		
The maturity profile for the City's borrowings is:		
Not later than one year	4,793	15,599
Later than one year and not later than five years	17,738	19,780
Later than five years	2,430	5,181
	24,961	40,560

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the City has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The City determines the classification of its interest bearing liabilities at initial recognition.

5.5 Provisions

	Employee \$ '000	Landfill restoration \$ '000	Total \$ '000
2022			
Balance at beginning of the financial year	16,951	13,460	30,411
Additional provisions	6,972	-	6,972
Amounts used	(6,549)	(3,509)	(10,058)
Change in provision estimate	-	1,178	1,178
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(583)	(1,176)	(1,759)
Balance at the end of the financial	16,791	9,953	26,744
2021			
Balance at beginning of the financial year	16,590	13,965	30,555
Additional provisions	7,138	-	7,138
Amounts used	(5,944)	(1,823)	(7,767)
Change in provision estimate	-	1,946	1,946
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(833)	(628)	(1,461)
Balance at the end of the financial	16,951	13,460	30,411
Current			
Employee provisions	15,093		15,175
Landfill provision	282		3,754
	15,375		18,929
Non-current			
Employee provisions	1,698		1,776
Landfill provision	9,671		9,706
	11,369		11,482

5.5 Provisions (cont.)

	2022	2021
	\$'000	\$'000
(a) Employee provisions		
Current provisions expected to be wholly settled within 12 months		
Annual leave	4,360	4,278
Long service leave	1,649	1,773
Sick leave	13	17
	6,022	6,068
Current provisions expected to be wholly settled after 12 months		
Annual leave	1,216	1,258
Long service leave	7,725	7,660
Sick leave	130	189
	9,071	9,107
Total current employee provisions	15,093	15,175
Non-current		
Long service leave	1,698	1,776
Total non-current employee provisions	1,698	1,776
Aggregate carrying amount of employee provisions:		
Current	15,093	15,175
Non-current	1,698	1,776
Total aggregate carrying amount of employee provisions	16,791	16,951

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

Annual Leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave, Sick Leave (contracted employees)

Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as the City does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Effective 6 May 1996, the Sick Leave Gratuity Scheme (former City of Bendigo) arrangements and payments ceased to operate. However a number of staff who are entitled to this scheme remain employed by the City. It shall be adjusted annually within one (1) month of the publication of the Consumer Price Index.

Effective 1 April 1998, the Accumulated Sick Leave Scheme arrangements and payments cease to operate. However a number of staff who are entitled to this scheme remain employed by Greater Bendigo City Council. This balance is adjusted based on the individuals applicable pay rate.

	2022	2021
Key assumptions:		
- discount rate	3.69%	1.49%
- index rate	3.85%	2.95%

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

5.5 Provisions (cont.)

	2022	2021
	\$'000	\$'000
(b) Landfill restoration		
Current	282	3,754
Non-current	9,671	9,706
	9,953	13,460

The City is obligated to restore the active Eaglehawk landfill site and also the closed sites at White Hills and Flora Hill (Wolstencroft site). The forecast life of the Eaglehawk site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the sites to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Key assumptions:	2022	2021
- discount rate	3.38%	1.49%
- index rate	3.08%	2.68%

5.6 Financing arrangements

The City has the following funding arrangements in place as at 30 June 2022.

Bank overdraft	3,500	3,500
Credit card facilities	400	400
Interest-bearing liabilities	24,961	40,560
Total facilities	28,861	44,460
Used facilities	25,073	40,623
Unused facilities	3,788	3,837

5.7 Commitments

The City has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

(a) Commitments for expenditure

2022	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Operating					
Aquatic and leisure facilities	2,359	497	1,420	-	4,276
Building essential services	590	294	713	238	1,835
Car parking	226	29	-	-	255
Cleaning contracts	1,063	171	-	-	1,234
Communications	104	19	19	-	142
Community events	290	278	428	45	1,041
Contract management	301	141	75	-	517
Exhibitions	376	-	-	-	376
Galkangu - rental and shared services	591	2,364	7,527	52,598	63,080
Insurance	15	15	15	-	45
Internal audit	53	-	-	-	53
IT / telecommunications	45	26	26	-	97
Organics collection	1,320	1,353	4,264	-	6,937
Processing organic waste	2,151	2,203	4,573	-	8,927
Recyclable garbage collection	1,540	1,579	4,972	-	8,091
Processing recyclable garbage	1,584	1,624	3,368	-	6,576
Sanitary services	88	37	112	39	276
Strategic planning	124	-	-	-	124
Theatre costs	213	17	-	-	230
Transportation of waste from Eaglehawk Landfill	776	-	-	-	776
Waste disposal	3,036	3,036	-	-	6,072
Website development	75	-	-	-	75
Total	16,920	13,683	27,512	52,920	111,035

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

5.7 Commitments (Cont.)

2022	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
Car parking	179	-	-	-	179
Construction works	6,553	-	-	-	6,553
Galkangu - fit out costs	5,000	-	-	-	5,000
Garbage bins	330	-	-	-	330
Plant	3,278	-	-	-	3,278
Rehabilitation works	529	-	-	-	529
Total	15,869	-	-	-	15,869
2021					
Operating					
Aquatic and leisure facilities	1,849	-	-	-	1,849
Building essential services	95	102	204	102	503
Car parking	124	109	-	-	233
Cleaning contracts	837	800	785	396	2,818
Communications	24	24	-	-	48
Community events	369	215	156	119	859
Contract management	390	130	168	-	688
Exhibitions	95	-	-	-	95
Internal audit	42	-	-	-	42
IT / telecommunications	777	462	335	24	1,598
Organics collection	1,226	1,228	2,511	1,284	6,249
Processing organic waste	2,022	2,024	1,500	-	5,546
Recyclable garbage collection	1,564	1,582	3,114	-	6,260
Sanitary services	31	31	62	31	155
Theatre costs	177	-	-	-	177
Transportation of waste from Eaglehawk Landfill	1,543	1,605	-	-	3,148
Waste Disposal	3,800	3,895	3,992	-	11,687
Total	14,965	12,207	12,827	1,956	41,955
Capital					
Car Parking	239	39	-	-	278
Construction works	11,469	-	-	-	11,469
Garbage Bins	300	300	900	-	1,500
Plant	461	-	-	-	461
Rehabilitation Works	271	3,726	-	-	3,997
Total	12,740	4,065	900	-	17,705

(b) Operating lease receivables
Operating lease receivables

The City has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.

	2022 \$'000	2021 \$'000
Not later than one year	1,253	1,362
Later than one year and not later than five years	1,789	1,934
Later than five years	418	479
	3,460	3,775

5.8 Leases

At inception of a contract, an assessment is made whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, the City recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, the City uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that the City is reasonably certain to exercise, lease payments in an optional renewal period if the City is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless the City is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Right-of-Use Assets

	Property	Plant & Equipment	Other	Total
2022	\$'000	\$'000	\$'000	\$'000
Balance at 1 July 2021	2,521	4,272	99	6,892
Additions	275	97	-	372
Disposals	(7)	-	-	(7)
Amortisation charge	(1,480)	(1,143)	(35)	(2,658)
Balance at 30 June 2022	1,309	3,226	64	4,599

Lease Liabilities

	2022	2021
	\$'000	\$'000
Maturity analysis - contractual undiscounted cash flows		
Less than one year	2,402	2,872
One to five years	2,734	4,485
More than five years	53	371
Total undiscounted lease liabilities as at 30 June:	5,189	7,728

Lease liabilities included in the Balance Sheet at 30 June:

Current	2,247	2,618
Non-current	2,615	4,536
Total lease liabilities	4,862	7,154

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 6 Assets we manage

6.1 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	Carrying amount 30 June 2021	Additions	Contributions	Revaluation	Depreciation	Disposals and write-offs	Transfers	Carrying amount 30 June 2022
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property	634,067	3,894	1,926	-	(9,664)	(220)	1,305	631,308
Plant and equipment	85,501	4,305	915	2,197	(3,157)	(852)	93	89,002
Infrastructure	940,184	-	6,835	19,816	(29,079)	(3,377)	23,929	958,308
Work in progress	32,183	46,847	-	-	-	(2,226)	(25,327)	51,477
	1,691,935	55,046	9,676	22,013	(41,900)	(6,675)	-	1,730,095

Summary of Work in Progress

	Opening WIP	Additions	Write-off	Transfers	Closing WIP
Property	7,629	17,831	(922)	(1,305)	23,233
Plant and equipment	107	33	-	(93)	47
Infrastructure	24,447	28,983	(1,304)	(23,929)	28,197
Total	32,183	46,847	(2,226)	(25,327)	51,477

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

6.1 Property, infrastructure, plant and equipment (cont.)

(a) Property

	Land - specialised	Land - non specialised	Land under roads	Total Land	Heritage buildings	Buildings - specialised	Buildings - non specialised	Total Buildings	Total Property
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	271,705	7,142	11,943	290,790	172,759	317,667	9,421	499,847	790,637
Accumulated depreciation at 1 July 2021	-	-	-	-	(56,320)	(100,250)	-	(156,570)	(156,570)
	271,705	7,142	11,943	290,790	116,439	217,417	9,421	343,277	634,067
Movements in fair value									
Additions	3,894	-	-	3,894	-	-	-	-	3,894
Contributions	1,346	-	580	1,926	-	-	-	-	1,926
Disposal	-	-	-	-	-	-	-	-	-
Write-off	-	-	-	-	(450)	(319)	-	(769)	(769)
Transfers	-	-	-	-	-	1,305	-	1,305	1,305
Revaluation	-	-	-	-	-	-	-	-	-
	5,240	-	580	5,820	(450)	986	-	536	6,356
Movements in accumulated depreciation									
Depreciation and amortisation	-	-	-	-	(2,978)	(6,538)	(148)	(9,664)	(9,664)
Accumulated depreciation of disposals	-	-	-	-	-	-	-	-	-
Accumulated depreciation of write-offs	-	-	-	-	357	192	-	549	549
Accumulated depreciation of Contributions	-	-	-	-	-	-	-	-	-
Revaluation	-	-	-	-	-	-	-	-	-
	-	-	-	-	(2,621)	(6,346)	(148)	(9,115)	(9,115)
At fair value 30 June 2022	276,945	7,142	12,523	296,610	172,309	318,653	9,421	500,383	796,993
Accumulated depreciation at 30 June 2022	-	-	-	-	(58,941)	(106,596)	(148)	(165,685)	(165,685)
Carrying amount	276,945	7,142	12,523	296,610	113,368	212,057	9,273	334,698	631,308

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

6.1 Property, infrastructure, plant and equipment (cont.)

(b) Plant and Equipment

	Plant and equipment \$'000	Office equipment, furniture and fittings \$'000	Artworks \$'000	Fountains, statues and monuments \$'000	Total plant and equipment \$'000
At fair value 1 July 2021	31,803	10,020	59,453	11,425	112,701
Accumulated depreciation at 1 July 2021	(14,921)	(8,046)	-	(4,233)	(27,200)
	16,882	1,974	59,453	7,192	85,501
Movements in fair value					
Additions	4,264	41	-	-	4,305
Contributions	-	-	342	825	1,167
Transfers	-	-	-	93	93
Disposal	(2,342)	-	-	(190)	(2,532)
Revaluation	-	-	-	1,831	1,831
	1,922	41	342	2,559	4,864
Movements in accumulated depreciation					
Depreciation and amortisation	(2,635)	(403)	-	(119)	(3,157)
Accumulated depreciation of disposals	1,633	-	-	47	1,680
Accumulated depreciation of contributions	-	-	-	(252)	(252)
Revaluation	-	-	-	366	366
	(1,002)	(403)	-	42	(1,363)
At fair value 30 June 2022	33,725	10,061	59,795	13,984	117,565
Accumulated depreciation at 30 June 2022	(15,923)	(8,449)	-	(4,191)	(28,563)
Carrying amount	17,802	1,612	59,795	9,793	89,002

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

6.1 Property, infrastructure, plant and equipment (cont.)
(c) Infrastructure

	Sealed roads	Unsealed roads	Bridges	Pathways	Drainage	Land improvements	Public furniture and fittings	Landfill	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	693,130	54,966	76,476	148,850	391,657	75,970	41,811	4,807	1,487,667
Accumulated depreciation at 1 July 2021	(271,508)	(15,644)	(30,436)	(50,868)	(119,026)	(37,756)	(18,639)	(3,606)	(547,483)
	421,622	39,322	46,040	97,982	272,631	38,214	23,172	1,201	940,184
Movements in fair value									
Contributions	4,160	151	-	1,183	1,909	-	-	-	7,403
Write-off	(4,786)	(2,383)	-	(255)	(305)	(2,843)	(1,064)	-	(11,636)
Transfers	11,516	3,135	494	3,025	1,935	1,376	2,448	-	23,929
Revaluation	5,318	3,045	102	(65)	9,374	17,965	6,947	-	42,686
	16,208	3,948	596	3,888	12,913	16,498	8,331	-	62,382
Movements in accumulated depreciation									
Depreciation and amortisation	(13,241)	(2,397)	(770)	(3,628)	(3,769)	(2,684)	(1,989)	(601)	(29,079)
Accumulated depreciation of disposals	3,662	1,202	-	135	212	2,230	818	-	8,259
Accumulated depreciation of contributions	(474)	(66)	-	-	(28)	-	-	-	(568)
Revaluation	(7,582)	(1,714)	824	(1,478)	(3,148)	(4,719)	(5,053)	-	(22,870)
	(17,635)	(2,975)	54	(4,971)	(6,733)	(5,173)	(6,224)	(601)	(44,258)
At fair value 30 June 2022	709,338	58,914	77,072	152,738	404,570	92,468	50,142	4,807	1,550,049
Accumulated depreciation at 30 June 2022	(289,143)	(18,619)	(30,382)	(55,839)	(125,759)	(42,929)	(24,863)	(4,207)	(591,741)
Carrying amount	420,195	40,295	46,690	96,899	278,811	49,539	25,279	600	958,308

6.1 Property, infrastructure, plant and equipment (cont.)

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by the City, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with the City's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit
<i>Asset recognition thresholds and depreciation periods</i>		\$'000
Land and land improvements		
land	n/a	-
buildings	20-150 years	10-20
Plant and equipment		
plant and equipment	2-25 years	2
office equipment, furniture and fittings	2-25 years	2
artwork	n/a	-
fountains, statues and monuments	80-100 years	5
Infrastructure		
sealed roads	15-100 years	10
unsealed roads	15-100 years	10
pathways	25-50 years	5
bridges	100 years	10
drainage	100-200 years	5-20
public furniture and fittings	15-40 years	2-5
land improvements	20-80 years	5
landfill	6-10 years	-
Intangible assets		
landfill airspace	6-10 years	-

Land under roads

The City recognises land under roads it controls at fair value.

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the City in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

6.1 Property, infrastructure, plant and equipment (cont.)**Valuation of land and buildings**

Valuation of land and buildings were undertaken by a qualified independent valuer James Collins, JLC Valuation and Consulting Member No: 62579 at 30 June 2021. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table.

Details of the City's land and buildings and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level2	Level 3	Date of Valuation
Land	-	7,142	-	Jun-21
Specialised land	-	-	276,945	Jun-21
Land under roads	-	-	12,523	Jun-21
Buildings	-	9,273	-	Jun-21
Buildings - specialised	-	-	212,057	Jun-21
Buildings - heritage	-	-	113,368	Jun-21
Total	-	16,415	614,893	

Valuation of infrastructure

Valuation of Infrastructure assets and specialised buildings has been determined in accordance with contemporary asset management standards and are independently verified. The valuation process is managed by Mr Ian McLauchlan, Manager Engineering (Certified Practising Engineer) and Mr Paul Nicholson, Coordinator GIS and Asset Information utilising internal professional engineering and technical resources. The valuation process for sealed roads, unsealed roads, pathways, bridges and drainage is performed annually with a third of each asset class inspected and valued. The valuation of land improvements and public furniture and fittings asset classes are completed on a three year cycle.

The date of the current valuation is detailed in the following table.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

Details of the City's infrastructure and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level2	Level 3	Date of Valuation
Sealed roads	-	-	420,195	Jun-22
Unsealed roads	-	-	40,295	Jun-22
Pathways	-	-	96,899	Jun-22
Bridges	-	-	46,690	Jun-22
Drainage	-	-	278,811	Jun-22
Public furniture and fittings	-	-	25,279	Jun-22
Land improvements	-	-	49,539	Jun-22
Landfill	-	-	600	N/A
Total	-	-	958,308	

6.1 Property, infrastructure, plant and equipment (cont.)

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 10% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$1 and \$1,557 per square metre.

Specialised buildings are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$280 to \$10,230 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 1 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 1 year to 200 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2022	2021
	\$'000	\$'000
Reconciliation of specialised land		
Land under roads	12,523	11,943
Land	276,945	271,705
Total specialised land	289,468	283,648

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

	2022	2021
	\$'000	\$'000
6.2 Investments in associates, joint arrangements and subsidiaries		
(a) Investments in associates		
North Central Goldfields Regional Library Corporation (NCGRLC)	3,735	3,555
North Central Goldfields Regional Library Corporation (NCGRLC)		
<i>Background</i>		
The City is a member of the North Central Goldfields Regional Library Corporation. The City has a 61.01% share of the net assets (61.05% 2021). At 30 June 2022 the City's equity in the Corporation was \$3,734,702 (30 June 2021 \$3,554,173).		
Fair value of the City's investment in NCGRLC	3,735	3,555
The City's share of accumulated surplus/(deficit)		
The City's share of accumulated surplus at start of year	2,888	2,633
Reported surplus for year	183	165
Share of equity adjustment	(1)	(1)
Transfers (to) from reserves	(10)	91
The City's share of accumulated surplus at end of year	3,060	2,888
The City's share of reserves		
The City's share of reserves at start of year	610	703
Share of equity adjustment	(2)	(2)
Transfers (to) from reserves	10	(91)
The City's share of reserves at end of year	618	610
Movement in carrying value of specific investment		
Carrying value of investment at start of year	3,555	3,393
Share of surplus for year	183	165
Share of equity adjustment	(3)	(3)
Carrying value of investment at end of year	3,735	3,555
The City's share of expenditure commitments		
Operating commitments	356	314
The City's share of expenditure commitments	356	314

Associates are all entities over which the City has significant influence but not control or joint control. Investments in associates are accounted for using the equity method of accounting, after initially being recognised at cost.

Community Asset Committee

All entities controlled by the City that have material revenues, expenses, assets or liabilities, such as community asset committees, have been included in this financial report. Any transactions between these entities and the City have been eliminated in full.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 7 People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Parent entity

Greater Bendigo City Council is the parent entity.

Subsidiaries and Associates

Interests in associates are detailed in Note 6.2.

(b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Greater Bendigo City Council. The Councillors, Chief Executive Officer and Executive Directors are deemed KMP.

Details of KMP at anytime during the year are:

Councillors	Andrea Metcalf - Deputy Mayor (01/07/2021 to 09/11/2021) and Mayor (09/11/2021 to 30/06/2022)
	Jennifer Alden - Mayor (01/07/2021 to 09/11/2021) and Councillor (09/11/2021 to 30/06/2022)
	Matthew Evans - Councillor (01/07/2021 to 09/11/2021) and Deputy Mayor (09/11/2021 to 30/06/2022)
	Margaret O'Rourke
	Rod Fyffe
	Gregory Penna
	Vaughan Williams
	Julie Sloan
	David Fagg
Executive	Craig Niemann - Chief Executive Officer
	Andrew Cooney - Director Corporate Performance
	Vicky Mason - Director Health and Wellbeing
	Brian Westley - Director Presentation and Assets
	Steve Hamilton - Director Strategy and Growth

	2022	2021
	No.	No.
Total Number of Councillors	9	14
Total of Chief Executive Officer and other Key Management Personnel	5	5
Total Number of Key Management Personnel	14	19

(c) Remuneration of Key Management Personnel

Total remuneration of key management personnel was as follows:

	2022	2021
	\$	\$
Short-term benefits	1,658	1,506
Long-term benefits	48	29
Post employment benefits	157	142
Total	1,863	1,677

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

7.1 Council and key management remuneration (cont.)

The numbers of key management personnel whose total remuneration from the City and any related entities, fall within the following bands:

	2022 No.	2021 No.
\$10,000 - \$19,999	-	4
\$20,000 - \$29,999	-	5
\$30,000 - \$39,999	6	2
\$40,000 - \$49,999	1	-
\$50,000 - \$59,999	-	1
\$60,000 - \$69,999	1	-
\$80,000 - \$89,999	1	2
\$140,000 - \$149,999	-	1
\$200,000 - \$209,999	-	1
\$230,000 - \$239,999	1	1
\$250,000 - \$259,999	-	1
\$270,000 - \$279,999	2	-
\$280,000 - \$289,999	1	-
\$290,000 - \$299,999	-	-
\$370,000 - \$379,999	1	1
	14	19

(d) Senior Officer Remuneration

A Senior Officer is an officer of the City, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000.

The number of Senior Officers are shown below in their relevant income bands:

Income Range:	2022 No.	2021 No.
< \$151,000	-	16
\$151,000 - \$159,999	2	6
\$160,000 - \$169,999	8	3
\$170,000 - \$179,999	11	5
\$180,000 - \$189,999	1	-
\$200,000 - \$209,999	1	-
	23	30

Total Remuneration for the reporting year for Senior Officers included above, amounted to: 3,940 4,107

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

	2022	2021
	\$'000	\$'000
7.2 Related party disclosure		
(a) Transactions with related parties		

During the period the City entered into the following transactions with related parties.

Income

Financial services provided to NCGRLC	79	79
Reimbursement for two dishwashers	-	2
Rent and outgoings received from NCGRLC for the Bendigo Library headquarters	37	42
	116	123

Expenses

Contribution to NCGRLC	3,237	3,191
Reimbursement for running the Bendigo Regional Archive Centre (BRAC), paid to NCGRLC	91	92
Grants paid to NCGRLC	70	31
Contributions for various initiatives, paid to NCGRLC	16	-
	3,414	3,314

The North Central Goldfields Regional Library Corporation operate library services from a number of Council owned buildings free of charge. The buildings that the City do not charge any rent for are located at Heathcote, Eaglehawk and Kangaroo Flat.

(b) Outstanding balances with related parties

There was no material balances outstanding at the end of the reporting period in relation to transactions with related parties.

(c) Loans to/from related parties

There are no loans in existence at balance date which have been made, guaranteed or secured by the City to a related party.

(d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the City to a related party are as follows:

The City had an agreement with the North Central Goldfields Regional Library Corporation to provide accounting and financial services to 30 June 2023 for which a fee is paid. The agreement had an option to extend until 30 June 2025. The City also has a 10 year lease agreement for buildings with the Corporation which commenced on 1 July 2015, for which rental is charged.

Note 8 Managing uncertainties**8.1 Contingent assets and liabilities**

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets

Construction of infrastructure assets by developers in the course of creating new subdivisions results in the infrastructure assets being vested in the City when the City issues a statement of compliance. These assets are bought to account as revenue and capitalised.

At reporting date, developers had commenced construction of assets that will eventually be transferred to the City contingent upon the City issuing a statement of compliance.

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council.

(b) Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council; or
- present obligations that arise from past events but are not recognised because:
- it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
- the amount of the obligation cannot be measured with sufficient reliability.

Superannuation

The City has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Future superannuation contributions

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022. The expected contributions to be paid to the defined benefit category of vision super for the year ending 30 June 2023 is \$418,163.

Landfill

The City has confirmed the presence of ten past and one current landfill sites that may require some form of rehabilitation or remediation works. The Eaglehawk, White Hills and Wolstencroft sites have had a rehabilitation plans developed and the work has commenced. This has allowed the City to include an accurate provision within the financial statements for each of the three sites at the 30 June 2022. The remainder of the former landfill sites that have been identified are considered a low risk and the level of rehabilitation works required, if any, is unknown.

Liability Mutual Insurance

Council was a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

Other matters

In May 2020, Council approved the sale of the Lyttleton Terrace site to Development Victoria for the purpose of a Bendigo GovHub, a new building that will house both Council staff and other government entities as tenants. This building has been named Galkangu. In future years, this will result in a Right of Use lease asset and corresponding lease liability. The City has entered into an Agreement for Lease with Development Victoria, under which DV agrees to grant and the City agrees to take a 20 year lease over Level 3 (and ancillary areas) of the Galkangu building. The lease would commence shortly after practical completion of the building (approx. March 2023).

(c) Guarantees for loans to other entities

The amount disclosed for financial guarantee in this note is the nominal amount of the underlying loan that is guaranteed by the City, not the fair value of the financial guarantee. The City maintains representation on Bendigo Stadium Ltd board and finance committee as part of arrangements related to the loan guarantee provided. In August of 2020 Councillors agreed to support additional guarantee arrangements for refinancing of a loan at Bendigo Stadium Ltd up to the value of \$13M.

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or the City has other reasons to believe that it is probable that the right will be exercised.

8.1 Contingent assets and liabilities (cont.)

Name of Organisation	Current Loan Guarantee Exposure	Financial Institution	Date Approved by Council	Guarantee Expires
Bendigo Stadium Ltd	\$12,602,166	Bendigo Bank	4/05/2016	1/05/2027

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2022 reporting period. The City assesses the impact of these new standards. As at 30 June 2022 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2023 that are expected to materially impact the City.

8.3 Financial instruments**(a) Objectives and policies**

The City's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the City. These policies include identification and analysis of the risk exposure to the City and appropriate procedures, controls and risk minimisation. Details are reviewed by the City's Audit & Risk Committee.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of the City's financial instruments will fluctuate because of changes in market prices. The City's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. The City's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes the City to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The City has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the City's investment policy. The City manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the City's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have a material impact on the City's year end result.

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause the City to make a financial loss. The City has exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- The City have a policy for establishing credit limits for the entities the City deals with;
- The City may require collateral where appropriate; and
- The City only invests surplus funds with financial institutions which have a recognised credit rating specified

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

8.3 Financial instruments (cont.)

The City may also be subject to credit risk for transactions which are not included in the balance sheet, such as when the City provides a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. The City does not hold any collateral.

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of the City's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks the City:

- publishes and maintains a ten year long term financial plan;
- adheres to budget principles and financial reserves policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- has readily accessible standby facilities and other funding arrangements in place;
- has a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitors budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loan repayments to rate revenue.

The City's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in the City's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, the City believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of +3% and -1% in market interest rates (AUD) from year-end rates of 1.11%.

These movements will not have a material impact on the valuation of the City's financial assets and liabilities, nor will they have a material impact on the results of the City's operations.

8.4 Fair value measurement

Fair value hierarchy

The City's financial assets and liabilities are not valued in accordance with the fair value hierarchy, they are measured at amortised cost.

The City measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, the City has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, the City determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the City reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, the City undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 5 years. The valuation is performed either by experienced council officers or independent experts.

Impairment of assets

At each reporting date, the City reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

Note 9 Other matters

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
9.1 Reserves			
(a) Asset revaluation reserves			
2022			
Property			
Land	208,844	-	208,844
Buildings	154,797	-	154,797
Plant and equipment	1,541	-	1,541
Library resources	820	-	820
Artwork	48,582	-	48,582
	414,584	-	414,584
Infrastructure			
Roads, bridges and pathways	384,221	(1,550)	382,671
Drainage	70,309	6,226	76,535
Public furniture and fittings, statues and monuments	9,399	4,091	13,490
Land improvements	18,189	13,246	31,435
	482,118	22,013	504,131
Total asset revaluation reserves	896,702	22,013	918,715
2021			
Property			
Land	170,577	38,267	208,844
Buildings	120,482	34,315	154,797
Plant and equipment	1,541	-	1,541
Library resources	820	-	820
Artwork	48,582	-	48,582
	342,002	72,582	414,584
Infrastructure			
Roads, bridges and pathways	377,146	7,075	384,221
Drainage	69,649	660	70,309
Public furniture and fittings, statues and monuments	9,399	-	9,399
Land improvements	18,189	-	18,189
	474,383	7,735	482,118
Total asset revaluation reserves	816,385	80,317	896,702

The asset revaluation reserve is used to record the increased (net) value of the City's assets over time.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
9.1 Reserves (cont.)				
(b) Other reserves				
2022				
Open Space	5,216	815	(178)	5,853
Development Contributions	4,285	448	(281)	4,452
Tree Amenity	48	62	-	110
Native Vegetation	95	24	-	119
Waste Management	5,761	2,507	(5,802)	2,466
Land and Buildings	5,657	-	(6)	5,651
Car Parking	511	342	(21)	832
Defined Benefits	2,000	-	-	2,000
Unexpended Grants and Donations	9,529	17,062	(9,257)	17,334
Total Other reserves	33,102	21,260	(15,545)	38,817
2021				
Open Space	4,713	508	(5)	5,216
Development Contributions	4,075	460	(250)	4,285
Tree Amenity	-	48	-	48
Native Vegetation	-	95	-	95
Waste Management	7,873	363	(2,475)	5,761
Land and Buildings	-	6,387	(730)	5,657
Car Parking	511	-	-	511
Defined Benefits	2,000	-	-	2,000
Unexpended Grants and Donations	9,780	9,257	(9,508)	9,529
Total Other reserves	28,952	17,118	(12,968)	33,102

Open space

Statutory developer contribution funds to be used for future recreation facility additions or improvements.

Development contributions

Statutory developer contribution funds for future drainage, road, fencing and tree planting.

Tree Amenity

This reserve was established to set aside revenue received from the replacement of trees, whilst taking into account the removal of trees.

Native Vegetation

This reserve was established to recognise the cost savings by utilising Council owned native vegetation offsets to deliver council projects. These cost savings are held in a reserve to contribute to future expenditure associated with maintaining and establishing future native vegetation offset credits.

Waste management

This reserve was established to make some provision for a replacement waste treatment facility when the Eaglehawk Landfill is exhausted and to contribute to rehabilitation requirements for closed landfill sites.

Land and buildings

Proceeds from the sale of Council owned land and buildings assets are held in this reserve balance. The purpose of this reserve is to provide funds for future strategic purchases of land and building assets within the municipality. Currently \$5.5m of this reserve has been allocated to the fit out costs of the new Galkangu office space along with operational costs involved with the relocation of Council offices into Galkangu. This portion of the reserve was established in 2021 from the proceeds of the sale to the State government of the land at Lyttleton Terrace.

Car Parking

This reserve was established to make provision for future car parking solutions in the city centre.

Defined benefits

This reserve is used to assist with the funding of any call that may be made on the City as a result of shortfall in the Local Authorities Superannuation Fund Defined Benefits Plan.

Unexpended grants

This reserve is used to set aside grant and donation monies in relation to specific projects received in one financial year that will not be expended until a later financial year. Funds in this account are predominantly not discretionary.

Greater Bendigo City Council
2021/2022 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2022

	2022 \$'000	2021 \$'000
9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)		
Surplus/(deficit) for the year	35,179	11,778
Depreciation / amortisation	45,489	43,996
(Profit) / loss on disposal of property, infrastructure, plant and equipment	5,677	11,161
Contributions - non monetary assets	(9,676)	(12,546)
Share of net (profits) / losses of associates accounted for using the equity method	(180)	(162)
Gain from water and forestry rights	-	-
Borrowing and finance costs	1,623	2,171
<i>Change in assets and liabilities:</i>		
(Increase) / decrease in trade and other receivables	681	849
(Increase) / decrease in other assets	(1,901)	(444)
Increase / (decrease) in trade and other payables	1,838	1,487
Increase / (decrease) in unearned income/revenue	(1,239)	14,473
(Increase) / decrease in trust funds and deposits	346	(3,794)
(Increase) / decrease in inventory	(69)	21
Increase / (decrease) in provisions	(3,667)	(699)
Increase / (decrease) in intangible assets	(1,338)	-
Net cash provided by/(used in) operating activities	72,763	68,291

9.3 Superannuation

The City makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2022, this was 10.0% as required under Superannuation Guarantee (SG) legislation (2021: 9.5%)).

Defined Benefit

The City does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of The City in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

9.3 Superannuation (cont.)

Funding arrangements

The City makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

As at 30 June 2021, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category.

The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 109.8%. The financial assumptions used to calculate the VBI were:

Net investment returns	4.75% pa
Salary information	2.75% pa
Price inflation (CPI)	2.25% pa.

As at 30 June 2022, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category. It is expected to be completed by 31 October 2022.

Vision Super has advised that the VBI at 30 June 2022 was 102.2%. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). The financial assumptions used to calculate this VBI were:

Net investment returns	5.5% pa
Salary information	2.5% pa to 30 June 2023, and 3.5% pa thereafter
Price inflation (CPI)	3.0% pa.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2021 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Employer contributions

(a) Regular contributions

On the basis of the results of the 2021 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2022, this rate was 10.0% of members' salaries (9.5% in 2020/21). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, the City reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

9.3 Superannuation (cont.)

(b) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including the City) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

The 2021 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2021 and the last full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which the City is a contributing employer:

	2021 (Interim)	2020 (Triennial)
	\$m	\$m
- A VBI Surplus	214.7	100.0
- A total service liability surplus	270.3	200.0
- A discounted accrued benefits surplus	285.2	217.8

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2021.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2021.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2021.

The City was notified of the 30 June 2021 VBI during August 2021 (2020: August 2020).

The 2022 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2022 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2022. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

9.3 Superannuation (cont.)

Superannuation contributions

Contributions by the City (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2022 are detailed below:

Scheme	Type of Scheme	Rate	2022	2021
			\$'000	\$'000
Vision super	Defined	10.0% (2021:9.5%)	331	356
Vision super	Accumulation fund	10.0% (2021:9.5%)	3,594	3,114

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022. The expected contributions to be paid to the defined benefit category of vision super for the year ending 30 June 2023 is \$418,163.

Note 10 Change in accounting policy

There have been no changes to accounting policies in the 2021-22 year.

There are no pending accounting standards that are likely to have a material impact on council.

**Greater Bendigo City Council
PERFORMANCE STATEMENT**

For the Year Ended 30 June 2022

Greater Bendigo City Council
2021/2022 Performance Statement

Description of Municipality

The City of Greater Bendigo is located in the geographic centre of Victoria about 90 minute drive north of Melbourne. Greater Bendigo has an estimated population of 121,382 at 30 June 2022 and covers approximately 3,000 square kilometres of the central Victorian landscape, including smaller towns and villages such as Heathcote, Axedale, Huntly, Marong, Elmore, Goormong, Neilborough, Sebastian, Woodvale, Raywood, Mia Mia and Redesdale.

The resident population of Greater Bendigo at 30 June 2022 was estimated at 121,382, which represents an average annual growth rate of 1.3% or 1,558 people.

The service age structure of Greater Bendigo shows different populations at their different life stages. Looking at age structure this way can better inform the level of demand on specific age based services as well as specific housing needs. At the 2021 Census the age structure shows that overall 18.7% of the population was aged between 0 and 15 and 19.9% of residents were over the age of 65.

Additional demographic information is contained earlier in the annual report.

The COVID-19 pandemic continued to have an impact on Greater Bendigo households and businesses in our community over the financial year, including a lockdown in the region in August 2021 and State Government direction for people to continue working from home where possible until early 2022. The City's approach in this financial year was to provide support initiatives to those in the community most affected by the COVID-19 pandemic and pursue measures for community sustainability and recovery.

The City will continue to monitor the non-financial and financial impacts of Covid-19 on its operations.

Greater Bendigo City Council
2021/2022 Performance Statement

Sustainable Capacity Indicators					
Indicator / Measure	Results 2019	Results 2020	Results 2021	Results 2022	Material Variations
Population					
Expenses per head of municipal population [Total expenses / Municipal population]	\$1,606	\$1,638	\$1,588	\$1,732	
Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	\$11,573	\$11,525	\$11,970	\$11,810	
Population density per length of road [Municipal population / Kilometres of local roads]	37.10	37.65	38.19	38.61	
Own-source revenue					
Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,359	\$1,302	\$1,184	\$1,421	Own source revenue, in particular user fees, returned to a pre COVID-19 level later the 2021/2022 financial year. Ticket sales exceeded budget expectations due to the popularity of the Elvis exhibition which ran at the Bendigo Art Gallery for three months of the financial year.
Recurrent grants					
Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	\$222	\$232	\$226	\$290	The City received 75% of the 2022/2023 financial assistance grant in advance compared to receiving only 50% in advance in 2020/2021. This is the primary contributor to the uplift in this indicator.
Disadvantage					
Relative Socio-Economic Disadvantage [Index of Relative Socio-Economic Disadvantage by decile]	4	4	4	4	
Workforce turnover					
Percentage of staff turnover [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year x100]	14.0%	8.5%	10.9%	14.3%	Turnover has increased slightly in the period, in line with Statewide additional (post-COVID) movement across industries.

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage

Greater Bendigo City Council
2021/2022 Performance Statement

Service Performance Indicators					
Service/indicator/measure	Results 2019	Results 2020	Results 2021	Results 2022	Material Variations
Aquatic Facilities Utilisation <i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	4.23	4.26	2.92	4.16	The 2020/2021 aquatic facilities attendance was drastically affected by COVID-19 restrictions. Although some restrictions were still in place for 2021/2022 there were less lockdowns and restrictions. This figure is consistent with previous years. Note: Attendance figures at a small portion of pools are not fully verifiable.
Animal Management Health and safety <i>Animal management prosecutions</i> [Number of successful animal management prosecutions / Number of animal management prosecutions]	New in 2020	100%	100%	100%	city of greater bendigo Council
Food Safety Health and safety <i>Critical and major non-compliance outcome notifications</i> [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	80.88%	85.19%	71.23%	63.44%	Following the end of COVID-19 lockdowns, food safety inspections increased which resulted in a higher quantity of non-compliance inspection outcomes. Staffing issues resulted in the decrease in the number of follow-ups
Governance Satisfaction <i>Satisfaction with council decisions</i> [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	57	53	54	53	
Libraries Participation <i>Active library borrowers in municipality</i> [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	12.91%	12.47%	10.34%	8.81%	The trend for active library borrowers is downward and this figure was still affected by COVID closures during the financial year.

Greater Bendigo City Council
2021/2022 Performance Statement

Service Performance Indicators (cont.)					
Service/indicator/measure	Results 2019	Results 2020	Results 2021	Results 2022	Material Variations
Maternal and Child Health (MCH) Participation <i>Participation in the MCH service</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100 Participation <i>Participation in the MCH service by Aboriginal children</i> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	78.45%	78.02%	77.34%	75.93%	The Department of Health implemented a specific MCH program in Aboriginal organisations, which included Bendigo District Aboriginal Cooperative (BDAC). Families now have the choice to attend their local Aboriginal organisation or the City's MCH program. The program commenced in January 2021.
	78.47%	82.97%	72.20%	69.88%	
Roads Satisfaction <i>Satisfaction with sealed local roads</i> [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	60	60	61	54	This result is from the Community Satisfaction Survey which captures 100 people per quarter. Other measures are also being reviewed.
Statutory Planning Decision making <i>Council planning decisions upheld at VCAT</i> [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	58.33%	75.00%	87.50%	73.33%	The number of planning decision upheld at VCAT remains broadly consistent with previous years but due to the low numbers the percentage fluctuates each year.
Waste Collection Waste diversion <i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	58.00%	50.80%	50.19%	52.25%	

Definitions

"active library member" means a member of a library who has borrowed from the library

"annual report" means an annual report prepared by a council under section 98 of the Act

"class 1 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the resident population estimated by council

Greater Bendigo City Council
2021/2022 Performance Statement

Financial Performance Indicators									
Dimension/indicator /measure	Results 2019	Results 2020	Results 2021	Results 2022	Forecasts				Material Variations
					2023	2024	2025	2026	
Efficiency									
Expenditure level									
Expenses per property assessment [Total expenses / Number of property assessments]	\$3,158	\$3,279	\$3,230	\$3,413	\$3,260	\$3,283	\$3,313	\$3,338	
Revenue level									
Average rate per property assessment [General rates and municipal charges / Number of property assessments]	New in	\$1,710	\$1,794	\$1,778	\$1,813	\$1,842	\$1,871	\$1,895	
Liquidity									
Working capital									
Current assets compared to current liabilities [Current assets / Current liabilities] x100	244.18%	185.97%	160.09%	195.68%	162.86%	159.67%	161.44%	172.63%	In 2021/2022 an \$11M interest only loan was paid in full. Total principal repayments were \$15.59M, and no additional borrowings were accessed. Cash and cash equivalents remain at similar levels. Borrowings are forecast in future years to support the City's capital program.
Unrestricted cash									
Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	103.54%	73.67%	68.98%	62.08%	58.99%	62.42%	66.30%	78.85%	Current liabilities reduced by \$13.79M predominantly due to the principal repayment of an \$11M interest only loan. Unrestricted cash is comparable to historical levels, however in 21/22 and future years cash has been more accurately classified between unrestricted and other financial assets. This results in a reduction in this ratio.
Obligations									
Loans and borrowings									
Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	39.00%	34.27%	32.10%	18.75%	15.93%	20.15%	18.43%	14.13%	In 2021/2022 an \$11M interest only loan was paid in full. Total principal repayments were \$15.59M, no additional borrowings were accessed. Rates continue to increase in line with CPI and the rate cap. Borrowings are forecast in future years to support the City's capital program.
Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	5.33%	4.89%	4.74%	12.74%	6.39%	4.67%	5.18%	4.82%	Total principal repayments in 2021/2022 were \$15.59M, largely due to the repayment of an \$11M interest only loan. Borrowings are planned in future years to support the City's capital program.
Indebtedness									
Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	33.28%	36.95%	28.86%	19.81%	17.40%	19.61%	17.85%	15.12%	Revenue associated with rates and charges has historically grown in line with CPI, figures in future years are based on CPI levels known in March 2022, which have since increased. Non-current liabilities have decreased with the repayment of the interest only loan.

Greater Bendigo City Council
2021/2022 Performance Statement

Financial Performance Indicators (cont.)									
Dimension/indicator /measure	Results 2019	Results 2020	Results 2021	Results 2022	Forecasts				Material Variations
					2023	2024	2025	2026	
Asset renewal and upgrade									
Asset renewal and upgrade compared to depreciation [Asset renewal and asset upgrade expense / Asset depreciation] x100	New in 2020	99.74%	67.88%	83.95%	84.68%	85.46%	81.20%	80.42%	Capital expenditure was reduced in the 2020/2021 financial year due to a number of projects being deferred to the 2021/2022 financial year. The renewal budget allocation was increased in the 2021/2022 financial year with increases forecast in the City's 10 year Financial Plan.
Operating position									
Adjusted underlying result									
Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	0.38%	-5.17%	-6.84%	2.66%	-0.42%	-0.25%	0.08%	0.33%	The 2021/2022 year is significantly higher than prior and projected years due to some upfront grant payments relating to future years. Across the 10 years modelled by the City's Financial Plan, underlying surplus is expected to stabilise around 0% as funding received is utilised to deliver services and asset programs.
Stability									
Rates concentration									
Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	62.63%	66.18%	70.84%	61.63%	68.28%	68.76%	69.08%	69.40%	Rates represent a smaller portion of our total underlying revenue for the 2021/2022 year due to grant payments received in advance and user fees returning pre-covid levels.
Rates effort									
Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.54%	0.53%	0.53%	0.50%	0.52%	0.52%	0.53%	0.54%	

Greater Bendigo City Council
2021/2022 Performance Statement

Financial Performance Indicators (cont.)					
Retired indicators Service / indicator / measure	Results 2019	Results 2020	Results 2021	Results 2022	Comments
Animal Management Health and safety Animal management prosecutions [Number of successful animal management prosecutions]	4	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by AM7 from 1 July 2019.
Efficiency Revenue level Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	\$1,758.73	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by E4 from 1 July 2019.
Obligations Asset renewal Asset renewal compared to depreciation [Asset renewal expense / Asset depreciation] x100	78.64%	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by O5 from 1 July 2019.

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Other Information

1. Basis of Preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its financial plan on 27 June 2022 and which forms part of the council plan. The financial plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The financial plan can be obtained by contacting council.

Greater Bendigo City Council
2021/2022 Performance Statement

Certification of the Performance Statements

In my opinion, the accompanying performance statement has been prepared in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

Nathan Morsillo, FCPA
Principal Accounting Officer
Date : 26/09/2022
Bendigo

In our opinion, the accompanying performance statement of the (council name) for the year ended 30 June 2022 presents fairly the results of council's performance in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

As at the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify this performance statement in its final form.

Andrea Metcalf
Councillor
Date : 26/09/2022
Bendigo

Julie Sloan
Councillor
Date : 26/09/2022
Bendigo

Craig Niemann
Chief Executive Officer
Date : 26/09/2022
Bendigo

Audit opinion Performance Statement

15.4. Contracts Awarded under Delegation

Author:	Greg Painter, Procurement Coordinator
Responsible Director:	Jessica Clarke-Hong, Acting Director Corporate Performance

Purpose

To inform Council of contracts signed under Delegation.

Recommended Motion

That Council note the contracts awarded under delegation during the previous reporting period.

RESOLUTION - Resolution No. 22/09-10

Moved: Cr Sloan

Seconded: Cr Evans

That the recommended motion be adopted.

CARRIED

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Contracts Awarded Under Contract Council Report 16 June 2022 to 15 September 2022 [**15.4.1** - 1 page]

Reporting Period 16 June 2022 to 15 September 2022							
Capital Contracts							
	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Practical Completion	Budget
CT000624	Supply of 20 Metal Hook Lift Bins	Skip Bin Suppliers Pty Ltd	Brian Westley	3/06/2022	\$289,000.00	23/12/2022	\$300,000.00
CT000630	Tom Flood Oval Reconstruction	Green Turf Pty Ltd	Craig Niemann	23/06/2022	\$1,158,555.56	30/12/2022	\$1,380,000.00
CT000599	Bendigo Art Gallery Consultancy Structural & Civil	Cardno TGM	Steve Hamilton	13/07/2022	\$311,500.00	27/06/2025	\$560,000.00
CT000634	Lake Weeroona Play Space Landscape Construction	DC & GJ Lightburn t/as GDL Excavations	Brian Westley	14/07/2022	\$496,299.53	9/12/2022	\$1,527,966.00
CT000617	Bendigo Art Gallery Redevelopment - Cost Management Services	Slattery Australia Pty Ltd	Steve Hamilton	20/07/2022	\$188,500.00	30/04/2025	\$560,000.00
CT000605	Bendigo Art Gallery Design Consultancy	ADP Consulting Pty Ltd	Steve Hamilton	21/07/2022	\$498,000.00	27/06/2025	\$560,000.00
Service Contracts							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Contract Term & Options	Budget
CT000623	Provision of Pest, Plant and Animal Management	Bushco Land Management Southern Ecosystems Management	Brian Westley	13/04/2022	Schedule of rates	3 Years + 2 years option (1x2)	\$325,000.00
CT000629	Laboratory Sampling and Analysis of Food and Other Samples	BVAQ Pty Ltd	Stacy Williams	4/09/2022	Schedule of rates	3 Years + 2 years option (1+1)	\$160,000.00
Contracts Awarded at Council							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Practical Completion / Contract Term & Options	Budget
CT000620	Bendigo Airport Terminal and Administration Buildings	A W Nicholson Pty Ltd	Craig Niemann	22/06/2022	\$5,722,063.00	30/08/2023	\$9,895,000.00

15.5. Motions for State Council Meeting - Municipal Association of Victoria

Author:	Ryan Millard, Acting Manager - Governance
Responsible Director:	Jessica Clarke-Hong, Acting Director Corporate Performance

Purpose

The purpose of this report is to seek Council endorsement of two items of business to be considered at the forthcoming meeting of the State Council of Municipal Association of Victoria (MAV).

Recommended Motion

That Council endorse the following motions for consideration at the October meeting of the State Council, Municipal Association of Victoria:

The MAV asks the State Government to repair, renovate or refurbish vacant houses that they own, so more housing stock is available to address the issues of homelessness and housing affordability while the new houses being built through the Big Build come online.

The MAV asks the State Government allow properties that are listed on accommodation sites such as Air BnB to be rated in a separate differential rate category (higher than the residential rate) rather than as residential properties and supports Councils to easily identify these.

RESOLUTION - Resolution No. 22/09-11

Moved: Cr Fyffe

Seconded: Cr Alden

That the recommended motion be adopted.

CARRIED

Executive Summary

The MAV State Council meets twice a year, or more if needed, to consider matters of motions submitted by members – the 79 Councils which comprise Victoria's municipalities.

Member Councils have been invited to submit motions to be considered by State Council at its next meeting to be held on Friday 14 October 2022.

Background

The MAV is a membership association and the legislated peak body for Victoria's 79 local Councils.

The MAV formed in 1879, and through legislation is recognised as the peak body of local government in Victoria.

The MAV's role includes to:

- Represent and advocate local government interests
- Promote the role of local government
- Build the capacity of Councils

The twice-yearly State Council meeting provides a forum for the MAV to consider matters of concern to its 79 members. Members have been invited to submit motions for consideration at the October meeting.

Report

The MAV asks the State Government to repair, renovate or refurbish vacant houses that they own, so more housing stock is available to address the issues of homelessness and housing affordability while the new houses being built through the Big Build come online.

The following explanatory statement drafted to accompany the motion reflects Council's view on the issue:

The provision of housing affordable to lower income households, in particular is becoming increasingly challenging in Greater Bendigo. The latest census data from 2021 shows that 30 per cent of households earn less than \$881 per week. The number of households in the lowest income group has grown by over 2,100 households since 2016.

While the City is not a direct provider of social or affordable housing, it is working closely with State Government and community housing providers to help facilitate the timely delivery of social and community housing to meet growing needs.

The significant investment through the Big Housing Build of \$5.3 billion, with \$85 million of this being allocated to Greater Bendigo is strongly supported. However, it will take time for many of these dwellings to be delivered. With a clear shortfall of social housing to meet growing affordability needs, the opportunity to use some of the funding allocated towards the Greater Bendigo area in the Big Housing Build to refurbish existing dwellings owned by State Government would be welcomed. This would help to deliver more housing in the short term to meet a clear and growing community need.

The City's Affordable Housing Action Plan (Action Plan) was prepared amidst significant consultation with State Government, Community Housing Providers and the community

itself. An objective of the Action Plan is to increase supply and improve the quality of affordable housing. This objective is to be enacted through an array of advocacy work such as, developing a long term strategic partnership with State Government, advocating for mandatory inclusionary zoning, identify well located surplus Government land in Greater Bendigo, and advocating for increased funding to local homelessness service providers.

The City has heard strongly from the community particularly over recent months around the growing homelessness challenge in Greater Bendigo. Where we can we are working closely with community housing providers, as well as State Government, to provide alternatives for households who are unable to afford private rental accommodation. However, we are aware this is a clear and growing challenge and is why we are taking this motion to the MAV.

In addition, we are also hearing there are challenges around a lack of private rental supply. With this in mind, we are working towards delivering a Managed Growth Strategy to provide clearer direction as to the most suitable locations for longer term residential growth in Greater Bendigo. We are also progressing Structure Plans (guiding future growth for suburbs and townships) including for Huntly, Elmore and Goornong, and the implementation of others such as Marong and Golden Square.

The MAV asks the State Government allow properties that are listed on accommodation sites such as Air BnB to be rated in a separate differential rate category (higher than the residential rate) rather than as residential properties and supports Councils to easily identify these.

The following explanatory statement drafted to accompany the resolution reflects Council's view on the issue:

We acknowledge that the short-term rental trend, facilitated by well-known accommodation sites, removes homes from the long-term rental market. The City of Greater Bendigo uses differential rates to address equity issues. By allowing properties that are listed on accommodation sites to be rated at a new differential rate property owners will be encouraged to consider offering long-term rental options to help with the rental shortages across the City of Greater Bendigo.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Nil

16. HEALTHY, LIVEABLE SPACES AND PLACES

16.1. Planning Scheme Amendment C266gben Public Open Space Contributions

Author:	Richie Dean, Strategic Planner
Responsible Director:	Steve Hamilton, Director Strategy and Growth

Purpose

This report seeks adoption of Planning Scheme Amendment C266gben to the Greater Bendigo Planning Scheme which proposes to amend the Schedule to Clause 53.01 to introduce specific mandatory public open space contribution rates for residential subdivisions.

Recommended Motion

That Council:

1. Adopt Amendment C266gben to the Greater Bendigo Planning Scheme.
2. Forward the adopted Amendment C266gben to the Minister for Planning for approval.

RESOLUTION - Resolution No. 22/09-12

Moved: Cr Alden

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

Amendment details:	<p>The amendment proposes to make the following changes to the Greater Bendigo Planning Scheme and applies to all residentially zoned land within the municipality:</p> <ul style="list-style-type: none"> • Amend the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) to: <ul style="list-style-type: none"> ○ Introduce a percentage for public open space contributions for all residential subdivisions. The change specifies a 2 per cent public open space contribution rate for residential subdivisions in the suburb of Bendigo and 5 per cent for all other residential subdivisions across the municipality. • Amend the Schedule to Clause 72.08 (Background documents) to: <ul style="list-style-type: none"> ○ Add the document Public Open Space Contributions Background Report (City of Greater Bendigo, May 2022)
---------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Proponent:	City of Greater Bendigo
No. of submissions and summary:	<p>Five (5)</p> <p>Four of the submissions were received from State Government Agencies (Country Fire Authority, Department of Environment, Land, Water and Planning, North Central Catchment Management Authority and Goulburn Murray Water) who were supportive of the Amendment in its current form.</p> <p>A fifth submission sought clarification on matters relating to percentages, the zoning of land and issues around the provision encumbered land under the policy. These concerns were discussed with the submitter and the submission was subsequently withdrawn.</p> <p>There are no outstanding unresolved submissions resulting from exhibition.</p>

Background

Currently under the *Subdivision Act 1988*, the City collects public open space contributions. These contributions provide an important source of revenue to fund new acquisition and capital improvement of public open space and are collected to fund the increased requirement for open space created by the additional residents of new subdivisions.

The adoption of the *Greater Bendigo Public Space Plan 2019 (GBPSP)* and the *Greater Bendigo Public Open Space Contributions Policy – Background Report 2020 (POSCP)* has provided greater strategic direction towards the public space needs within Greater Bendigo. It provides greater strategic direction towards the allocation and collection of public open space contributions to meet growing community needs in different areas.

The introduction of a contribution rate to the Schedule to Clause 53.01 creates greater certainty, consistency and transparency around the public open space contribution requirements in Greater Bendigo. This will bring Greater Bendigo in line with other large regional centres across Victoria.

Previous Council decision dates:

19 June 2019 – Council adopted the Greater Bendigo Public Space Plan.

16 September 2020 – Council resolved to request the Minister for Planning to authorise Council to prepare Amendment C266gben to the Greater Bendigo Planning Scheme.

Report

The *Planning and Environment Act 1987* allows for a planning scheme amendment to be initiated by a municipal Council, or a Council can respond to a request for an amendment by any person or body.

When preparing a planning scheme amendment, an Explanatory Report must be submitted that discusses the purpose, effects and strategic justification for the amendment. The Explanatory Report is included (along with the other amendment documents) in Attachment 1.

Land Affected by the Amendment

The amendment applies to all residential land within the municipality.

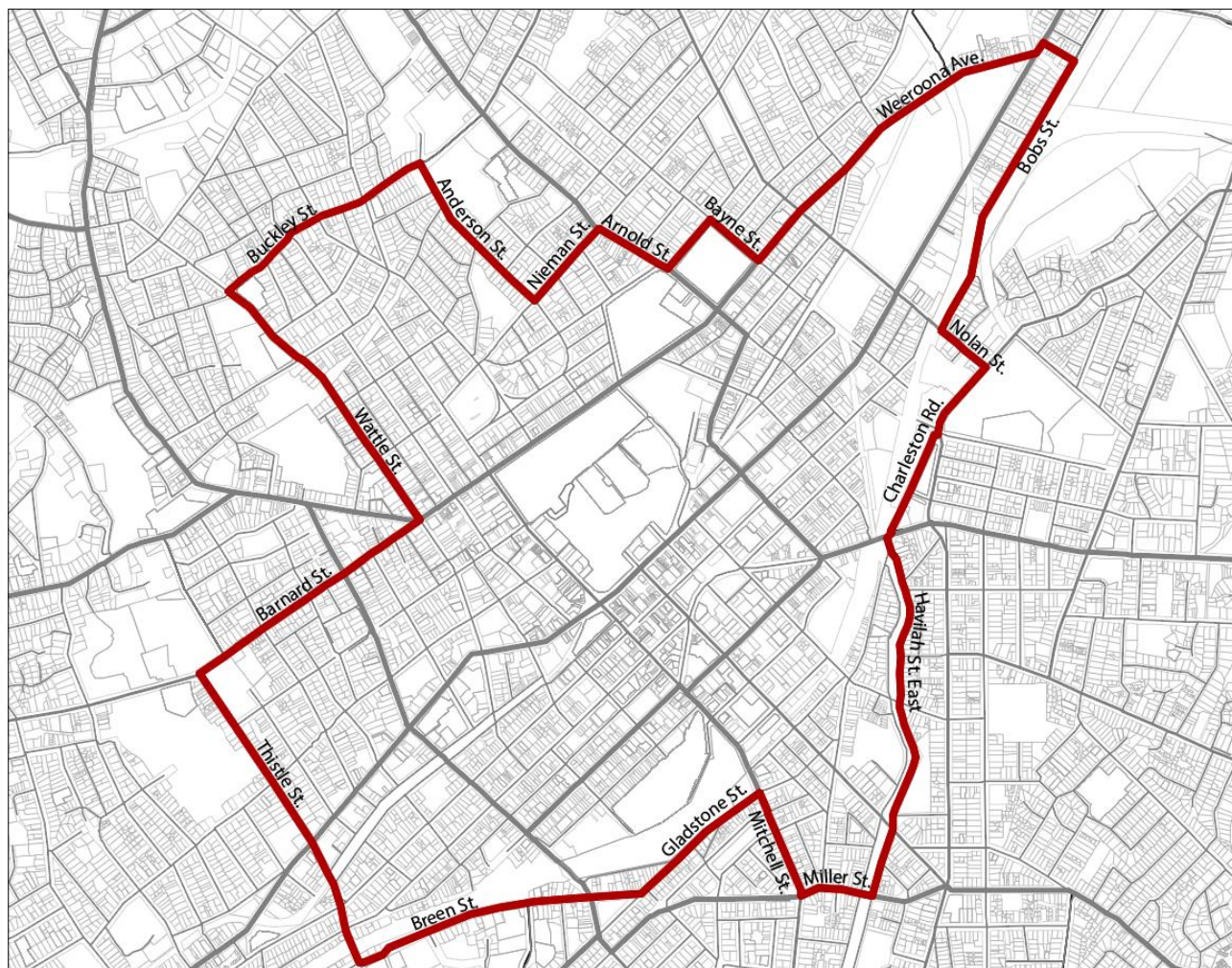
What the Amendment does

The amendment implements recommendations from the *Greater Bendigo Public Space Plan 2019 (GBPSP)* and findings from the *Greater Bendigo Public Open Space Contributions Policy – Background Report 2020 (POSCP)* by amending the Schedule to Clause 53.01 to introduce specific public open space contribution rates.

The amendment makes the following changes to the Greater Bendigo Planning Scheme:

- Amend the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) to:
 - Introduce a percentage for public open space contributions for all residential subdivisions. The change specifies a 2 per cent public open space contribution rate for residential subdivisions in the suburb of Bendigo and 5 per cent for all other residential subdivisions.
- Amend the Schedule to Clause 72.08 (Background documents) to:
 - Add the document Public Open Space Contributions Background Report (City of Greater Bendigo, May 2022)

Figure 1: Map of the boundaries of the Bendigo (2%) area.



The social, economic and environmental impacts are identified in the Explanatory Report along with existing planning justification contained within the Greater Bendigo Planning Scheme (see Attachment 1).

Priority/Importance

High – the POSCP was recommended in the Greater Bendigo Public Space Plan 2019.

Options considered

Section 23(1) of the Planning and Environment Act 1987 advises that in consideration of submissions received in relation to an Amendment, the Council must either:

- Change the Amendment in the manner requested; or
- Refer the submission(s) to an Independent Panel appointed by the Minister; or
- Abandon the Amendment, or part of the Amendment.

As outlined below, there were no changes requested in the submissions received, therefore all submissions can be considered resolved and there is no need to refer them to a Panel. The Amendment can be adopted in accordance with Section 29(1) without changes, or alternative the Amendment can be abandoned.

It is recommended that Council adopted Amendment C266gben to the Greater Bendigo Planning Scheme.

Timelines

If adopted by Council, the amendment will be submitted to the Minister for Planning for approval. If the Minister approves, the amendment will then be gazetted and form part of the Greater Bendigo Planning Scheme.

Communications/Engagement

Pre-exhibition consultation

Feedback from the broader community was considered through the development of the Greater Bendigo Public Space Plan 2019. The feedback received was the product of an extensive community consultation process.

The development of the POSCP was subject to a targeted engagement process, where relevant internal units and stakeholders, including representatives of the development industry were consulted.

Exhibition

The amendment was publicly exhibited for six weeks from Monday June 6, 2022 until Friday July 15, 2022 exceeding the requirements set out the *Planning and Environment Act 1987*.

The City gave notice of the amendment to the prescribed Ministers, as required by Section 19(1)(c) of the *Planning and Environment Act 1987* and public authorities, as required by Section 19(1)(a). Notice of the amendment was given in the Bendigo Advertiser Newspaper on Wednesday June 8, 2022 and Saturday June 11, 2022 and in the Government Gazette on Thursday June 9, 2022. Details of the amendment were made available on the City's website and the website of the Department of Environment, Land, Water and Planning (DELWP).

Submissions

Five submissions were received in total during the exhibition period.

Four (4) submissions received to the Amendment were supportive, with no changes requested. These submissions were received from DELWP, North Central Catchment Management Authority, Country Fire Authority and Goulburn-Murray Water.

One (1) submission received to the Amendment raised a number of questions in relation to the proposed policy with each issue detailed and addressed directly with the submitter as follows:

- Clarification was sought around the reasoning for two percentage rates split between Bendigo and the remainder of the municipality. In discussions with the submitter, it was explained that Bendigo had a greater availability of high quality public open space resources compared with the rest of the municipality as a whole and therefore a lower contribution rate would be more appropriate.
- Uncertainty was raised towards which land or zoning the policy would apply to and whether its application is limited to residential zones only. It was advised that it only applies to residential zones and more specifically those under Clause 32 of the planning scheme.
- A third question was raised in relation to the potential provision of encumbered land under the policy and some issues around this. The submitter was advised that the proposed policy is clear that any land contribution has to be unencumbered.

After discussions of these issues with City officers, the submitter agreed to withdraw the submission on the basis that the issues had been responded to.

Financial Sustainability

There are statutory costs in the processing of this Amendment. These costs are covered within the Strategic Planning operating budget.

Risk Assessment

This Amendment is preceded by extensive strategic work and justification for what is being proposed. It has been supported by relevant authorities and presents a low risk to the City.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 2 - Healthy, liveable spaces and places

Outcome 6 - A vibrant, creative community

Outcome 7 - A safe, welcoming and fair community

Secondary Council Plan Reference(s)

Goal 3 - Everyday walking and cycling is easier for all ages and abilities.

Goal 6 - More people live in 10-minute neighbourhoods

Goal 8 - Targeted investment in services, facilities, and programs to communities most in need

Goal 2 - More activated spaces

Goal 6 - A community that promotes equity and addresses poverty and disadvantage

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. C 266 gben - Adoption Attachments [**16.1.1** - 16 pages]

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C266GBEN

EXPLANATORY REPORT

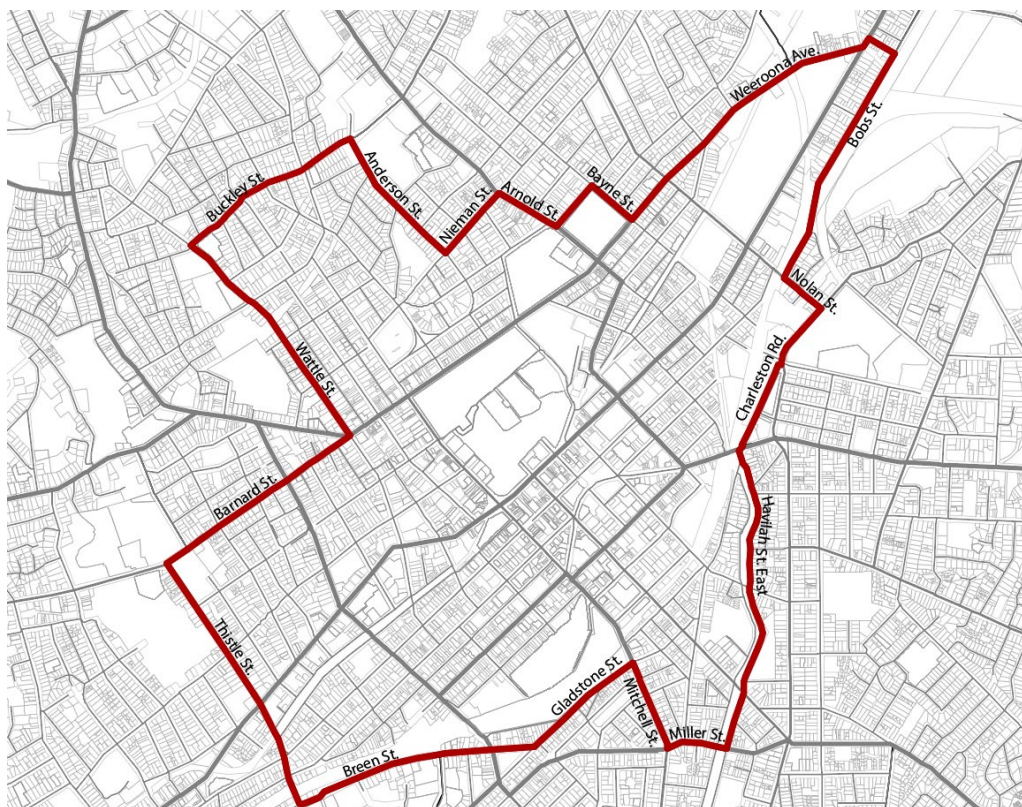
Who is the planning authority?

This amendment has been prepared by the Greater Bendigo City Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment affects all residential land in the City of Greater Bendigo.

The suburb of Bendigo is referenced throughout the amendment and supporting documents. This area is shown in red below.



What the amendment does

The amendment implements a recommendation from the *Greater Bendigo Public Space Plan 2019 (GBPSP)* and findings from the *Public Open Space Contributions Policy – Background Report to Amendment C266gben (City of Greater Bendigo, May 2022)* by amending the Schedule to Clause 53.01 to introduce a specified public open space contribution rate for Bendigo and all other residential subdivisions.

OFFICIAL

Specifically, the amendment proposes to:

- Amend the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) to insert new public open space contribution rates for residential subdivisions. A 2 per cent contribution rate is proposed for residential subdivisions in Bendigo and a 5 per cent contribution rate for all other residential subdivisions.
- Amend the Schedule to Clause 72.08 (Background Documents) to insert a new background document titled "*Public Open Space Contributions Background Report to Amendment C266gben* (City of Greater Bendigo, May 2022)".

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to assist in implementing the strategic directions contained in the GBPSP into the Greater Bendigo Planning Scheme to establish a more equitable provision of public open spaces in the City of Greater Bendigo.

The current approach for public open space contributions in Greater Bendigo is through the *Subdivision Act 1988*. This method is no longer considered appropriate if council is to meet future public open space needs. The Schedule to Clause 53.01 of the Greater Bendigo Planning Scheme needs to be amended to include contribution rates for public open space as identified through the GBPSP and POSCP.

The future open space needs for the City of Greater Bendigo include 113 projects within 23 precincts which can be funded, or partially funded by public open space contributions as summarised in the table in Appendix 1. The GBPSP outlines that there is generally not a shortfall of public open space in terms of quantum, but the quality of existing public open space needs to improve to meet the demands of a growing community. Therefore, most projects relate to upgrading existing public open spaces. These improvements include projects that support both passive recreation (walking, cycling, play) and active recreation (organised sports and activities).

The cost of public open space for each precinct is summarised in the table below. Public open space projects that serve a municipal catchment have been provided as a separate line. Some precincts have been consolidated to align with population forecast areas and due to limited subdivision data.

Precinct	Public open space costs
Axedale	\$910,000
Bendigo	\$5,427,500
California Gully, North Bendigo	\$7,800,00
Eaglehawk, Eaglehawk North, Sailors Gully	\$3,705,000
Elmore - Rural North	\$6,721,000
Epsom, Ascot	\$5,720,000
Flora Hill, Golden Gully, Spring Gully, Quarry Hill	\$4,056,000
Golden Square	\$11,206,200
Heathcote and District	\$4,732,000
Huntly	\$9,100,000
Ironbark, Long Gully, West Bendigo	\$2,678,000
Junortoun	\$3,835,000
Kangaroo Flat	\$2,203,500
Kennington, Strathdale	\$4,004,000
Maiden Gully	\$24,107,200

Precinct	Public open space costs
Marong - Rural West	\$21,645,500
Strathfieldsaye	\$7,787,000
White Hills, Jackass Flat, East Bendigo	\$11,667,500
Municipal catchment public open space	\$107,900,000
Total	\$239,777,900

The public open space costs for each precinct have been informed by individual cost estimates for relevant actions from the GBPSP, which have been prepared utilising a variety of information, including:

- Market evidence from similar and recent land sales for actions that relate to land acquisition;
- General per metre rates for actions that include shared user paths;
- Budgets from recent comparable public open space projects;
- More detailed cost estimates where available, such as where a development contributions plan has been prepared;
- Indexed specific cost estimates included in adopted in various master plans for higher order public open spaces; and
- Cost estimates prepared as part of prospectus documents to apply for funding.

The contribution rates that have been nominated have been calculated using the user pays approach, which has made the following considerations:

- The relevant public open space costs for each precinct;
- The ratio of exempt dwellings, calculated by the proportion of two lot subdivisions;
- The average household size in each precinct;
- The proportion of new population growth, which is 22.65 per cent;
- Apportioning the cost of municipal-scale public open space projects equally across the city;
- That residential land only is considered;
- A higher quality and overall provision of public open space within the suburb of Bendigo; and
- Higher land and development costs within the suburb of Bendigo.

The proposed methods of apportionment are summarised in the tables below.

All residential areas (excluding Bendigo)	
Total expected public open space contributions (at 5 per cent)	\$54,522,375
Proportion of non-exempt development to overall projected population	22.65 per cent
Total public open space costs (excluding Bendigo)	\$239,777,900
22.65 per cent apportionment to new population	\$54,309,694

Bendigo	
Total expected public open space contributions (at 2 per cent)	\$2,126,400
Proportion of non-exempt development to overall projected population	20.79 per cent
Total public open space costs, including share of municipal-scale open space projects	\$11,728,860
20.79 per cent apportionment to new population	\$2,438,429

This amendment will result in a good planning outcome and deliver a net community benefit as it will ensure new residential subdivisions provide appropriate contributions with greater consideration to where the subdivision is situated in the municipality.

How does the amendment implement the objectives of planning in Victoria?

This amendment implements the objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987*, in particular:

- *(a) to provide for the fair, orderly, economic and sustainable use, and development of land* - by providing a clear and concise policy framework for the management, use and development of the municipality's public open space assets.
- *(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity* - by providing a public open space contributions framework which will help supply, support, protect and maintain the natural environment.
- *(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria* - by aiding the provision of public open spaces and supply of a pleasant and efficient recreational environment to meet future needs.
- *(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value* - by seeking to provide a well-balanced public open space network which incorporates formal parkland, sporting reserves, recreation parkland, conservation areas, linear parklands such as waterways, lakes, streetscapes and urban spaces.
- *(g) to balance the present and future interests of all Victorians* - by assisting with the strategic management of funds to supply new open space and improve existing public open space to meet future needs.

How does the amendment address any environmental, social and economic effects?

Environmental

The amendment will have a positive impact on the environment, through improvements to existing public open space and the provision of new areas. These benefits include the provision and improvement of wildlife corridors, protection of significant vegetation and revegetation where possible. A priority for council is the improvement of the public open space system and the development of linkages and linear open spaces. Public open space and the natural environment form an integral part of Greater Bendigo's character, including as settings for a range of sport and recreation activities. The features of creeks, gullies, former mining landscapes, rail corridors, streets and bushland currently provide good linkages, and this is an area that council will continue to improve as opportunities arise.

Social

The amendment encourages more equal provision of public open space throughout the community, through increasing the total open space network. This will be enabled through the establishment and improvement of public open space from the public open space contributions reserve. Greater Bendigo's public open space network plays an important role in contributing towards the health and wellbeing of the individuals that make up the city's community. The public open space network is important for these connections including shared paths and trails.

The public open space network will contribute towards developing, enhancing and supporting communities that are connected physically, socially and emotionally. These social benefits are created through the provision of settings for social networks, creating a sense of community and meeting others.

Economic

The implementation of recommendations and findings from the GBPSP and POSCP will result in set percentages for public open space contributions that can be utilised by council. Therefore, the amendment will allow council to more effectively plan for our present and future communities, through the availability of financial and land resources for the allocation and improvement of public open space. The amendment will also enable developers to factor in the cost of public space contributions for future subdivision applications with more certainty than presently exists. In some cases, the amendment will assist future subdivisions in the suburb of Bendigo to be more feasible. In recent

times, development in the Bendigo City Centre has commonly been economically restrictive; however various state and local policies encourage higher levels of development in these areas.

Does the amendment address relevant bushfire risk?

Bushfire risk in Greater Bendigo varies; however, areas of more significant future urban development typically classified as Broader Landscape 'Type 2' (medium risk) or 'Type 3' (high risk). These are places usually on the urban fringe of Bendigo or expanding on satellite townships, such as Huntly, Marong or Strathfieldsaye with some exposure to woodland forests that are common in Greater Bendigo.

The Country Fire Authority (CFA) were involved in the preparation of the GBPSP and provided advice in relation to the location and management of both future and existing public open spaces in Greater Bendigo based on considerations of bushfire risk. The CFA provided in principle support for the strategic direction of the GBPSP.

The amendment does not propose any changes that will result in further intensification of development; rather it will provide more opportunities to provide public open spaces on new settlement interfaces. This approach (when providing appropriate public open spaces) is supported by the *Settlement Planning at the Bushfire Interface Design Guidelines, July 2020* (Department of Environment, Land, Water and Planning).

Bushfire risk will not be increased as a result of this amendment.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with:

- Minister's Direction No. 11 – Strategic Assessment of Amendments under Section 12(2) of the Planning and Environment Act 1987. The explanatory report evaluates and discusses how the amendment addresses several strategic considerations.
- Ministerial Direction on the Form and Content of Planning Schemes Section 7(5) of the Planning and Environment Act 1987. The amended Schedules to Clause 53.01 (Public Open Space Contribution and Subdivision) and Clause 72.08 (Background Documents) are consistent with requirement 11 and the templates in Annexure 2.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

This amendment supports and is consistent with the Planning Policy Framework and adopted State policy.

The *Loddon Mallee South Regional Growth Plan* acknowledges the significance and importance of the region's environmental land uses, including parks and reserves. This amendment will result in an appropriate funding mechanism to provide a more equitable provision of these land uses in Greater Bendigo.

Clause 11.01-1S – Settlement

This amendment is consistent with the objective of this Clause *"to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements"* as well as implementing several strategies by:

- Developing sustainable communities through a settlement framework offering convenient access to community facilities – Greater Bendigo will have a more suitable provision of public open spaces.
- Providing for growth in population and development of facilities and services across a regional and sub-regional network – the amendment proposes to implement recommendations from the GBPSP, which outlines a framework for developing new and improving existing public open spaces.
- Planning for development and investment opportunities along existing and planned transport infrastructure – the GBPSP acknowledges the important role that public spaces can have in transporting people, particularly in a well-connected network that supports walking and cycling.

- Promoting transport linkages between settlements through identification of servicing priorities in regional land use plans – the GBPSP has identified relevant transport linkages through the form of public space corridors.
- Building on the strengths and capabilities of local areas to respond sustainably to population growth and changing environments – one of Greater Bendigo's strengths is the existing provision of public open spaces; however, in the city's urban growth areas, the percentage of public open space contributed by new developments needs increasing for this strength to be built upon.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level – this amendment balances strategic objectives by ensuring a clear provision of public open space in promoting growth in areas with excellent existing provisions of public open spaces that require population growth to improve their surrounding environment.
- Preserving and protecting natural resources and features to enhance their contribution to settlements and landscapes – this amendment ensures that the most suitable funding mechanism for public open spaces is implemented through the Planning Scheme.
- Limiting urban sprawl and directing growth into existing settlements – reducing the public open space contribution in Bendigo's City Centre is integral to easing the economic restrictions that provide barriers to directing growth into this significant activity centre.
- Promoting and capitalising on opportunities for urban renewal and infill development – these opportunities are often lost in Greater Bendigo due to the economic context of land development; a lower public open space contribution rate will promote and capitalise on these opportunities.

Clause 11.03-1S – Activity centres

This amendment is consistent with the objective of this Clause *“to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community”* as well as implementing several strategies by providing a more economically feasible environment to direct population growth to the Bendigo City Centre.

Clause 11.03-2S – Growth areas

This amendment is consistent with the objective of this Clause *“to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas”* as well as implementing two strategies by:

- Protecting and managing natural resources and areas of heritage, cultural and environmental significance – a clear provision of public open spaces in Greater Bendigo will assist in protecting and managing these areas.
- Delivering accessible, integrated and adaptable community infrastructure (consistent with the *Precinct Structure Planning Guidelines 2009**) – a clear public open space contribution rate in growth areas will ensure that these future communities have accessible, integrated and adaptable public open space networks.

Clause 13.02-1S – Bushfire planning

This amendment is consistent with the objective of this Clause *“to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life”* as well as implementing several strategies by:

- Considering and assessing the bushfire hazard on the basis of landscape conditions – Greater Bendigo's growth areas have been assessed as having either 'Type 2' or 'Type 3' Broader Landscape risks. The Bendigo City Centre has been assessed as having a 'Type 1' Broader Landscape risk.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures – the CFA were involved in the preparation of the GBPSP and provided advice in relation to the location and management of both future and existing public open spaces in Greater Bendigo based on considerations of bushfire risk. The CFA provided in principle support for the strategic direction of the GBPSP.

- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall – State level planning guidelines support the provision of certain public open spaces in settlements that interface with bushfire threats. This amendment proposes to ensure an adequate provision of public open spaces in these areas.

Clause 15.01-4S – Healthy neighbourhoods

This amendment is consistent with the objective of this Clause *“to achieve neighbourhoods that foster healthy and active living and community wellbeing”* and implements the strategies in the Clause by:

- Providing safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life – public open space is an important component of an effective walking and cycling network.
- Providing conveniently located public spaces for active recreation and leisure – implementing the recommendations for public open space contributions in the GBPSP and POSCP will provide a suitable provision of public open space.

Clause 18.02-1S – Sustainable personal transport

This amendment is consistent with the objective of this Clause *“to promote the use of sustainable personal transport”* and implements several strategies by:

- Ensuring development and the planning for new suburbs provide opportunities to promote more walking and cycling – in the new suburbs created in Greater Bendigo’s growth areas, public open space networks can be utilised to promote more walking and cycling.
- Encouraging the use of walking and cycling by creating environments that are safe and attractive – safe and attractive walking and cycling environments are often provided in well-connected linear public open spaces.
- Ensuring cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) are planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles – this amendment provides the funding mechanism to implement the GBPSP’s strategic framework providing this cycling infrastructure.

Clause 19.02-6S – Open space

This amendment is consistent with the objective of this Clause *“to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community”* and implements the strategies in the Clause by:

- Planning for regional and local open space networks for both recreation and conservation of natural and cultural environments – this amendment proposes to implement recommendations from the GBPSP which plans for regional and local public open space networks.
- Ensuring open space networks are linked, including through the provision of walking and cycling trails – this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.
- Creating opportunities to enhance open space networks within and between settlements - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.
- Ensuring that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities – this amendment ensures an adequate provision of public open space that can achieve this strategy.
- Improving the quality and distribution of open space and ensure long-term protection – this amendment will result in a more equitable distribution of public open space.
- Ensuring land identified as critical to the completion of open space links is transferred for open space purposes – this amendment proposes the funding mechanism to ensure this strategy can be achieved.
- Accommodating community sports facilities in a way that is not detrimental to other park activities – this amendment proposes a clear public open space contribution rate for Greater Bendigo’s growth areas, which can provide sufficient land for both active and passive recreation uses.

- Ensuring open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location – this amendment seeks to implement a portion of the GBPSP which has used the intent of this strategy as a guiding objective.
- Developing open space to maintain wildlife corridors and greenhouse sinks - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.
- Providing new parkland in growth areas and in areas that have an undersupply of parkland – Greater Bendigo's growth areas are directed to smaller existing settlements that are projected to grow significantly. With this anticipated growth and demographic context, an undersupply is projected for these growth areas. This amendment addresses this projected undersupply.
- Ensuring exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space - this strategy is supported by the GBPSP and POSCP, which provides the strategic framework of providing new and upgrading existing public open spaces and delivering an accessible public open space network.
- Ensuring public land immediately adjoining waterways and coastlines remains in public ownership - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.
- Planning open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Clause 02.03-1 – Settlement

This amendment supports the strategic direction for settlement to “*contain most of Greater Bendigo's growth within the Bendigo Urban Growth Boundary*” by facilitating population growth in the City Centre where there is a suitable provision of public open space for the projected population and providing quality infrastructure that supports a contained population growth.

Clause 02.03-5 – Built environment and heritage

A key issue identified in this Clause recognises that the built environment impacts on people's health and wellbeing and often in Greater Bendigo the built environment does not encourage active lifestyles. This amendment ensures that significant growth areas in Greater Bendigo have adequate provisions of public open space to encourage active lifestyles.

Clause 02.03-9 – Infrastructure (Open space)

This amendment supports the strategic direction of this Clause to “*retain the existing amount of public space, but strategically consolidate it to improve its quality and achieve a network of public open space links between key destinations like schools and activity centres and open spaces*” by supporting the implementation of the GBPSP with similar strategic intent.

Clause 11.01-1L-01 – Settlement – Greater Bendigo

This amendment supports the objective for this clause “*to manage Greater Bendigo's outward growth and avoid further sprawl by directing growth to identified locations*” by facilitating population growth in the City Centre where there is a suitable provision of public open space for the projected population.

Clause 19.02-6L-01 – Open space and public land – Greater Bendigo

This amendment supports the strategies to this Clause, including to “*support the development of a network of integrated primary and secondary public space corridors and link major urban parklands*” and to “*progressively improve the major urban parklands as key public space resources by optimising their use of available space, prioritising accessible and pedestrian-friendly environments*” by supporting the implementation of the GBPSP with similar strategic intent.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by amending the Schedule to Clause 53.01 – Public Open Space Contribution and Subdivision, as this is most appropriate planning mechanism for collecting contributions for public open spaces.

The council has historically pursued public open space contributions solely through confining itself to the provisions of the *Subdivision Act 1988* that outline a nominal contribution requirement of up to 5 per cent of the site area or equivalent land value as a cash contribution. Due to the Act's language "up to 5 per cent", assessment planners are required to consider each subdivision application's impact and predicted demand on the public open space network on a case-by-case basis. This results in uncertainty for developers, unnecessary time spent during the assessment process, and an overall ad-hoc approach to collecting public open space contributions.

In recent years, the council has started to utilise development contribution plans (DCPs) in its suite of statutory avenues to pursue development contributions. Two DCPs (neither of which are yet incorporated in the Greater Bendigo Planning Scheme) identify public open space projects that require development contributions to fund. However, in general, the DCP pathway requires a complex level of strategic justification that creates an onerous process for widespread and long-term applications and is inflexible in how and when the collected funds are allocated.

Establishing fixed contribution rates through the Schedule to Clause 53.01 is the most practical route for most local governments.

How does the amendment address the views of any relevant agency?

The GBPSP was prepared in consultation with relevant agencies and departments. In particular, the following agencies were consulted and therefore the amendment addresses their views:

- CFA – supports the GBPSP and advises that future public open spaces should not increase the bushfire risk to Greater Bendigo.
- Transport for Victoria (Department of Transport) – supports the GBPSP, particularly utilising public open space corridors to provide critical walking and cycling linkages.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with the transport system objectives and decision making principles in the *Transport Integration Act 2010*. Specifically, the amendment:

- Promotes social and economic inclusion by establishing an equitable public open space contributions framework which provide an equitable provision of public open space in Greater Bendigo.
- Responds to the environmental sustainability objective by implementing recommendations from the GBPSP, which places a strong emphasis on sustainable forms of transport.
- Promotes safety, health and wellbeing by ensuring the planning system responds to the different needs across the Greater Bendigo community which will ensure an equitable provision of public open space.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment provides specific public open space contribution rates in the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision). The suburb of Bendigo has a proposed 2 per cent contribution rate, and all other residential areas has a proposed 5 per cent contribution rate.

The amendment will have a minimal impact on the resource and administrative costs of the responsible authority as suitable public open space contributions will be collected from new residential subdivisions and managing public open spaces is a key function of the responsible authority.

The amendment will have a negligible impact on the number of planning permit application received, planning staff resources, and the responsible authority's capacity to consider applications within the prescribed time.

Where you may inspect this amendment

The amendment can be inspected free of charge at the City of Greater Bendigo website at <https://www.bendigo.vic.gov.au/Services/Building-and-Planning/Planning-scheme-amendments>.

The amendment is available for public inspection, free of charge, during office hours at the City of Greater Bendigo, 15 Hopetoun Street, Bendigo.

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at <http://www.planning.vic.gov.au/public-inspection>

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 15 July 2022.

A submission must be sent to the City of Greater Bendigo, by mail to PO Box 733, Bendigo VIC 3552 or made via the online form at <https://www.bendigo.vic.gov.au/Services/Building-and-Planning/Planning-scheme-amendments>.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No. 15 the following panel hearing dates have been set for this amendment:

- Directions hearing: To commence in the week of Monday, 19 September 2022
- Panel hearing: To commence in the week of Monday, 17 October 2022

Appendix 1

Precinct	Future public open space need (summarised)
Axedale	Axedale Park improvements Campaspe River Reserve improvements Future local parkland (Raglan Street)
Bendigo	Rosalind Park Master Plan implementation Rosalind Park play space Sidney Myer Place/William Vahland Place public square Hustlers Reef improvements Lake Weeroona Master Plan implementation Weeroona Oval interface improvements Ewing Park major upgrades Reimagining Bendigo Creek Plan implementation
California Gully and North Bendigo	North Bendigo Recreation Reserve Concept Plan implementation Ironbark Gully Public Space Corridor Concept Plan implementation Railway line public space corridor
Eaglehawk, Eaglehawk North and Sailors Gully	Brassey Square Canterbury Park historic gardens expansion Lake Neangar and Lake Tom Thumb improvements Eaglehawk Cemetery public space corridor Albert Roy Reserve redevelopment Former Virginia Hill Mine interpretive area Former Murchison Mine public space corridor Future public open space (Eaglehawk Creek and Jackass Gully)
Elmore	Elmore Recreation Reserve improvements Campaspe River Run improvements Future public open space (Railway Place) Goldfields to Murray Trail (Elmore loop)
Epsom and Ascot	Epsom Village Green play space upgrade Future public open space (Racecourse Creek) Future public open space (Bendigo Creek) Epsom to Huntly public space corridor Back Creek/Racecourse Road public space corridor
Flora Hill, Golden Gully, Spring Gully and Quarry Hill	Spring Gully and Surrounds Recreation Plan implementation Spring Gully Creek play space upgrade Quarry Hill Recreation Reserve public space corridor Bendigo Cemetery walking corridor Bendigo Athletics Track play space Goldfields Track re-routing
Golden Square	Cooinda Park play space upgrade Golden Square Oval interface improvements Former Chum Mine public space corridor Backhaus Oval redevelopment Former Golden Square Secondary College open space redevelopment Future public space (Pallett Street) Future public space (Hattam Street) Reimagining Bendigo Creek Plan implementation
Goornong	Goornong Recreation Reserve redevelopment English's Bridge Reserve improvements Goldfields to Murray Trail (Goornong loop)

Precinct	Future public open space need (summarised)
Heathcote	Heathcote public square Barrack Community Precinct Master Plan implementation Barrack Reserve interface improvements Public space corridors between the O'Keefe Trail and town centre
Huntly	Huntly Town Centre play space Huntly Public Gardens improvements Gold Leaf Reserve improvements Viewpoint Reserve completion Pennington Park improvements Epsom/Huntly Recreation Reserve Master Plan implementation Huntly Town Square Future public spaces (2) in new development precincts Town Centre to railway station public space corridor
Ironbark, Long Gully and West Bendigo	Ironbark Town Centre to Ironbark Gully public space corridor Bendigo Stadium outdoor public space development Future public space (Dai Gum San) Victoria Hill landscape restoration Long Gully Reserve public space corridor convergence Poulston Street public space corridor (Comet Hill)
Junortoun	Honeyeater Reserve improvements Knul-doorong Woodland improvements and adjacent land purchase Establishment of flora reserve at Manning Reserve Homebush Estate to Strathfieldsaye public space corridor
Kangaroo Flat	Gateway Park completion Dower Park Master Plan implementation Kangaroo Flat Botanic Gardens connection to railway station Reimagining Bendigo Creek Plan implementation Future public space (Phyllis/Lee Streets) Future public space (Lockwood Road)
Kennington and Strathdale	Harry Trott Oval play space St Aidans Road public space corridor Butcher Street public space corridor
Lockwood and Lockwood South	Happy Jack Recreation Reserve improvements Bullock Creek public space corridor
Maiden Gully	Maiden Gully Recreation Reserve play space and interface improvements Janelle Drive Reserve improvements Power line easement public space corridor Future public space (Golf Links Road sports park) Future public space (Myers Creek) Myers Creek public space corridor Future public space (Maiden Gully Creek)
Marong	Marong Town Centre improvements Malone Park play space, public space corridor and other improvements Future public space (Marong Recreation Reserve) Bullock Creek public space corridor
Raywood, Sebastian and Neilborough	Improvements to Morshead Reserve, Sebastian Recreation Reserve and Bill Cole Reserve Rural roads trail network
Redesdale and Mia Mia	Redesdale Town Centre improvements Campaspe River Reserve improvements Agnes Mudford Reserve improvements

Precinct	Future public open space need (summarised)
	Mia Mia Recreation Reserve improvements
Strathfieldsaye	Strathfieldsaye town square Sheepwash Creek corridor extension Emu Creek corridor extension Strathfieldsaye Recreation Reserve improvements Future public space (McLeans Road) Future public space (Emu Creek Road) Town centre public space corridor links
Woodvale	Woodvale Recreation Reserve improvements
White Hills, Jackass Flat and East Bendigo	Bendigo Botanic Gardens Master Plan implementation White Hills Cemetery public space corridor Reimagining Bendigo Creek Plan implementation Railway line public space corridor Spring Gully Channel public space corridor

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C266gben

INSTRUCTION SHEET

The planning authority for this amendment is the Greater Bendigo City Council.

The Greater Bendigo Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In **Particular Provisions** – Clause 53.01, replace the Schedule with a new Schedule in the form of the attached document.
2. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

End of document

OFFICIAL

GREATER BENDIGO PLANNING SCHEME

31/07/2018
VC148

**SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND
SUBDIVISION**

1.0

Subdivision and public open space contribution

Proposed C266gben

Type or location of subdivision	Amount of contribution for public open space
Bendigo (residential subdivisions)	2 per cent of net developable area in cash or land contribution (any land contribution must be unencumbered).
All other residential subdivisions	5 per cent of net developable area in cash or land contribution (any land contribution must be unencumbered).

GREATER BENDIGO PLANNING SCHEME

Name of background document	Amendment number - clause reference
Public Open Space Contributions Background Report to Amendment C266gben (City of Greater Bendigo, May 2022)	C266gben - Clause 53.01s
Review of Demand and Supply for Industrial Land in Greater Bendigo (SGS Economics and Planning, February 2012)	C161 Pt 1 - Clause 17.03-1L
Rural Areas Strategy (City of Greater Bendigo, September 2009)	C256gben - Clause 14.01-1L, Clause 16.01-3L
Site Environmental Management Plan, Former VicRoads Depot Buildings, 47 Lansell Street, Bendigo East (Beveridge Williams, January 2016)	C220 - Clause 43.04s16
Statement of Environmental Audit 47 Lansell Street East Bendigo (Golder Associates, December 2005)	C34 - Clause 43.04s16
Strategic Directions Rural Roadside Conservation (City of Greater Bendigo, 2011)	C256gben - Clause 12.01-1L
Strathfieldsaye Township Plan (Centrum Town Planning, amended March 2012)	C232gben - Clause 11.03-6L-03, Clause 43.04s26
Strathfieldsaye Urban Design Framework (City of Greater Bendigo, February 2017)	C232gben - Clause 11.03-6L-03, Clause 43.02s27, Clause 43.02s28, Clause 43.02s29
Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, May 2006)	C161 Pt 1 - Clause 43.04s29
Vision and Transition Strategy for a Water Sensitive Bendigo (Cooperative Research Centre for Water Sensitive Cities Ltd, July 2018)	C256gben - Clause 02.03-9, Clause 19.03-3L
Walk, Cycle Greater Bendigo (City of Greater Bendigo, September 2019)	Clause 256gben - Clause 02.03-8, Clause 11.01-1L-01, Clause 18.01-1L, Clause 18.02-1L, Clause 18.02-2L

16.2. CA 10, Sec 18, Bendigo-Maldon Road, Lockwood South 3551 - Use and Development of Dwelling, Outbuilding, Driveway and Creation of Access from a Transport Zone 2

Author:	Rhiannon Biezen, Consultant Planner
Responsible Director:	Steve Hamilton, Director Strategy and Growth

Summary/Purpose

Application No:	DR/9/2022
Application Documents:	https://epathway.bendigo.vic.gov.au/ePathway/Production/Web/GeneralEnquiry/ExternalRequestBroker.aspx?Module=EGELAP&Class=P&Type=PLNADV&Applicationid=1058874
Applicant:	Bendigo Planning Services
Land:	CA 10, Sec 18, Bendigo-Maldon Road, LOCKWOOD SOUTH 3551
Zoning:	Clause 35.07 Farming Zone Transport Zone 2
Overlays:	Clause 42.01 - Environmental Significance Overlay – Schedule 1 (partially) Clause 44.02 - Salinity Management Overlay (partially)
No. of objections:	0
Consultation meeting:	N/A
Key considerations:	Whether the proposal would result in an acceptable planning outcome having regard to the purpose and decision guidelines of the Farming Zone and the relevant planning policy that deals with rural dwellings and the protection of agricultural land.
Conclusion:	The application is not in accordance with the Greater Bendigo Planning Scheme. It is recommended that Council refuse to grant a permit, as the proposal does not present an acceptable planning outcome with regards to the purposes of the Farming Zone and the relevant planning policies for rural dwellings and the protection of agricultural land.

Recommended Motion

Pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Notice of Decision to Refuse to Grant a Permit for the *Use and development of dwelling, outbuilding, driveway and create access from a road zone category 1 at CA 10, Sec 18, Bendigo-Maldon Road, LOCKWOOD SOUTH 3551* on the following grounds:

1. The proposal is inconsistent with policy for agriculture and rural dwellings at Clause 14.01-1S and the purpose and decision guidelines of the Farming Zone, in the following manner:
 - a. The dwelling does not support or enhance agriculture; and.

- b. The dwelling would cause the fragmentation of agricultural land by restraining the ability of the parcel to consolidate with adjoining or nearby land.

RESOLUTION - Resolution No. 22/09-13

Moved: Cr Williams

Seconded: Cr Alden

That pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Planning Permit for the Use and Development of Dwelling, Outbuilding, Driveway and Creation of Access from a Transport Zone 2 at CA 10, Sec 18, Bendigo-Maldon Road, Lockwood South 3551 subject to the following conditions:

1. NO LAYOUT ALTERATION

The use and development permitted by this permit as shown on the endorsed plans and described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

2. LANDSCAPE PLAN REQUIRED

Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions.

The plan must show:

- a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
- b. Details of surface finishes of pathways and driveways.
- c. Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- d. Native landscaping along the property boundaries and drainage line in accordance with the recommendations of the amended Land Management Plan/Environmental Management Plan required as part of Condition 3. This should include a combination of trees, shrubs and grasses.
- e. A Landscape Staging Plan (as required), to the satisfaction of the responsible authority. If staging is required, timeframes should commence from prior to commencement of the construction of the dwelling.

All species selected must be to the satisfaction of the responsible authority.

3. AMENDED LAND MANAGEMENT PLAN/ENVIRONMENTAL MANAGEMENT PLAN

Before the use and/or development start(s), an amended combined Land Management Plan/Environmental Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan(s) will be endorsed and will then form part of the permit. The plans must show:

- a. The main environmental issues of the site and how this will be mitigated/managed.
- b. Measures to protect and enhance the waterway, including fencing.

- c. Measures to protect and enhance remnant vegetation.
- d. Any required ongoing land management measures.
- e. Revegetation along the creek and property boundaries in order to protect and enhance the biodiversity of the site.
- f. A Landscape Plan in accordance with the requirements of Condition 3.

Once approved, the plan will be endorsed to form part of the permit.

4. CONSTRUCTION OF UNMADE ROAD RESERVE

Prior to the commencement of the development hereby approved by this permit, the section of the unmade government road must be constructed from Bendigo-Malden Road to the proposed accessway to the satisfaction of the responsible authority and to the full cost of the permit applicant/landowner.

5. CONSTRUCT A GRAVEL DRIVEWAY

- a. Prior to the commencement of works for the dwelling, the owner must construct a gravelled driveway connecting the dwelling location to Francis Road.
- b. The driveway between the property boundary and the edge of the gravel road must be constructed in accordance with the Infrastructure Design Manual SD 255 Rural Driveway.
- c. Access to the proposed dwelling must be provided via an all-weather (gravel) driveway with a minimum trafficable width of 3.5 metres with 500mm horizontal clearance and 4 metre vertical clearance to trees to accommodate emergency vehicles. A table drain is required on the high side with a turnaround area at the residence.
- d. Sight distance at the access driveway must comply with AS/NZS 2890.1:2004 Fig 3.2.

6. ELECTRICITY SUPPLY

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the responsible authority.

7. GENERAL DRAINAGE – BUILDINGS AND HOUSES

The proposed buildings and works must be drained to the satisfaction of the City of Greater Bendigo as the responsible drainage authority.

8. DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING

- a. All earthworks are to be designed and constructed to avoid soil erosion.
- b. All waters leaving the site must meet EPA content standards in Construction Techniques for Sediment Pollution Control No. 275, May 1991.

9. DEPARTMENT OF TRANSPORT

- a. Prior to the occupation of the buildings and/or works the crossover and driveway are to be constructed to the satisfaction of the Head, Transport for Victoria and/or (select only one option) the Responsible Authority and at no cost to the Head, Transport for Victoria.
- b. Prior to the occupation of the buildings and/or works the access lanes, driveways, crossovers and associated works must be provided and available for use and be:

- i. In accordance with VicRoads Standard Drawing GD4010 for an 8.8m service vehicle.
 - ii. Formed to such levels and drained so that they can be used in accordance with the endorsed plans.
 - iii. Treated with an all-weather seal or some other durable surface.
- c. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

10. GOULBURN-MURRAY WATER

- a. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
- b. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
- c. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.
- d. The wastewater disposal area must be located at least: 60m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.
- e. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 4 bedrooms), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.
- f. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.
- g. No buildings are to be constructed within 30 metres of any waterways or on any drainage lines.
- h. The outbuilding must not contain bedrooms (or rooms that could be used as bedrooms) or any facilities with the potential to produce wastewater, including toilets, kitchens or other food preparation facilities.
- i. Stormwater run-off from buildings and other impervious surfaces must be dissipated as normal concentrated overland flow or directed to a storage tank or dam.
- j. The outbuilding must not encroach on the wastewater treatment system or disposal area or breach the minimum setback distances specified in the relevant EPA Code of Practice – Onsite Wastewater Management. Stormwater run-off from the shed roof must not be directed towards the disposal area.

11. EXPIRY OF PERMIT

This permit will expire if the development permitted by the this permit is not completed within 2 years from the date hereof. The time within which the development must be

completed may be extended, on written request to the responsible authority, before or within 6 months after the expiry of this permit where the development has not yet started or 12 months where the development has commenced.

Department of Transport Note:

The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.

Goulburn-Murray Water Note:

For works on waterways, it is recommended that applicant contact the relevant Catchment Management Authority as a licence may be required to undertake these works.

City of Greater Bendigo Environmental Health Note:

Before a building permit is issued for a dwelling at the property, a Permit to Install an Onsite Wastewater Management System is required to be issued by Council.

City of Greater Bendigo Engineering Note:

A Works within Road Reserves permit must be obtained from the City of Greater Bendigo Engineering Department prior to any work commencing in the road reserve.

CONSENT FOR WORK ON ROAD RESERVES

The applicant must comply with:

- a. The Road Management Act 2004,
- b. Road Management (Works and Infrastructure) Regulations 2005, and
- c. Road Management (General) Regulations 2005

with respect to any requirements to notify the Coordinating Authority and/or seek consent from the Coordinating Authority to undertake "works" (as defined in the Act) in, over or under the road reserve. The responsible authority in the inclusion of this condition on this planning permit is not deemed to have been notified of, or to have given consent, to undertake any works within the road reserve as proposed in this permit.

LOST

RESOLUTION - Resolution No. 22/09-14

Moved: Cr Fyffe

Seconded: Cr Evans

That the recommended motion be adopted.

CARRIED

Background Information

Preliminary concerns were raised with the applicant with regards to the proposal not being in accordance with planning policy relating to rural dwellings and the protection of agricultural land.

The original application omitted a planning report, dwelling and outbuilding plans and a Farm Management Plan, so further information was requested to include this information.

The applicant has since provided a Farm/Integrated Land Management Plan which, in the judgement of the Statutory Planning Unit has not justified how the dwelling would support or enhance the proposed agricultural use. The Farm/Integrated Land Management Plan has been reviewed by Agriculture Victoria who has also concluded that the agricultural activity can occur onsite without the need for a dwelling.

Report

Subject Site and Surrounds

The site is currently vacant and contains two waterways. Vegetation on the site is generally clustered around the waterways and northern boundary of the site. The site has historically been used for light agricultural practices (grazing).

The site is located within the Farming Zone and is partially affected by an Environmental Significance Overlay Schedule 1 (Watercourse protection) and the Salinity Management Overlay

Surrounding land is located within the Farming Zone, 448 metres north-east of the property is Low Density Residential Zone. Land directly to the east abutting Bendigo-Maldon Road contains a poultry farm.

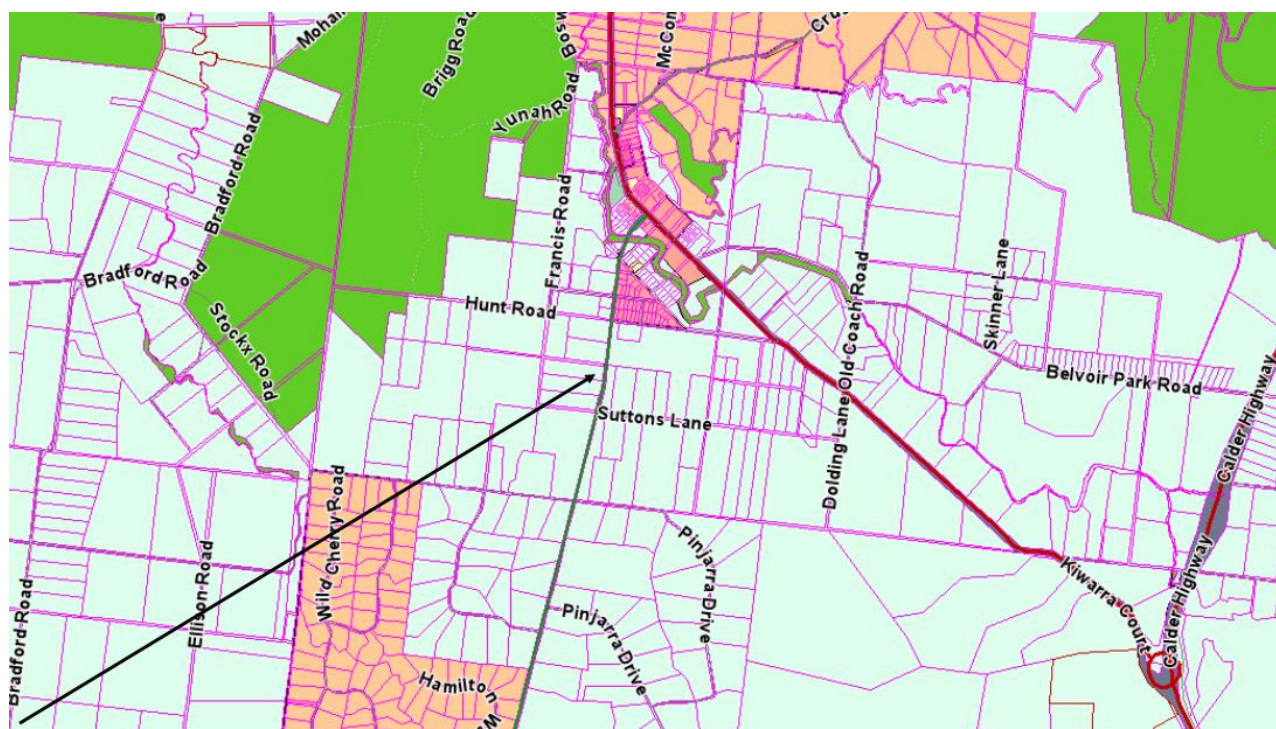


Figure 1: Zoning of the application site and surrounds.

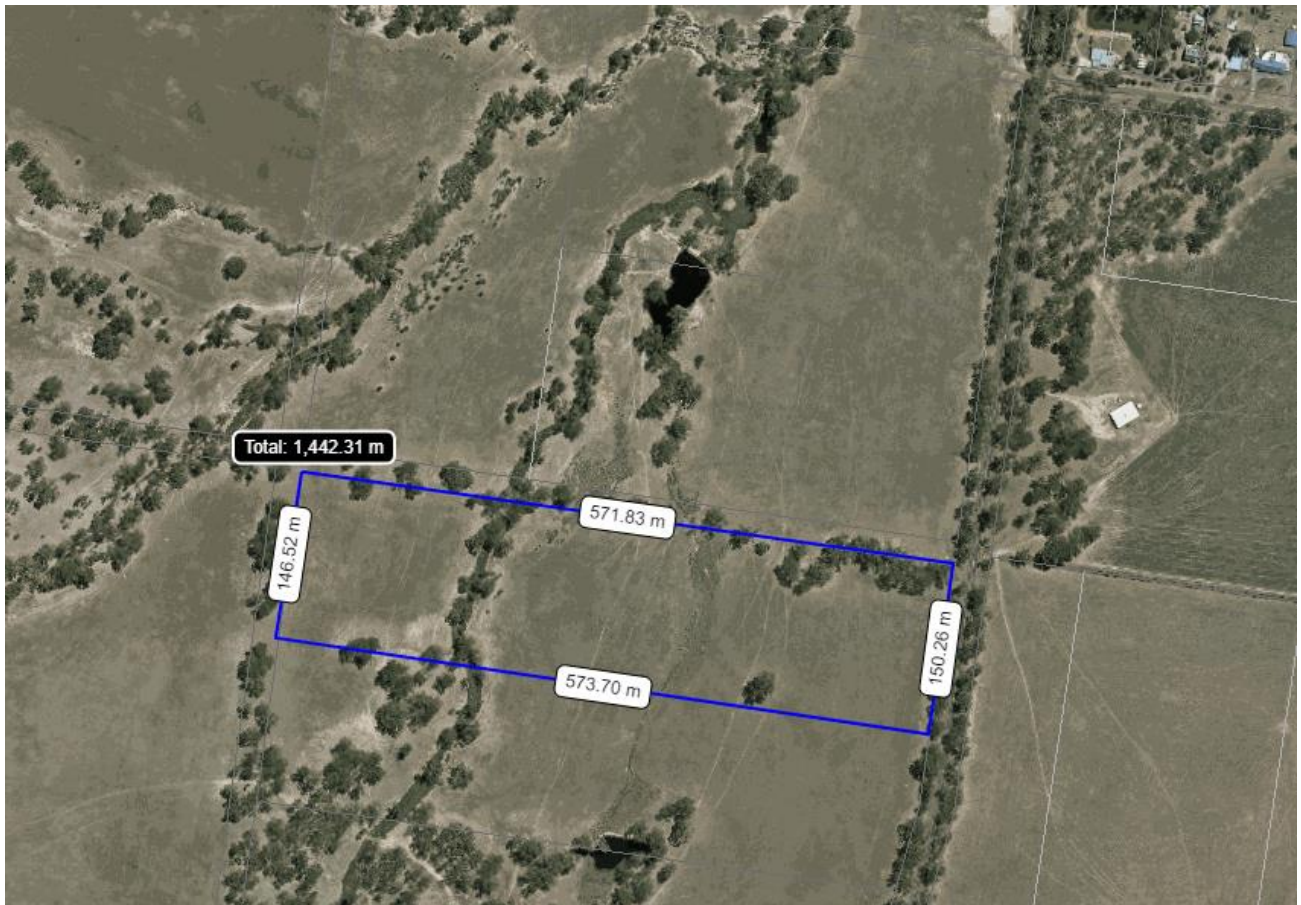


Figure 2: Location map showing subject site.

The area contains multiple poultry farms as well as grazing farms. This is an intact agricultural area containing multiple agricultural industries that require physical buffers between the agricultural land use and residential land.

The site is formally referred to as Crown Allotment 10, Section 18, Township of Lockwood, Parish of Lockwood, which was previously one part of a larger property which has been disaggregated over time and separate Crown Allotments sold off.

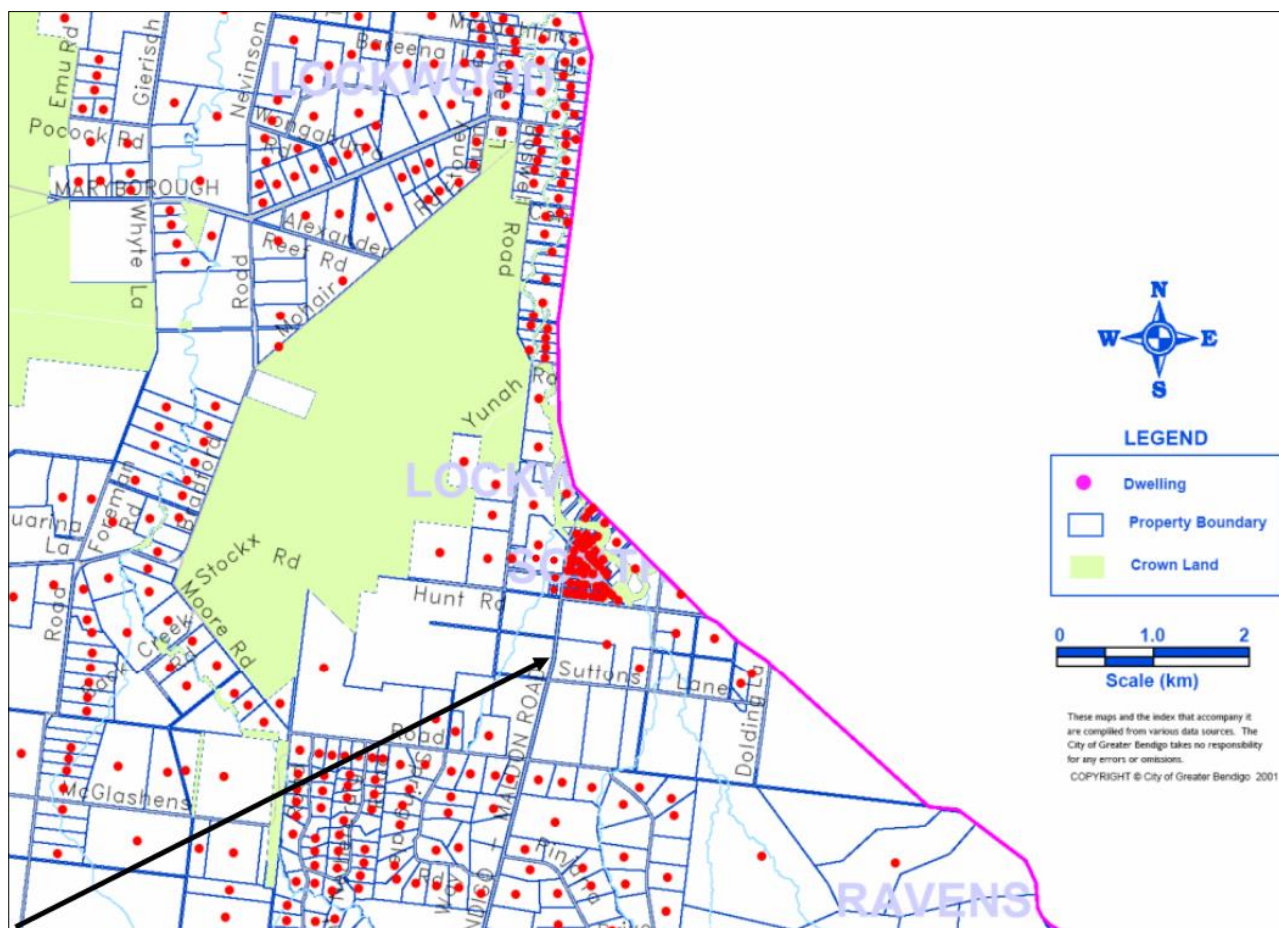


Figure 3: Extract from the City's Rural Areas Strategy 2009 showing the application site and dwellings in the area (this has been updated to show other more recent planning approvals).

Proposal

The application proposes the use and development of the land for a dwelling and outbuilding.

The dwelling would be located centrally within the site, being setback a minimum of 86 metres from the waterway to the west, a minimum of 60 metres from the waterway to the east, a minimum of 50 metres from the southern (side) boundary and a minimum of 76 metres from the northern (unmade road) boundary.

The dwelling is proposed to be 465.8 square metres in total and of a singly storey design. The dwelling would comprise of four bedrooms; two bathrooms; a lounge room; an open plan kitchen/living/dining area; wrap around decking and double carport. Cladding and roofing materials include a combination of brick, Colorbond and timber cladding. A site cut of 100mm, with maximum fill of 400mm is proposed to create a domestic building pad of 1,400 square metres.

The applicant has advised, and Statutory Planning confirms, that no native vegetation removal is required in order to facilitate the development of the land for a dwelling.

The floor plan shows a two-story residence with the following details:

- Deck 1:** Includes an Alfresco area (4.0 x 10.78), a large Living area (6.4 x 4.5) with a TV unit, a Dining area (6.4 x 5.5), a Kitchen (2.0 x 2.7), a Study (3.0 x 2.0), and a Bed 4 (3.6 x 3.0). It also features a Queen Bed, Ensuite (1.8 x 4.2), and a W.I.R. (2.0 x 1.5).
- Deck 2:** Features a Lounge (8.2 x 3.6), Bed 2 (3.6 x 3.0), Bed 3 (3.5 x 3.6), a Bath (1.9 x 3.6), and a W.C. It also has a Photo/Voltaic Panels area and a Hot Water Holding Tank with Gas Boosters.
- Other Areas:** Includes a Carport (6.8 x 6.5), a Mud Rm (2.4 x 1.5), a Laundry (2.0 x 1.7), and a W.I.F. (2.0 x 1.7). The plan also shows various outdoor seating areas, a BBQ, and a 900mm wide sun battens area.
- Dimensions:** Overall dimensions are 14150 (width) x 6880 (depth). Room dimensions are provided for most areas, such as 4.8 x 4.2 for Bed 1 and 6.4 x 5.5 for the Dining area.
- Orientation:** A compass rose indicates North is towards the top-left of the plan.

Page 305 of 372

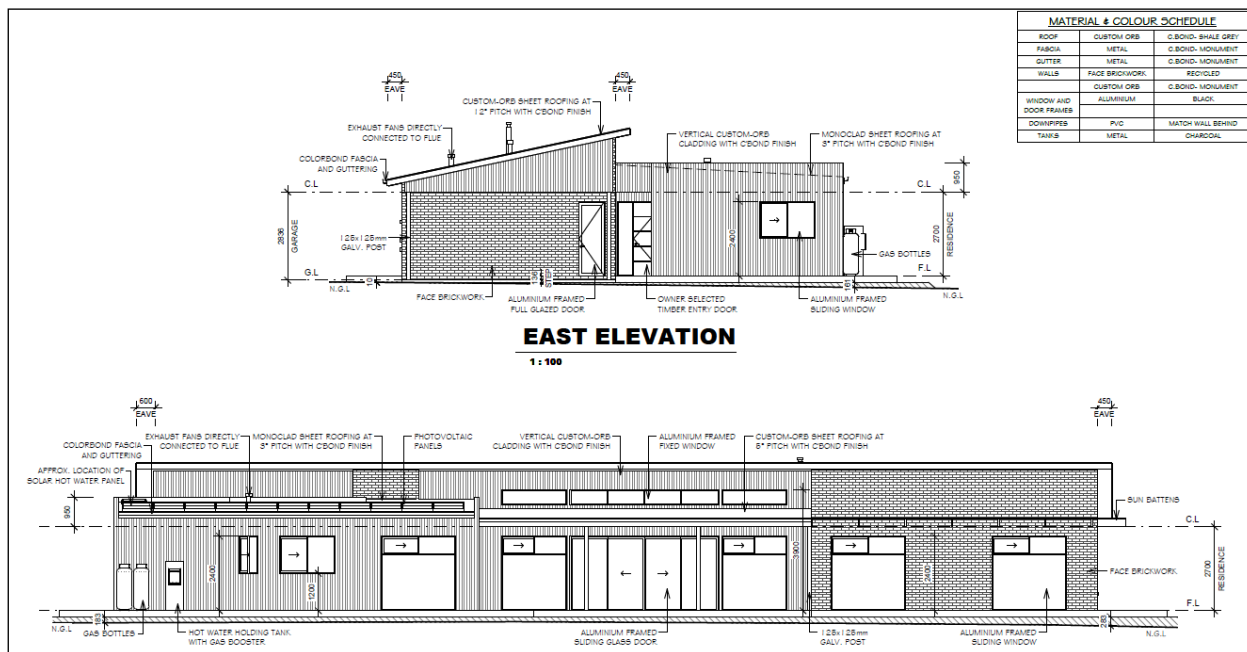


Figure 6: Proposed elevations



Figure 7: Farm layout plan

The proposed outbuilding has an area of 147 square metres and would be on the southern portion of the property 6 metres from the southern title boundary. No further details have been provided with respect to elevations and colours and materials have been provided. The shed will be provided with four (4) 22,500 litre water tanks. The proposed site cut is 60mm and proposed fill of a maximum of 210mm.

It is also proposed that the driveway will utilize the unmade council road to access Bendigo-Malden Road.

The application was accompanied by a Land Capability Assessment, Land Management Plan and Environmental Management Plan.

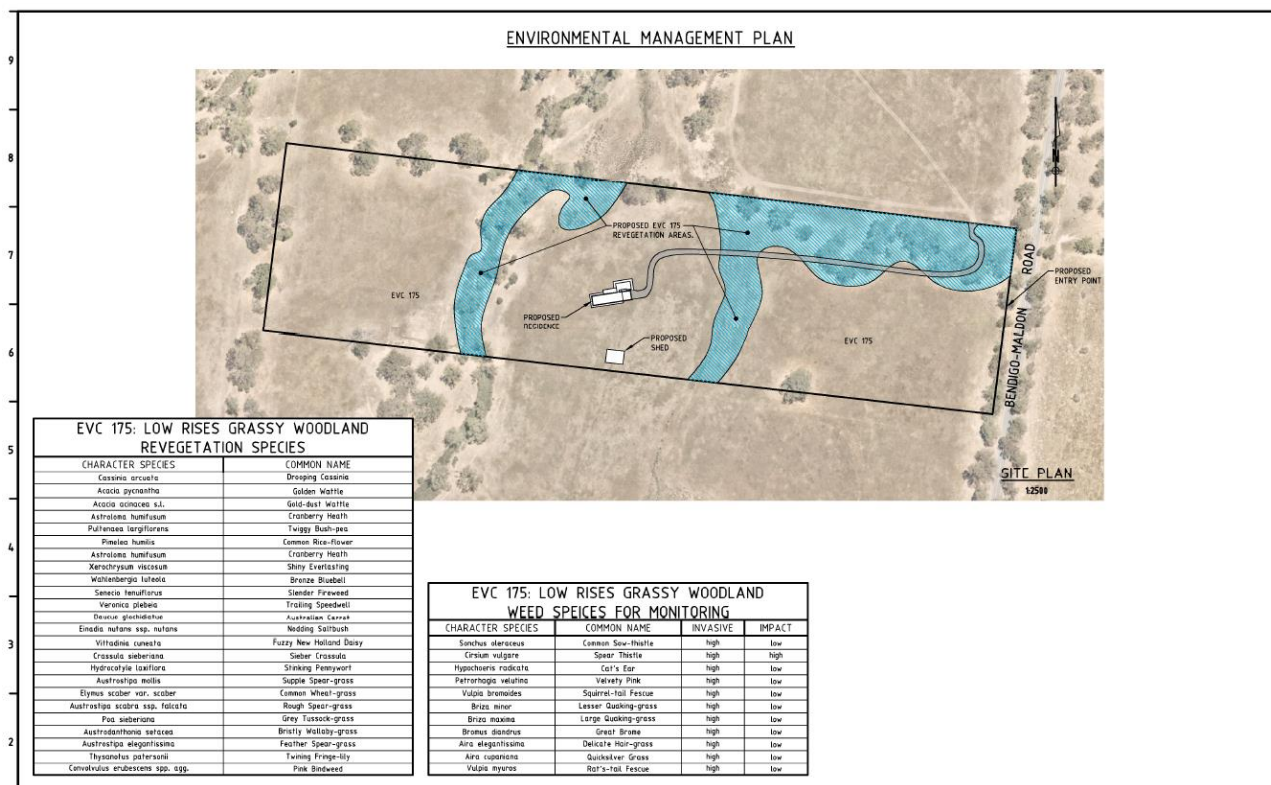


Figure 8: Revegetation layout plan

Planning Controls - Greater Bendigo Planning Scheme

Why is a permit needed?

Clause 35.07-1 (Farming Zone) notes that a permit is required to use land for a dwelling on a lot that is less than 40 hectares (100 acres) in size. The subject land is only 8.6 hectares in size.

A permit is also required under 35.07-4 to construct the dwelling owing to the dwelling being a permit required use.

The following clauses are relevant in the consideration of this proposal:

Municipal Planning Strategy

- Clause 02.03-1 - Settlement
- Clause 02.03-2 - Environment and landscape values
- Clause 02.03-4 - Natural Resource Management

- Clause 02.03-6 - Housing
- Clause 02.03-7 - Economic Development

State Planning Policy Framework

- Clause 11 - Settlement
- Clause 11.01-1R - Settlement – Loddon Mallee South
- Clause 13.07-1S - Land use compatibility
- Clause 14.01-1S - Protection of agricultural land
- Clause 14.01-1L - Protection of agricultural land – Greater Bendigo
- Clause 14.01-2S - Sustainable agricultural land use
- Clause 15.01-6S - Design for rural areas
- Clause 16.01-3S - Rural residential development
- Clause 16.01- 3: - Rural residential development – Greater Bendigo
- Clause 17.01-1S- Diversified economy

Other Provisions

- Clause 35.07 - Farming Zone
- Clause 52.06 - Car parking
- Clause 52.29 - Land Adjacent to a Principal Road Network
- Clause 65 – Decision guidelines

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan Mir wimbul 2021-2025

Outcome 2 – Healthy, liveable spaces and places

Secondary Council Plan Reference

Goal 7 – Sustainable population growth is planned for

Consultation/Communication

Referrals

The following authorities and internal departments have been consulted on the proposal:

Referral	Comment
Department of Transport (DOT)	No objection subject to conditions

Referral	Comment
Department of Environment, Land, Water & Planning (DELWP)	No objection subject to conditions
Environmental Health	No objection subject to conditions
Traffic	No objection subject to conditions
Agriculture Victoria (AV)	<p>The application was referred under Section 52 of the Act to Agriculture Victoria for the assessment of the Land Management Plan. AV had the following comments:</p> <p>“The proposal is for a rural residential use with no agricultural use proposed with the justifying statement <i>“The site in its current configuration would have a low possibility of holding ongoing economically viable agricultural activities, as the available productive land (ESO1 section removed) is not seen adequate and the economic investment to sustain such would be prohibitive.”</i> No consideration has been given to the purpose of the Farming Zone, including:</p> <ul style="list-style-type: none"> • <i>To provide for the use of land for agriculture.</i> • <i>To encourage the retention of productive agricultural land.</i> • <i>To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.</i> <p>Whilst the property detail and links to other parcels is unclear, aerial mapping does not appear to show boundary fencing defining the subject land but suggests the land is currently used as part of a larger agricultural property.</p> <p>The house site appears to be located within 800 metres of an existing large scale poultry farm. With reference to the objectives and strategies of the Greater Bendigo Planning Scheme, including <i>Clause 14.01-2S Sustainable agricultural land use</i>, Agriculture Victoria considers that the use of land for a dwelling for rural residential purposes</p>

Referral	Comment
	<p>may limit the ability of the adjacent poultry farm to operate and or expand their operations in future.</p> <p>The proposal would appear contrary to the strategies of <i>Clause 14.01-1L Protection of agricultural land - Greater Bendigo</i>.</p> <p>The designated waterways should be considered against Clause 14.02-1S, Strategy to <i>retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway</i>.</p> <p>Agriculture Victoria considers that the proposed use and development of a dwelling for rural residential purposes on the land does not meet the strategic objectives of the Greater Bendigo Planning Scheme, with reference to <i>Clause 14.01-1S Protection of agricultural land</i> and <i>Clause 14.01-1L Protection of agricultural land - Greater Bendigo</i>.</p> <p>Furthermore, the approval of the dwelling would potentially set a precedent for surrounding parcels of land and potentially lead to a proliferation of dwellings in the Farming Zone."</p>

Public Notification

The application was advertised by way of notice on the site and letters to adjoining and nearby owners and occupiers. Following notice, and to date no objections have been received.

Planning Assessment

Introduction

Rural lifestyle development poses an ongoing risk to agricultural land. Planning Schemes in rural municipalities will usually seek to address these challenges through directing 'rural lifestyle' development to appropriately zoned land (Rural Living Zone) and using local planning policies to manage the development of dwellings in other rural zones, to protect the primacy of agriculture. The Rural Residential Development Policy at Clause 16.01-3S

and 16.01-3L of the Greater Bendigo Planning Scheme has been developed for this purpose of managing the large number of vacant rural parcels that exist across this municipality. This Policy will be further discussed in the sections below alongside the Statewide Farming Zone provisions.

The *Rural Areas Strategy, September 2009* notes that the use of discretion to allow new dwellings in rural areas, primarily the Farming Zone, has been and continues to be generously applied, despite an oversupply of zoned Rural Living land (estimated to be an 80 year supply) to cater for such demand. Such decision making poses a significant threat to the viability of the local agricultural sector as it progressively compromises the ability of local businesses to grow and operate relatively unhindered. It should also be noted that the Farming Zone has been facing increasing pressures in more recent years for subdivision and residential development, primarily for rural lifestyle opportunities rather than for farming purposes. Rural residential development should be directed to existing planned areas for this purpose.

The site is also partially affected by the Salinity Management Overlay and the applicant has failed to address the management techniques of both the development and the site. The applicant has stated that the land will be managed appropriately but has been vague as to what measures will be undertaken.

Whilst the subject site is partially affected by the Environmental Significance Overlay Schedule 1 (Watercourse protection), along the creek line within the approximate centre of the site, the development is proposed to occur outside this overlay and as such will not form part of this application's considerations.

Planning Scheme Policy Context

The purposes of the Farming Zone encompass the following relevant matters:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

The use and development of the land for a dwelling and outbuilding requires planning approval in this instance due to the subject site being located within the Farming Zone and on a lot of less than 40 hectares in size. However, Clause 65 of all planning schemes in Victoria states:

“Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.”

In addition to the purposes of the Farming Zone outlined above, the provisions of the Farming Zone direct that consideration must also be given to decision guidelines under the Zone which consider the question of how rural dwellings fit within these purposes. The decision guidelines provide a means by which to assess such applications and require consideration to be given to matters such as:

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

Common to the purposes of the Farming Zone and the decision guidelines is the question of whether the proposal is consistent with the planning policy framework.

At a Statewide planning level, Clause 14.01-1S relating to the protection of agricultural land has the objective to *“protect the State’s agricultural base by preserving productive farmland”*. Some of the main strategies in response to this objective seek to ensure the State’s agricultural base is protected from the unplanned loss of productive land, prevent inappropriately dispersed urban activities in rural areas and to limit new housing in rural areas.

At a local planning level, Clause 14.01-1L relating to the City’s *Protection of Agricultural Land* Policy draws together these themes to provide a consistent basis for considering the use of rural land for dwellings, and has the following relevant objectives:

- *To avoid the construction of a dwelling unless required to support a genuinely economically viable agricultural use of the land that requires permanent and continuous care, supervision or security.*
- *To ensure that where a dwelling is deemed necessary to support an agricultural use, that the use is viable based on the level of investment required and the estimated return as shown in an integrated land management plan.*
- *To ensure that where a dwelling has been deemed necessary to support an agricultural use, that the agricultural use has been established on the land prior to the construction of a dwelling.*
- *To avoid the construction of a dwelling on existing small lots (lots smaller than the zone schedule minimum) in the Farming Zone.*

It is evident that the overall aim of the relevant policy framework seeks to ensure that agricultural land is carefully managed in order to prevent adverse impacts on agricultural production, prevent the fragmentation of rural land and to ensure an orderly development of residential development in rural areas so that agricultural production of these areas is not disadvantaged or prejudiced by ad hoc and unplanned residential development.

As outlined above, from a policy perspective, the application of the Farming Zone to the subject land and its surrounds indicates its suitability for agriculture and a proposal which would ultimately result in a non-agricultural land use runs counter to these policies. It is evident from a review of the site and surrounding area that agriculture can and is practiced in this area. The Planning Scheme makes it clear that land zoned for farming designates it as suitable for agricultural purposes; a position further substantiated by VCAT decisions (e.g. *Russell Smith Town Planning Services v Mount Alexander SC [2018] VCAT 58 (11 January 2018)*).

Current Planning Scheme policy seeks to ensure that new dwellings in the Farming Zone are only approved in instances where they are considered to support or enhance agriculture. In making such a determination, consideration should be given to why there is a need to live on site and how that would support or enhance agricultural use/production, whether agriculture would remain the primary land use, whether it is likely that the land would remain in agricultural use into the future following development of the dwelling and so on.

The applicant has not produced an acceptable planning argument that approval of the proposal would be appropriate having considered planning policy and the decision guidelines of the Farming Zone. The applicant has failed to substantiate that the dwelling is in association with the use of the land for agriculture and as such it does not appear that the dwelling would support or enhance agriculture which is contrary to the policy framework.

The Farming Zone area to the south of Hewletts Road, bordered by the State Forest, Bendigo Maldon Road and McGlashens Road is relatively intact with few dwellings. It is acknowledged that lot sizes in the surrounding area are varied. A number of lots however, remain in common ownership which presents opportunities for a variety of agricultural land uses and development. The approval of a dwelling which does not support or enhance agriculture on the site would result in the fragmentation of agricultural land and could lead to a proliferation of dwellings within the surrounding area.

Assessment Findings

In summary, the application is recommended for refusal as a dwelling on the site would be contrary to the new City's Policy at Clause 14.01-1L which states:

Avoid the construction of a dwelling unless required to support a genuinely economically viable agricultural use of the land that requires permanent and continuous care, supervision or security.

The application has not presented an acceptable argument that an agricultural use is both 'viable' and 'permanent' and that a dwelling is needed for this to occur.

The Land Management Plan has failed to outline the extent of grazing and/or succinct timelines for the provision of required infrastructure within the site. The site also has no formal water supply to support an agricultural use. The Land Management Plan mainly outlines how to prepare the site for grazing activities and revegetation of the site rather than being a detailed plan as to how the site will be prepared and used for animal grazing.

The plan omits significant necessary details such as

- Infrastructure works such as provision of water, fencing details and seasonal timelines;
- Number of cattle to be retained onsite;
- Rotational grazing details;
- Whether breeding will be undertaken;
- Whether the cattle will be on sold;
- Timeline for implementation of works;
- Buffer areas to prevent access of stock to conservation areas of the site.

The applicant has also submitted an Environmental Management Plan for the conservation and revegetation although a planting schedule timeline has been omitted from the report. A 10 year timeline for works to be undertaken is detailed below:

- 10 year timeline for the removal of noxious weeds and ongoing land management;
- A schedule of timings for revegetation of areas as shown within the below shown plans with indigenous and native species;
- Soil management to prevent erosion and further salinity issues;
- Stormwater control techniques.

The presentation of the Environmental Management Plan *may* have been a relevant matter to consider under the former (now superseded/ deleted) Rural Dwellings Policy which included policy to:

Discourage dwellings on existing small lots (lots smaller than the schedule minimum) in all rural areas except if:

- *Subdivisions have been created since the introduction of planning controls;*
- *Substantial infrastructure works have been completed; or*
- ***The land has no agricultural potential and native vegetation will be retained and managed. [Author emphasis]***

As the above policy statement is *no longer* in the Planning Scheme, limited to no weight should be given to the fact that an Environmental Management Plan showing vegetation retention, land management/improvements has been provided.

The submitted documentation has failed to demonstrate both a genuine need for a dwelling onsite to support an agricultural activity and a viable agricultural use to be carried out within the site. The applicant/owner is instead seeking rural residential development of the site as opposed to a genuine and viable agricultural purpose. This proposal would be suited to a Rural Living Zone, not the Farming Zone.

The applicant has failed to demonstrate a genuine agricultural proposal via the submitted Land Management Plan. The site layout plan failed to highlight shelters for the protection of animals, feeding and watering troughs, fencing and simple management and daily activities that would be required to care for the proposed animals. The plan has also failed to highlight the objectives, number of animals to be kept onsite, budget details and timelines for the provision of required onsite infrastructure and implementation of the Land Management Plan.

The applicant has also failed to demonstrate a genuine rehabilitation of the site via the submitted Environmental Management Plan. The site layout plan has only mentioned areas of revegetation and associated species with a 10-year timeline but has omitted objectives such as fencing of the site and provision of associated infrastructure. The site layout plan for the conservation and revegetation areas highlighted by the submitted plan also form part of the proposed agricultural activity area. The Environmental Management Plan and the Land Management Plan are contrary to one another based the site layout and contravening uses. The plans have failed to highlight how the use of grazing and the revegetation will work in conjunction of one another. It should also be noted that the applicant has submitted conflicting reports regarding the genuine intended use of the land.

All the supporting materials that formed part of the application have been reviewed by Agriculture Victoria and they have raised significant concerns about the validity of the proposed farming enterprise for the site.

The Planning Scheme recognises the existence of intensive animal uses in this locality (particularly related to poultry) and an additional dwelling may give rise to a risk of complaints about the operation's odours and the like. The risk of land use conflict is real, especially in cases that are effectively a rural residential development as opposed to a genuine farming enterprise.

The land has historically been used for agriculture without a dwelling and the refusal of the application would not in any way hinder the ability for the land to continue to be used for agriculture as an out paddock or similar. In contrast, the approval of a dwelling that does not support or enhance agriculture on the site could result in the fragmentation of this area

of agricultural land leading to a proliferation of dwellings within the surrounding area which policy seeks to discourage.

Conclusion

The application proposes the use and development of the land for a dwelling and outbuilding which runs contrary to planning policies relating to the rural dwellings and the Farming Zone. The applicant has failed to produce a compelling argument that the proposed dwelling would support or enhance agriculture, or that any genuine agricultural land use is intended for the site. If approved, the proposal would likely result in a reduction in agricultural land and contribute to the incremental shift towards rural living. Such rural living opportunities could result in a net loss to agriculture due to permanent land use changes.

It is recommended that a Notice of Decision to Refuse to Grant a Permit be issued.

Options Considered

Council, acting as the responsible authority for administering the Planning Scheme, may resolve to refuse to grant a permit.

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Nil

16.3. CA 6B Hewletts Road, LOCKWOOD SOUTH 3551 - Use and Development of a Dwelling

Author:	Laura Gillespie, Statutory Planner
Responsible Director:	Steve Hamilton, Director Strategy and Growth

Summary/Purpose

Application No:	DR/139/2022
Application Documents:	https://epathway.bendigo.vic.gov.au/ePathway/Production/Web/GeneralEnquiry/ExternalRequestBroker.aspx?Module=EGELAP&Class=P&Type=PLNADV&Applicationid=1070716
Applicant:	Building Issues
Land:	CA 6B Hewletts Road, LOCKWOOD SOUTH 3551
Zoning:	Farming Zone
Overlays:	0
No. of objections:	0
Consultation meeting:	N/A
Key considerations:	Whether the proposal would result in an acceptable planning outcome having regard to the purpose and decision guidelines of the Farming Zone and the relevant planning policy that deals with rural dwellings and the protection of agricultural land.
Conclusion:	<p>The application is not in accordance with the Greater Bendigo Planning Scheme.</p> <p>It is recommended that Council refuse to grant a permit as the proposal does not present an acceptable planning outcome with regards to the purposes of the Farming Zone and the relevant planning policy that deals with rural dwellings.</p>

Recommended Motion

Pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Notice of Decision to Refuse to Grant a Permit for the *Use and Development of a Dwelling at CA 6B Hewletts Road, LOCKWOOD SOUTH 3551* on the following grounds:

1. The proposal is inconsistent with policy for agriculture and rural dwellings at Clause 14.01-1S, 14.01-1L and the purpose and decision guidelines of the Farming Zone, in the following manner:
 - a. The outcome for the land would be rural-residential in nature and potentially stymie genuine agricultural activities on surrounding land.
 - b. A dwelling would encourage the proliferation/spread of dwellings in the rural landscape.

- c. A dwelling would cause the fragmentation of agricultural land by restraining the ability of the parcel to consolidate with adjoining or nearby land.

RESOLUTION - Resolution No. 22/09-15

Moved: Cr Alden

Seconded: Cr Williams

That pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Planning Permit for the Use and Development of a Dwelling at CA6B Hewletts Road, LOCKWOOD SOUTH 3551 subject to the following conditions:

1. MODIFIED PLAN REQUIRED

Before the use and/or development start(s), 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. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a. Location of the internal driveway and crossover.
- b. A Landscape Plan in accordance with the requirements of Condition 3.

2. NO LAYOUT ALTERATION

The use and development permitted by this permit as shown on the endorsed plans and described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

3. LANDSCAPE PLAN REQUIRED

Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The landscaping plan must be generally in accordance with the landscape concept plan dated (insert date) prepared by (specify consultant) The plan must show:

- a. A survey (including botanical names) of all existing vegetation to be retained and/or removed
- b. Details of surface finishes of pathways and driveways
- c. Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- d. Native landscaping along the property boundaries and drainage line in accordance with the recommendations of the Land Management Plan referred to in Condition 4. This should include a combination of trees, shrubs and grasses.
- e. Landscaping in accordance with the Conservation Zone and Domestic Zone, as outlined in the Land Management Plan referred to in Condition 4
- f. A Landscape Staging Plan (as required), to the satisfaction of the responsible authority. If staging is required, timeframes should commence from prior to commencement of the construction of the dwelling.

All species selected must be to the satisfaction of the responsible authority.

4. LAND MANAGEMENT PLAN

The Land Management Plan, prepared by Cumbre Consultants and dated 27 February 2022, shall form part of this approval and any recommendations set forth in the plan, shall be applied to the development of the land.

5. CONSTRUCT A GRAVEL DRIVEWAY

- a. Prior to the commencement of works for the dwelling, the owner must construct a gravelled driveway connecting the dwelling location to Francis Road.
- b. The driveway between the property boundary and the edge of the gravel road must be constructed in accordance with the Infrastructure Design Manual SD 255 Rural Driveway.
- c. Access to the proposed dwelling must be provided via an all-weather (gravel) driveway with a minimum trafficable width of 3.5 metres with 500mm horizontal clearance and 4 metre vertical clearance to trees to accommodate emergency vehicles. A table drain is required on the high side with a turnaround area at the residence.
- d. Sight distance at the access driveway must comply with AS/NZS 2890.1:2004 Fig 3.2.

6. ELECTRICITY
SUPPLY

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the responsible authority.

7. GENERAL DRAINAGE – BUILDINGS AND
HOUSES

The proposed buildings and works must be drained to the satisfaction of the City of Greater Bendigo as the responsible drainage authority.

8. EXPIRY OF
PERMIT

This permit will expire if the development permitted by the this permit is not completed within 2 years from the date hereof. The time within which the development must be completed may be extended, on written request to the responsible authority, before or within 6 months after the expiry of this permit where the development has not yet started or 12 months where the development has commenced.

City of Greater Bendigo Environmental Health
Note:

- Before a building permit is issued for a dwelling at the property, a Permit to Install an Onsite Wastewater Management System is required to be issued by Council.

City of Greater Bendigo Engineering Note:

A Works within Road Reserves permit must be obtained from the City of Greater Bendigo Engineering Department prior to any work commencing in the road reserve.

CONSENT FOR WORK ON ROAD RESERVES

The applicant must comply with:

- a. The Road Management Act 2004,
- b. Road Management (Works and Infrastructure) Regulations 2005, and
- c. Road Management (General) Regulations 2005

with respect to any requirements to notify the Coordinating Authority and/or seek consent from the Coordinating Authority to undertake “works” (as defined in the Act) in, over or under the road reserve. The responsible authority in the inclusion of this condition on this planning permit is not deemed to have been notified of, or to have given consent, to undertake any works within the road reserve as proposed in this permit.

CARRIED

Background Information

Pre-application advice given in February 2022 where the applicant was advised that there were no guarantees a permit would be granted.

Subsequent to the planning application being lodged, concerns were raised with the application in relation to the proposal not being in accordance with the City’s Policy relating to rural dwellings and the purpose of the Farming Zone as it is for the use and development of the land for a dwelling on an undersized lot within the Farming Zone for the purposes of rural residential living with no agricultural activities being indicated as part of the overall proposal.

The Statutory Planning Unit advised that this type of development would be better suited to land within the Rural Living Zone, a zone which caters for residential use in a rural setting and that it is unlikely that the proposal would be supported in its current form.

After the Statutory Planning Unit’s position on the application was formally communicated to the applicant, the applicant was invited to and then provided additional information and justification to support the application. This additional information is considered insufficient to substantiate the need for a dwelling on the site, as discussed below.

Report

Subject Site and Surrounds

The site is formally referred to as Crown Allotment 6B, Section 18, Township of Lockwood, Parish of Lockwood, which was previously one part of a larger property which has been disaggregated over time and separate Crown Allotments sold off.

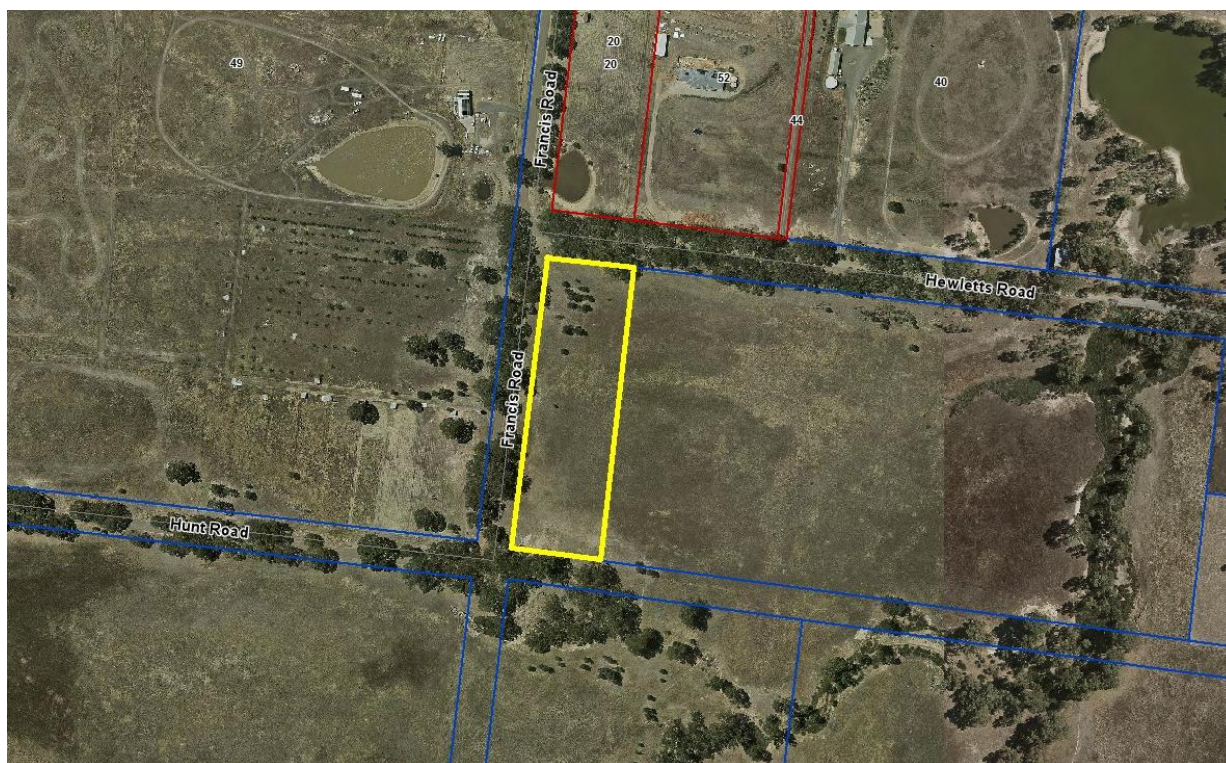


Figure 1: Location map showing subject site.

The site is rectangular in shape with an area of approximately 1.15 hectares. The dimensions of the site are atypical for the area with the lot being only 57.67 metres wide and 201 metres deep. The site is vacant and is mostly cleared of vegetation other than a group of small trees in the northern portion of the site. The land is relatively flat and slightly undulating in some areas.

The site is bordered by Hewletts Road to the north; to the south by an unmade road reserve; to the east is a vacant property which contains a waterway and the western boundary faces Francis Road. Access is via an existing gate onto Francis Road, which is a gravel road.

It is located at approximately 500m west of intersection with the Bendigo-Maldon Road and approximately 12km south-west of the Kangaroo Flat activity centre.

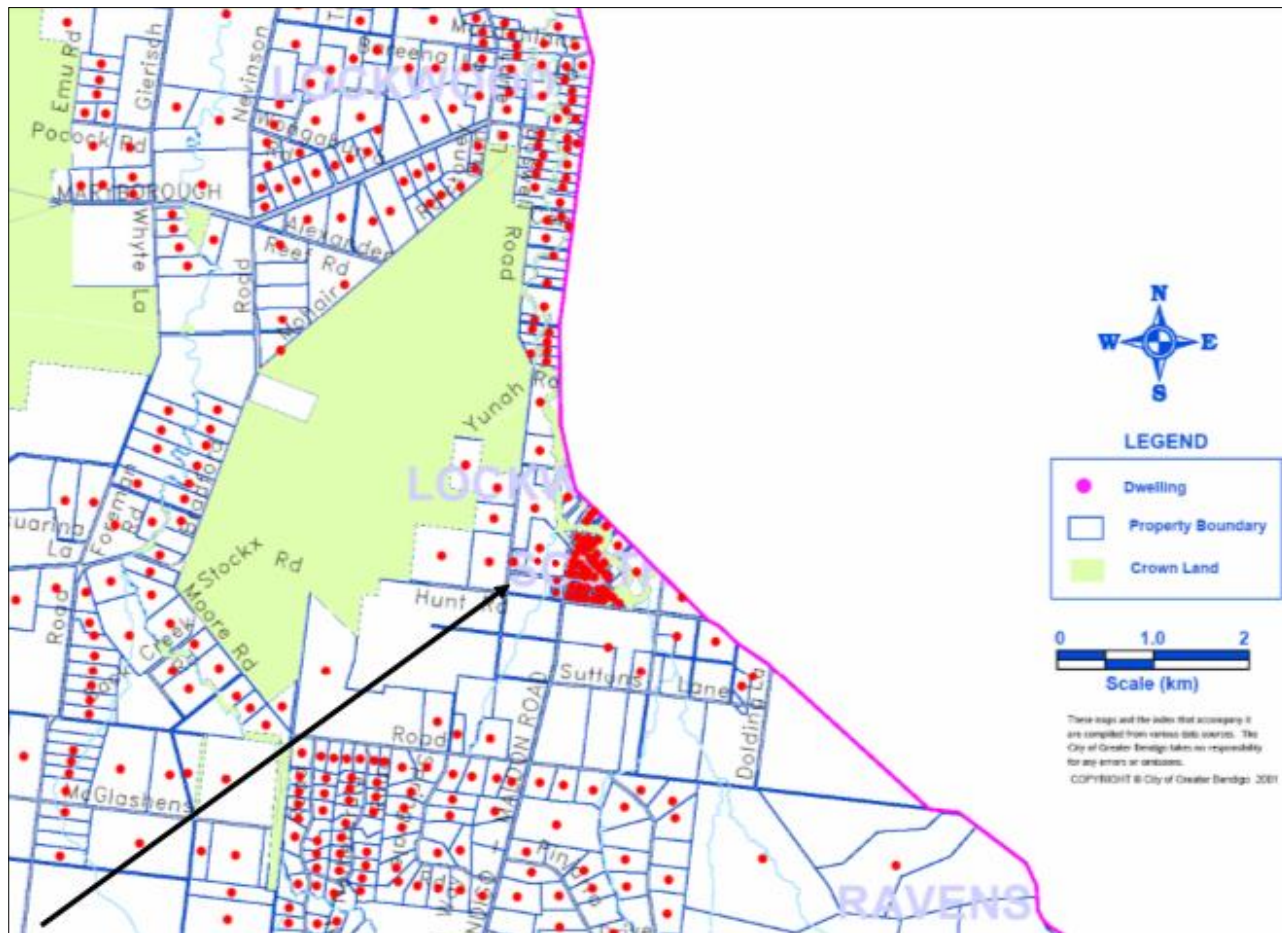


Figure 2: Extract from the City's *Rural Areas Strategy 2009* showing the application site and dwellings in the area (this has been updated to show other more recent planning approvals).

The site is located within the Farming Zone and is not affected by any Overlays. Surrounding land to all directions is also within the Farming Zone. The eastern side of the Bendigo Maryborough Road is in the Low Density Residential Zone and further to the north and south of the site are two areas of Rural Living Zoned land as well as the Lockwood State Forest. The Farming Zone area to the south of Hewletts Road, bordered by the State Forest, Bendigo Maldon Road and McGlashens Road is relatively intact with few dwellings.

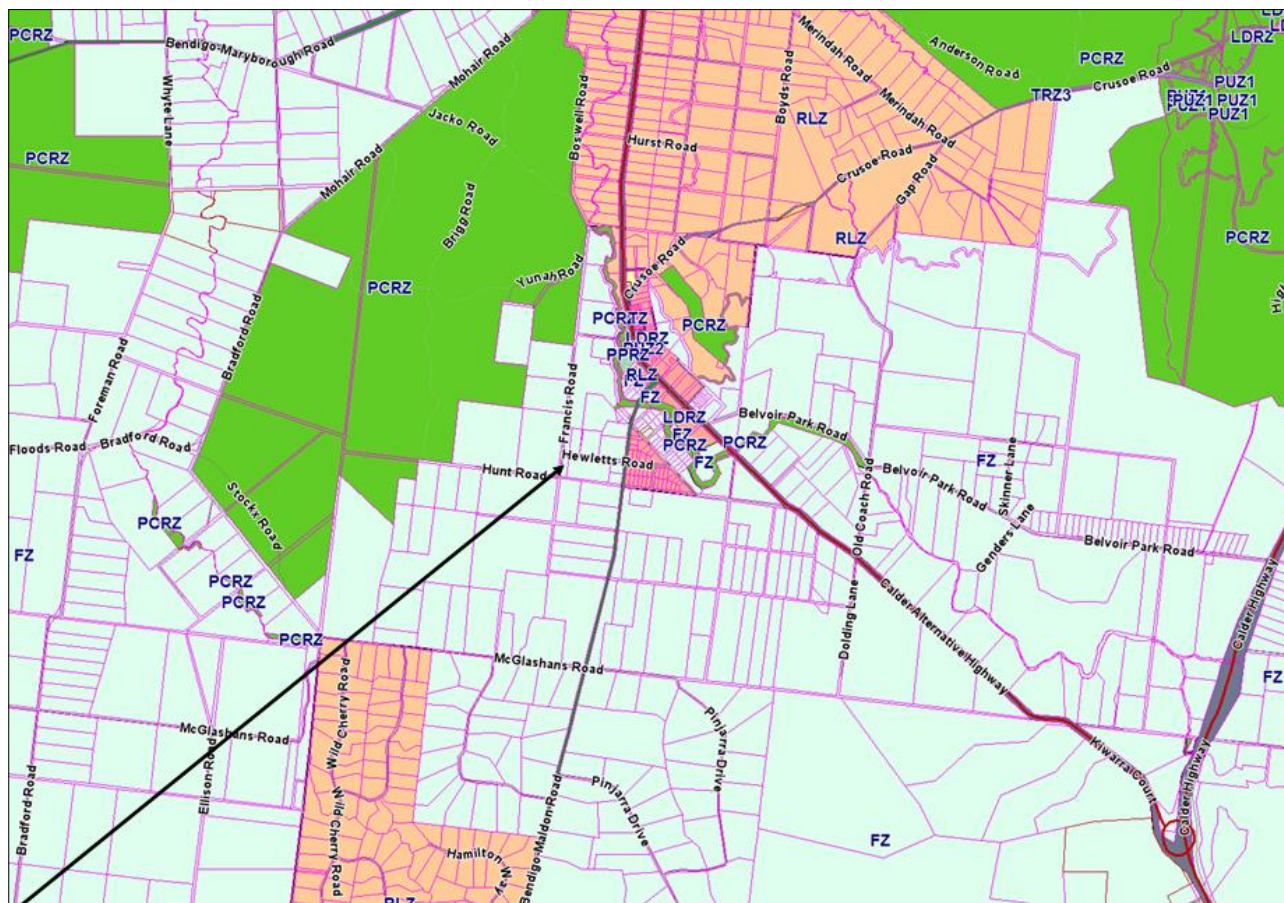


Figure 3: Zoning of the application site and surrounds.

The wider surrounding area is characterised by larger style lots, some of which contain dwellings. To the north on the northern side of Hewletts Road are some dwellings while land to the south, east and west is vacant farming land previously used as a sheep farm. Further to the east are two dwellings facing Bendigo-Maldon Road which were both originally approved in 2009 along with a consolidation of several Crown allotments. Across the Road from these to the east is the Lockwood South township area which is zoned Low Density Residential.

Proposal

The application proposes the use and development the land for a dwelling.

The dwelling would be located 16.5m from the western boundary (Francis Road) and 55m from the southern boundary.

The dwelling would comprise of 5 bedrooms, 2 bathrooms, a powder room, an open plan kitchen, living and dining area, rumpus, lounge, study, attached double garage, alfresco and a swimming pool. The dwelling would be clad in bricks and weatherboards and have a Colorbond roof.

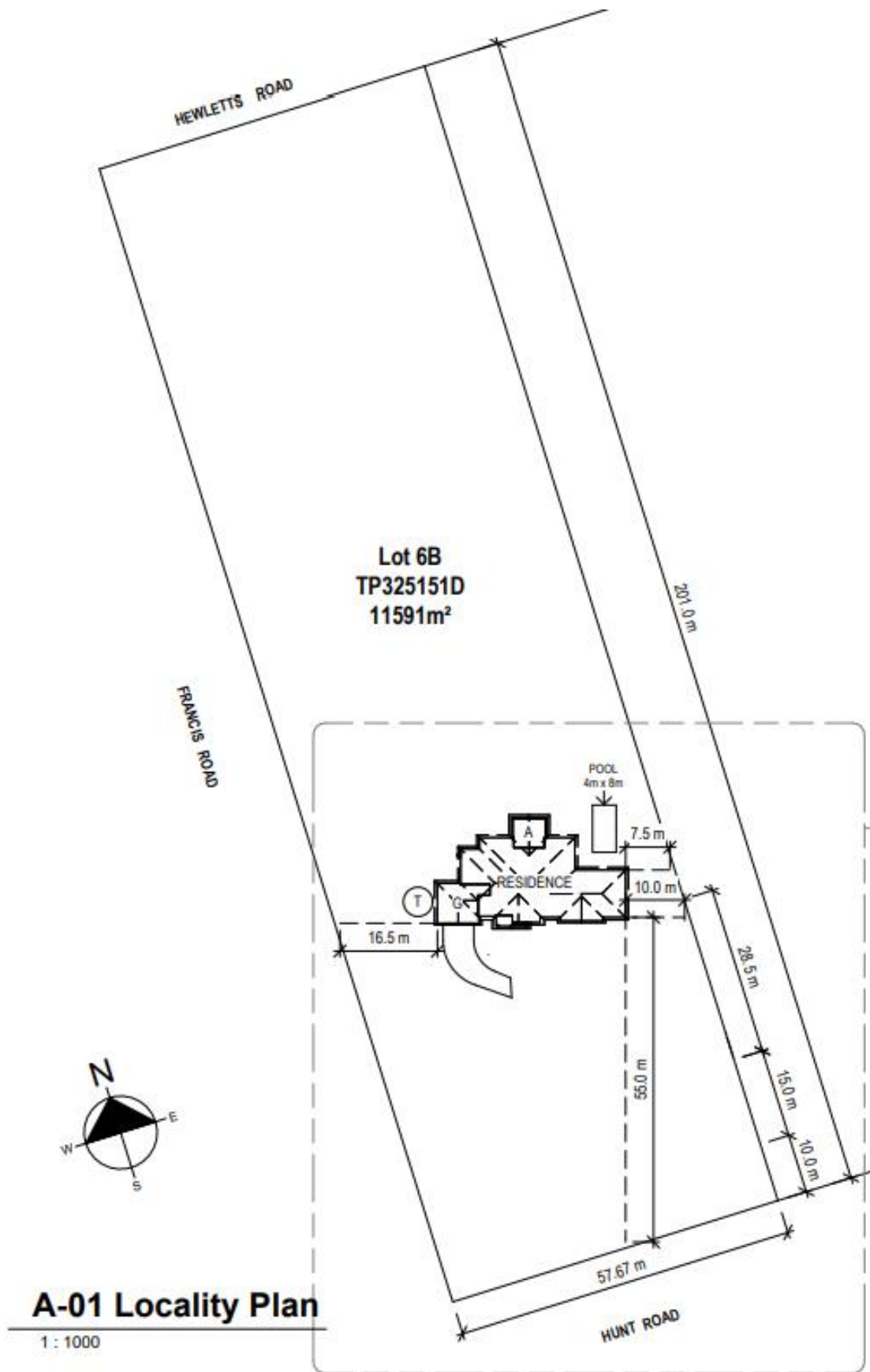


Figure 4: Site plan



Figure 5: Floor plan



A05 (Front) South East Elevation
1 : 100



A05 (Right) North East Elevation
1 : 100

Figure 6: Elevation plans



A06 (Back) North East Elevation

1 : 100



A05 (Left) North West Elevation

1 : 100

Figure 7: Elevation plans

The application states that no agricultural activities will be undertaken.

The application was accompanied by a Land Capability Assessment and Environmental Management Plan. The Environmental Management Plan detailed the following:

The property is vegetated with mainly introduced species it has some overstory species present and only a small number of native grasses and is ~95% cleared. Historically it has been used for grazing. Otherwise, it has low strategic biodiversity in relation to native vegetation. The pastures are rundown, and the soil is inherently low in fertility. There is a rabbit problem on the property. The property has low agricultural productivity potential.

A prioritised list of actions is incorporated for a five-year period as well as a list of post five-year period actions. This includes native vegetation restoration and management, pest and animal management.

A plan showing the proposed 'domestic' and 'conservation' zones is at Figure 8 below.



Figure 8: Proposed land uses

Planning Controls - Greater Bendigo Planning Scheme

Why is a permit needed?

Clause 35.07-1 (Farming Zone) states that a permit is required to use land for a dwelling on a lot that is less than 40 hectares (100 acres) in size. The subject land is only 1.5 hectares in size.

A permit is also required under 35.07-4 to construct the dwelling owing to the dwelling being a permit required use.

The following clauses are relevant in the consideration of this proposal:

Municipal Planning Strategy

- Clause 02.03-1 - Settlement
- Clause 02.03-2 - Environment and landscape values
- Clause 02.03-4 - Natural Resource Management
- Clause 02.03-6 - Housing
- Clause 02.03-7 - Economic Development

Planning Policy Framework

- Clause 11 - Settlement
- Clause 11.01-1R - Settlement – Loddon Mallee South
- Clause 13.07-1S - Land use compatibility
- Clause 14.01-1S - Protection of agricultural land
- Clause 14.01-1L - Protection of agricultural land – Greater Bendigo
- Clause 14.01-2S - Sustainable agricultural land use
- Clause 15.01-6S - Design for rural areas
- Clause 16.01-3S - Rural residential development
- Clause 16.01-3L - Rural residential development – Greater Bendigo
- Clause 17.01-1S - Diversified economy

Other Provisions

- Clause 35.07 Farming Zone
- Clause 65 – Decision Guidelines.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 2 – Healthy, liveable spaces and places

Secondary Council Plan Reference

Goal 7 – Sustainable population growth is planned for

Consultation/Communication

Referrals

The following internal departments have been consulted on the proposal:

Referral	Comment
Environmental Health	No objection subject to notes
Traffic	No objection subject to conditions

Note: this application was not referred to Agriculture Victoria as no agricultural use of land was proposed.

Public Notification

The application was advertised by way of a notice on the site and letters to adjoining owners and occupiers. Following notice, and to date no objections have been received.

Planning Assessment

Introduction

Planning in rural areas can be challenging given the legacy of decisions made in the past. The first Crown subdivisions were undertaken in a time where closer-settlement strategies were often pursued by governments. Further subdivisions then occurred through past decades when the concept of hobby farming or lifestyle lots was not as prevalent and the cumulative impacts of subdivision were not as evident.

Many farms are now comprised of multiple parcels of land, which are only effective in aggregate. Once the lots are separately developed and disposed of ('fragmented'), the productive capacity of the land can be diminished. Once individually developed with dwellings (with no agricultural use of land), lots are unlikely to ever be re-aggregated due to the increased costs involved.

A further issue is the visual effect on the rural landscape arising from the cumulative development of dwellings and how this in turn impacts on amenity and local identity.

Planning Schemes in rural municipalities will usually seek to address these challenges through directing 'rural lifestyle' development to appropriately zoned land (for example the Rural Living Zone or Low Density Residential Zone which exist in close proximity to this site), and through the use of local planning policies to manage the development of dwellings in other rural zones, so as to protect the primacy of agriculture. Local Policy at

Clause 14.01-1L of the Greater Bendigo Planning Scheme has been developed for this purpose of managing the large number of vacant rural parcels that exist across this municipality. This Policy will be further discussed in the sections below alongside the Statewide Farming Zone provisions.

Whether the proposal would result in an acceptable planning outcome having regard to the purpose and decision guidelines of the Farming Zone and the relevant planning policy that deals with rural dwellings and the protection of agricultural land.

The purposes of the Farming Zone encompass the following relevant matters:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

The use and development of the land for a dwelling requires planning approval in this instance due to the subject site being located within the Farming Zone on a lot of less than 40 hectares in size. However, Clause 65 of all planning schemes in Victoria states:

“Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.”

The decision guidelines provide a means by which to assess such applications and require consideration to be given to matters such as:

“Whether the use or development will support and enhance agricultural production; whether the use or development will permanently remove land from agricultural production; whether the dwelling will result in the loss or fragmentation of productive agricultural land, and the potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.”

Common to the purposes of the Farming Zone and the decision guidelines is the question of whether the proposal is consistent with the planning policy framework. At a Statewide planning level, Clause 14.01-1S relating to the protection of agricultural land has the objective to *“protect the State’s agricultural base by preserving productive farmland”*. Some of the main strategies seek to ensure the State’s agricultural base is protected from the unplanned loss of productive land, prevent inappropriately dispersed urban activities in rural areas, and to limit new housing in rural areas.

At a local planning level, Clause 14.01-1L relating to the protection of agricultural land within Greater Bendigo draws together these themes to provide a consistent basis for considering the use of rural land for dwellings and has the following relevant strategies:

Avoid the construction of a dwelling unless required to support a genuinely economically viable agricultural use of the land that requires permanent and continuous care, supervision or security.

Ensure that where a dwelling is deemed necessary to support an agricultural use, that the use is viable based on the level of investment required and the estimated return as shown in an integrated land management plan.

Ensure that where a dwelling has been deemed necessary to support an agricultural use, that the agricultural use has been established on the land prior to the construction of a dwelling.

Avoid the construction of a dwelling on existing small lots (lots smaller than the zone schedule minimum) in the Farming Zone, except if allowed under a Restructure Overlay.

It is evident that the relevant policy framework seeks to ensure that agricultural land is carefully managed in order to prevent adverse impacts on agricultural production, prevent the fragmentation of rural land and to ensure orderly residential development in rural areas so that agricultural production of these areas is not disadvantaged or prejudiced by ad hoc and unplanned residential development. It should also be noted that the Farming Zone has been facing increasing pressures in more recent years for subdivision and residential development, primarily for rural lifestyle opportunities rather than for farming purposes.

The *Rural Areas Strategy, September 2009*, highlights that when considering the protection of agricultural land, consideration must also be given to the oversupply of rural living land which currently exists within Greater Bendigo. The Strategy suggests that there is up to 80 years supply of land already zoned for rural-residential purposes within the Rural Living Zone.

The determinative issue to consider in this application is whether the proposed use and development of the subject land would result in an acceptable planning outcome when having regard to the purposes of the Farming Zone and the relevant planning policy that deals with the use and development of rural and agricultural land. In short, is a dwelling required on the land in order to support agriculture? The application material does not present a proposed agricultural use of the site as the land is simply not big enough to sustain one.

For the following reasons, it is concluded that the proposal would not be acceptable when considered against these matters.

The subject site is a Crown allotment and is an 'undersize lot' within the Farming Zone with an area of approximately 1.15 hectares. Whilst it is acknowledged that there are 'undersized' lots (those less than 40 hectares in size) in the wider area that already contain dwellings, in cases such as *Bennett v Greater Bendigo CC* [2018] VCAT 1486 (24

September 2018) and *Russell Smith Town Planning Services v Mount Alexander SC* [2018] VCAT 58 (11 January 2018) VCAT determined that the presence of dwellings and smaller lot sizes within the surrounding area does not mean it has become a 'de-facto' rural living area. The member in the *Russell Smith Town Planning Services v Mount Alexander SC* [2018] VCAT 58 (11 January 2018) case stated *"Thus I do not accept that the more intensely settled nature of this area and the smaller lot sizes around the subject land means it has become a de-facto rural living area with no agricultural production capacity or potential."*

Whilst the surrounding context is one element to be considered, considerable weight needs to be given to the policy. The small size of the property does not mean it has already been removed from potential future agricultural uses. The Planning Scheme makes it clear that land zoned for farming designates it as suitable for agricultural purposes. The purposes of the zone, the decision guidelines and the relevant planning policy all seek to protect this land for such a use. A strategy of the Statewide policy regarding protection of agricultural land encourages consolidation of existing isolated small lots in rural zones. There is potential to consolidate this lot with surrounding lots, specifically the lot adjoining to the east which was subject to a recent planning application which included agricultural uses including a vineyard - this application was later withdrawn.

The site was, until recently, part of a larger agricultural property consisting of separate land parcels. If approved it would invite the remaining vacant lots to the south, many of which are for sale right now, to also apply for dwellings. Each planning decision is critical to not, through a litany of small decisions, fragment an area with the result being that there is a proliferation of dwellings. Planning Scheme policy seeks to ensure that new dwellings in the Farming Zone are only approved in instances where they support agriculture. In making such a determination, consideration should be given to why there is a need to live on site, how that would enhance agricultural use and whether agriculture would remain the primary land use.

The application site is in close proximity (approximately 275m as the crow flies) to CA 9 Bendigo-Maldon Road, Lockwood South, where application DR/1001/2021 for the *Use and Development of the Land for a Dwelling and Outbuildings* at was refused by Council at the June 2022 Ordinary Meeting.

Whilst there have also been some dwelling approvals in the area it is important to note that each planning application must be assessed on its merits and cannot be directly compared to other applications as each site has different circumstances. For example application DR/245/2019 which approved a dwelling at 52 Hewletts Road had a different context to the subject application as it adjoins properties with dwellings on both sides and was unlikely to be consolidated with a larger lot. These dwellings are all on the northern side of Hewletts Road whereas this proposal is on the southern side, which can be seen in Figure 2 of this report.

Without the guidance of a strategic document, such as a township structure plan for Lockwood South, decision makers must be guided, firstly by the overarching policy, then by the zoning and overlays that apply to the land. The policy in this case is clear – unfragmented land in the Farming Zone should be protected from being lost to agriculture, which would be the result here if a dwelling was approved.

In time, as policy is developed and consistent decision making on applications in this locality, Hewletts Road may become the general settlement boundary, however if this dwelling is approved it potentially opens the remainder of the original sheep farm to apply for permits for dwellings without the need to support a genuine agricultural land use. As has been noted before, many of these lots are currently for sale so the risk of fragmentation through inconsistent decision making is very real.

Further to this, there is a large degree of land within this locale that is vacant and suitable for agricultural practices. Whilst it is acknowledged that lot sizes in the surrounding area are varied, several lots remain in common ownership which presents opportunities for a variety of agricultural land uses and development.

Approving a dwelling on the site would be contrary to the new City's Policy at Clause 14.01-1L which states:

Avoid the construction of a dwelling unless required to support a genuinely economically viable agricultural use of the land that requires permanent and continuous care, supervision or security.

The application has not presented any argument that there will be any agricultural use of the site (niche or otherwise). Such an argument would have been difficult to sustain at any rate, given the atypical size and dimensions of the lot and the need for an agricultural use to be 'viable' and 'permanent' on the land to support a dwelling.

If a dwelling was approved the site would be used as a rural lifestyle property. Although the application has presented an Environmental Management Plan outlining environmental management practices such as revegetation, weed management and pest control, this does not provide enough justification to warrant the use and construction of a dwelling on site as the current owner should be undertaking land management activities to maintain the site from pests and weeds currently. The presentation of the Environmental Management Plan *may* have been a relevant matter to consider under the former (now superseded / deleted) Rural Dwellings Policy which included policy to:

Discourage dwellings on existing small lots (lots smaller than the schedule minimum) in all rural areas except if: –

- *Subdivisions have been created since the introduction of planning controls,*
- *Substantial infrastructure works have been completed; or*
- ***The land has no agricultural potential and native vegetation will be retained and managed. [Author emphasis]***

As the above policy statement is *no longer* in the Planning Scheme, limited to no weight should to be given to the fact that an Environmental Management Plan showing vegetation retention, land management/improvements has been provided.

The Statutory Planning Unit assessment is that *prima facie*, there is no need to have a dwelling on the land to undertake land management activities. This activity can be done on a monthly basis as suggested by the Environmental Management Plan with no need to reside onsite. Matters such as tree planting and pest management do not need to be undertaken daily.

As noted earlier in this report, the Farming Zone area to the south of Hewletts Road, bordered by the State Forest, Bendigo Maldon Road and McGlashens Road contains few dwellings. The approval of a dwelling on the subject site, which does not support or enhance agriculture could lead to a proliferation of dwellings which could adversely affect the use of nearby land for agriculture.

Conclusion

The application proposes the use and development of the land for a dwelling which runs contrary to planning policies relating to rural dwellings and the Farming Zone. The proposal is for a dwelling on an undersized lot within the Farming Zone and has failed to demonstrate a genuine need for a dwelling on the site in order to undertake an agricultural land use. If approved, the proposal would likely contribute to the incremental shift towards rural living. Such rural living opportunities could result in a net loss to agriculture due to permanent land use changes.

It is recommended that a Notice of Decision to Refuse to Grant a Permit be issued.

Options

Council, acting as the responsible authority for administering the Planning Scheme, may resolve to: grant a permit, grant a permit with conditions, or refuse to grant a permit.

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Nil

16.4. Melbury Court Playspace

Author:	Chris Mitchell, Manager Parks & Open Space
Responsible Director:	Brian Westley, Director Presentation and Assets

Purpose

To inform Councillors of the Greater Bendigo Public Space Plan (GBPSP) released in June 2019 and recommend removal of playground at the Melbury Court Playspace in accordance with the endorsed GBPSP.

Recommended Motion

That Council, in accordance with the endorsed Greater Bendigo Public Space Plan:

- Note the current condition of Melbury Court Playground;
- Approve construction of a new neighbourhood-level playground at the existing Botanical Drive Play Space; and
- Approve the removal, without replacement, of Melbury Court Playground and retain parcel of land as a passive reserve (removal must not occur prior to installation of new neighbourhood-level playground at the existing Botanical Drive Play Space).

RESOLUTION - Resolution No. 22/09-16

Moved: Cr Sloan

Seconded: Cr Penna

That Council:

1. Note the current condition of Melbury Court Playground;
2. Approve replacement of the Melbury Court Playground equipment for safety reasons as it has reached its end of life; and
3. Not proceed with the construction of a new neighbourhood-level playground at the existing Botanical Drive Play Space.

CARRIED

Executive Summary

Our municipality has an abundance of diverse public spaces, some with playgrounds others without, spread across its urban and rural landscape. This diversity is important and an aspect to further strengthen. However, whilst having a large volume of public space has some advantages, creating a feeling of openness across the municipality, this is not conducive to optimising the quality of our public spaces. A higher overall quality of public space across the municipality is an attribute that will not only increase the appeal of Greater Bendigo and attract growth, but also support a higher standard public life for the

city's population as it becomes significantly larger. The Plan provides the strategic framework for improving the quality of Greater Bendigo's public spaces.

Background

Greater Bendigo Public Space Plan Prepared by Regional Sustainable Development Unit, City of Greater Bendigo Adopted by the City of Greater Bendigo Council on July 18, 2018. Readopted by the City of Greater Bendigo Council on 19 June 2019.

The City is responsible for planning, designing and managing an extensive network of play spaces. This includes conventional playgrounds (ranging from off-the-shelf to customised), natural playgrounds, basketball half courts and rebound walls, skate parks, BMX tracks and dog parks.

Whilst the Plan helps articulate service levels and aspirations for open space assets, there are still some challenges. Please see link to Part 1-3 of the document.

[GB Public Space Plan - Parts 1-3 adopted June 2019.pdf \(bendigo.vic.gov.au\)](https://bendigo.vic.gov.au/GB-Public-Space-Plan-Parts-1-3-adopted-June-2019.pdf)

As a key focus, please refer to p77 of the Plan which outlines how we will '**optimise the distribution and quality of play spaces across the network**'.

Decision making principles provide:

- A more balanced and fairer distribution of playspace opportunities across the municipality overall, as well as within individual communities, is needed to ensure that all residents have reasonable access to play opportunities.
- A combination of different actions will be necessary to realise this including:
 - Provision of new play spaces in un-serviced parts of growth areas and in established areas with significant service gaps.
 - Downgrading of play spaces with a surplus standard of equipment relative to their public space situation and role.
 - Upgrading of play spaces with an under-provision of equipment relative to their public space situation and role.
 - Removal of play spaces in cases of play space under-use, over-provision (more than one space covering a similar catchment) or poor site characteristics (limited access or visibility, limited overlooking to provide public safety), conditional on the availability of reasonable alternative play space options.
 - Relocation of some existing play spaces (between sites, or within a site) to improve local distribution, access, and coordination with the public space network.

As a guiding principle, the Plan recognises the below criteria for approximate play space distances.

- For Neighbourhood play spaces, a walking distance catchment of 500 metres (around 5-6 minutes) has been applied.
- For Suburb and Township play spaces, a walking distance catchment of 1 kilometre (around 10-15 minutes) has been applied, noting that some users will travel further to use these spaces, usually by car.

The City of Greater Bendigo manages 163 play spaces across the city. Of these, 133 are publicly accessible in parks, reserves and community facilities. Collectively, these play spaces provide a diverse range of play experiences.

The City's consist of:

- Four (4) Municipal play spaces in important and highly accessible and visible locations servicing interstate, regional and local visitors and providing diverse play experiences suitable for a visit of a few hours duration (Eaglehawk, Lake Weeroona, Strathdale Park and Bendigo Botanic Gardens).
- One (1) Splash Park (Long Gully Splash Park).
- Eleven (11) Suburb and Township play space supporting whole communities and providing a range of play experiences and challenges.
- One hundred and eight (108) Neighbourhood play spaces that are intended primarily for local area use by residents within walking distance. A range of play experiences are provided across several local playgrounds in an area.
- The remaining spaces consist primarily as open space without infrastructure investment.

Report

On completion of the Plan, it was anticipated that twenty-eight (28) play spaces will be decommissioned over the life of the plan with twenty-six (26) new play spaces proposed over the next twenty (20) years. The number of Suburb and Township play spaces is programmed to increase from eleven (11) to fourteen (14). Below was the anticipated decommissioning list.

- Barton Court Playspace
- Beverley Street Playspace
- Bolton Drive Playspace
- Campaspe Run (Elmore) Playspace
- Casley Street Playspace
- Cliff Avenue Playspace
- Collins Park Playspace
- Curtin Street Playspace
- East Lloyd Street Playspace
- Elmore Recreation Reserve (Tennis) Playspace
- Graemar Court Playspace

- Hakea Street Playspace
- Harley Street Playspace
- Kenfig Court Playspace
- Marnie Road Playspace
- Melbury Court Playspace
- Michie Street Playspace
- Osborn Avenue Playspace
- Rosalind Park (Camp Hill) Playspace
- Seaton Grove Playspace
- Sherpa Court Playspace
- Sherwood Drive Playspace
- Somerville Street Playspace
- Sunset Drive Playspace
- The Strand Playspace (Cricket Nets)
- Timbertop Drive Playspace
- Vickers Court Playspace
- Woodvale Reserve Playspace

Whilst the Plan methodology for proposed play space decision making is considered sound, future land use of sites where play spaces have been removed has not been fully realised. The Plan suggests these empty sites will consider any covenant, easement and permissible land use; in addition to requiring a formal Council resolution.

Simply put, Council will consider the future land use once a play space has been removed. This may present a Risk to reputation given the future status of each site is pending. Each site whilst empty will continue to require maintenance whilst constituents are left wondering what the future will bring, causing unrest and discomfort for users or neighbouring areas.

Should Council continue implementation, it is considered appropriate to discuss determining, by resolution, future land use prior to any future play space removal.

Also, for consideration as part of the Plan, the Melbury Court play space playground, was originally recommended to be removed as it had reached the end of its useful life with nearby play spaces in Botanical Drive set to be further developed and given the proximity of the play spaces at Botanical Drive, Greenview Circuit and the nearby Bendigo Botanic Gardens. Community reaction included a petition with more than 180 signatures as well as 31 written submissions regarding Melbury Court playground. The future of Melbury Court play space is still uncertain, and some elements have now deteriorated to a state of non-compliance, forcing officers to remove two (2) play elements, with no replacement currently planned. Council is asked to consider installation of a playground within Botanical Drive play space, as currently this is not offered at Botanical Drive.

In line with the Greater Bendigo Public Space Plan and with a key focus on optimisation rather than rationalisation, the City has and continues to invest significant funds to upgrade required play spaces to meet the principles of the Plan.

Risk Assessment

If the identified actions are not actioned in accordance with the plan recommendations, the City runs the risk of deviating on the endorsed framework ultimately making decisions in an adhoc or singular manner. The risk of such decision making may lead to several long-term risks yet to be realised.

It is also important that the City consider playspace distribution in line with the Long Term Financial Plan and 10-year Asset Management Plan; whilst ensuring an equitable distribution of playspaces across the municipality.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 5 - A climate resilient and healthy landscape

Secondary Council Plan Reference(s)

Goal 3 - Thriving landscapes and ecosystems

Other Reference(s)

N/A

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Nil

17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY

17.1. Investment Prospectus Document for 2022 State Election

Author:	Aleisha Verwoert North, Manager Communications
Responsible Director:	Craig Niemann, CEO

Purpose

To formally approve the *City of Greater Bendigo investment prospectus: Priority projects for government investment*.

Recommended Motion

That Council approve the latest City investment prospectus.

RESOLUTION - Resolution No. 22/09-17

Moved: Cr O'Rourke

Seconded: Cr Evans

That the recommended motion be adopted.

CARRIED

Executive Summary

Ahead of the State election and upcoming State and Federal Budgets, Council is asked to endorse the *City of Greater Bendigo investment prospectus: Priority projects for government investment*.

Projects in the prospectus have informed recent discussions with State and Federal Ministers, Members of Parliament, Senators, advisors and department representatives.

Background

The City of Greater Bendigo regularly develops prospectus documents to support advocacy work and partner with the State and Federal governments to help with project delivery.

This document summarises the City's current main projects for the community and wider region across the themes of Commonwealth Games; Arts and culture; Tourism and event infrastructure; A thriving regional economy; Connected Greater Bendigo; Regional projects; Healthy communities and environments; and Policy support.

Report

The investment prospectus represents the current top priority projects for the City and region.

The projects are in addition to the City's usual work program of capital and operating projects. The projects in the prospectus would be delivered if State and Federal funding (and, in some cases, philanthropic funds) can be attracted for them.

The prospectus also reflects the outcomes in the City's legacy document for the Commonwealth Games.

This document is a helpful guide when politicians are forming budgets and election commitments and wanting to understand local priorities, or to inform applications for funding from other levels of government.

Timelines

As funding is made available.

Communications/Engagement

The projects have been informed through consultation within the organisation with Council, Directors and Managers, and key community stakeholders.

Financial Sustainability

Council investment in the projects included in the Investment Prospectus would be subject to securing funding from other levels of government.

Risk Assessment

Having an approved Investment Prospectus enables a unified approach to identifying investment priorities. This results in a greater likelihood of priority initiatives being funded and decreases the risk of initiatives that are not priorities being funded.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 3 - Strong, inclusive and sustainable economy

Secondary Council Plan Reference(s)

Goal 1 - Inclusive employment opportunities for all, sustainable jobs and investment and a diverse economy

Conflict of Interest

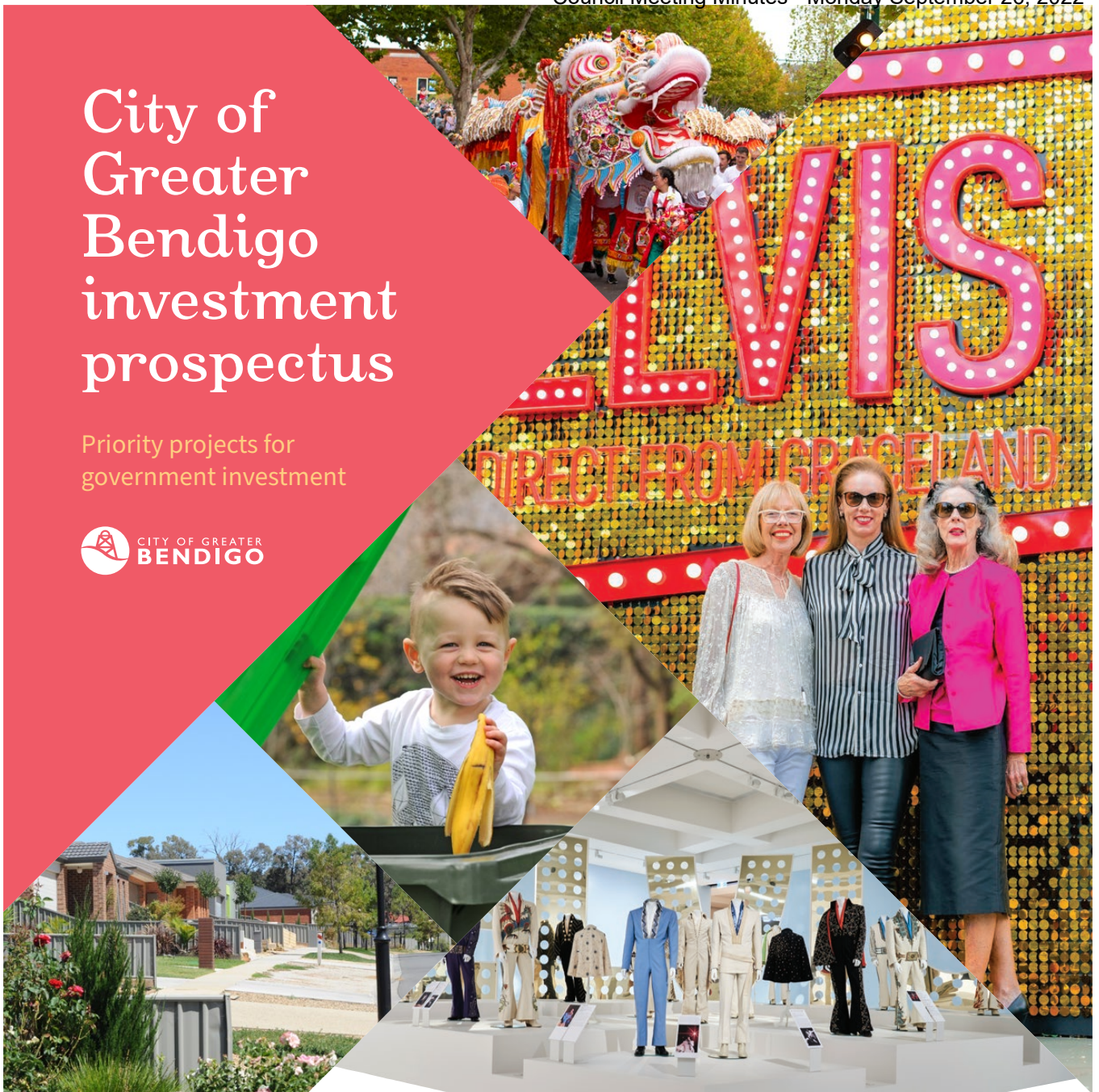
No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. COGB Investment Prospectus September 2022 [17.1.1 - 17 pages]

City of Greater Bendigo investment prospectus

Priority projects for
government investment





Greater Bendigo is investment-ready

The City of Greater Bendigo is pleased to present this investment prospectus. The projects outlined in this document are the City's top priority projects for the 2020-2024 Council term. They represent a diverse investment in our community and its people, contributing to the vibrancy, liveability, sustainability, health and economic success of our city and region.

They also seek to build on new opportunities, in particular Bendigo's role as a co-host for the Victoria 2026 Commonwealth Games.

Our population is growing and diversifying because Greater Bendigo offers the best of regional living – world-class health care, access to domestic and international flights, quality education providers, affordable housing, and great employment, recreation and cultural opportunities.

This prospectus demonstrates the City's dual strengths of being responsive to changing circumstances, while also being able to plan long-term to ensure Greater Bendigo remains a successful and inclusive community for all.

These projects are an investment in the future of Greater Bendigo and we respectfully seek your support.

Community vision:

Greater Bendigo celebrates our diverse community. We are welcoming, sustainable and prosperous. Walking hand-in-hand with the Traditional Custodians of this land. Building on our rich heritage for a bright and happy future.



Acknowledgement of Country

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country. The City acknowledges and extends its appreciation to the Traditional Owners of the land, and pays its respects to leaders and Elders past, present and emerging for they hold the memories, traditions, culture and the hopes of all Aboriginal people. The City expresses its gratitude in the sharing of this land, sorrow for the personal, spiritual and cultural costs of that sharing, and hopes that the community may walk forward together in harmony and in the spirit of healing.



About Greater Bendigo

Greater Bendigo is one of Australia’s largest inland cities, supporting a local population of approximately 120,000 and regional population of close to 250,000.¹ By 2050 Greater Bendigo’s population is expected to reach 200,000.²

The City wants Greater Bendigo to be a place that focuses on wellbeing and equity for all citizens.

We are proudly a nationally accredited Welcoming City, the first Local Government to achieve this recognition in honour of our commitment to cultural diversity, Aboriginal reconciliation and social cohesion. Our organisation is also working closely with Traditional Owners, the Dja Dja Wurrung and Taungurung, to acknowledge and increase the visibility of their culture, history and landscape.

Greater Bendigo and the wider region is internationally recognised as a UNESCO Creative City of Gastronomy, which highlights a commitment to creativity, innovation and celebration of our amazing local producers.

Our city centre boasts a super-fast 100 gigabit broadband network, which has the capacity to break down the ‘digital divide’ between Bendigo and the rest of the world (100 gigabits per second is more than 1,000 times faster than Australia’s average internet speed³).

The ‘100 Gig Bendigo’ initiative aims to make Bendigo a destination for digital businesses and large enterprises thanks to access to critical high-quality local infrastructure and skills.

Bendigo was once one of the richest cities in the world after gold was discovered here in 1851 and the impact of the gold rush is still evident today, particularly through our beautiful streetscapes and historic buildings.

Our urban area and many rural small towns and villages contribute to our strong sense of community and provide residents with great lifestyle alternatives. Inner-city living, family homes, or hobby or large-scale farms can all be found here.

We are also a service and infrastructure centre surrounded by Mount Alexander, Campaspe, Central Goldfields, Macedon Ranges, Loddon, Mitchell and Strathbogie shires, which see Bendigo as a viable alternative to travelling to Melbourne to access the services they need. Our location in the geographic centre of Victoria is two hours from Melbourne by road or train and a 90-minute drive from Melbourne Airport.

Although easily accessible, this distance has seen Greater Bendigo develop into a largely self-contained regional centre. Our main employment industries are healthcare and social assistance, retail trade, construction, education and training, and manufacturing. Greater Bendigo’s economy is valued at \$7.923B per annum and large employers range from major institutional organisations to private business.⁴

The COVID-19 pandemic has forced us all to evaluate what is most important and its regional Victoria and Australia that is benefiting from people choosing a more relaxed lifestyle. But it is important regional communities can keep pace with this growth and continue their unique offering.



1. Estimated Resident Population, ABS 2020 2. Based on Victoria in Future 2016
3. Australia’s average download speed for October 2020 was 58.5mbps, according to the Speedtest Global Index www.speedtest.net/global-index/australia#fixed
4. Australian Bureau of Statistics (abs.gov.au), viewed June 2021; REMPLAN, REMPLAN - Plan with clarity, viewed June 2021



Commonwealth Games – Counting down to Victoria 2026

The Victoria 2026 Commonwealth Games represents a once-in-a-generation opportunity for Greater Bendigo to secure new sporting and other complementary infrastructure, while celebrating our thriving community, Traditional Owner culture, and creating a welcoming and inclusive environment for athletes, officials and spectators.

Events such as this are about more than just competition; they seek to set a new benchmark for amplifying everyone’s voices, advancing equality, creating a green future, driving economic recovery and collaborating effectively. Team Bendigo – Local Government, State Government, business and community groups – will work as work as one to make Victoria 2026 the most successful games ever.

A proud legacy of the Games will enhance delivery, directly and indirectly, of the following:

First Nations

- First Nations People are meaningfully engaged in the design of the athletes’ hub
- First Nations People benefit from the future use of the athletes’ hub
- Educate athletes, visitors and the community on the culture, traditions and language of our First Nations People, and incorporate this into a complementary cultural program
- First Nations employment and business opportunities are created through the Games’ procurement
- Support Traditional Owners to achieve their aspirations of ‘healing country’





Our community

- Expand the capacity and reach of Greater Bendigo’s network connectivity
- Ensure a variety of free and low-cost activities are included in the Games’ program
- Provide incentives and support to encourage volunteers to be involved in the Games’ experience
- Work with the relevant support agencies to understand the potential impact of the Games on vulnerable members of the community
- Create an inclusive event that provides a safe experience for athletes, spectators and the community

Climate and environment

- Delivery of a carbon-positive Games, including investment in local vegetation offset projects
- Delivery of a zero waste Games
- Delivery of a zero carbon athletes’ hub
- Funding for the Bendigo Stadium solar and battery storage project
- Investment in alternative fuel vehicles to provide transport during and after the Games
- Additional tree planting and urban greening to cool streets and make it safer as people move around

Culture, creativity and culinary

- Expanded Bendigo Art Gallery to be the cultural hub for the Games and host a major exhibition
- Australian Government to provide Central Victorian Goldfields with a ‘tentative listing’ to support the World Heritage bid
- Performances and events showcasing talented artists in venues, live sites and community spaces during the Games to activate precincts in and around the city centre
- Local food producers and hospitality venues to be promoted and supported to add to the vibrancy of the city centre and celebrate the City of Gastronomy designation

Jobs and the regional economy

- A Victorian Government funding allocation to support investment in accommodation infrastructure
- Program to identify skills in demand for the Games and match people to jobs and training packages, including working with local agencies to engage with young people
- Continue to promote Bendigo’s 100gb internet capacity and seek funding to extend this network
- Mandating local content for key construction and service contracts required to deliver the Games
- Investment in destination marketing and associated infrastructure to increase visitation and enhance the experience for tourists in small towns in the region

Infrastructure

- Funding and construction of the Bendigo Low Line safe transport connection
- Funding and construction of key off-road tracks and trails to enable safe connections to the city centre, Games’ precincts and athletes’ hub
- Funding for the development of the Bendigo Showgrounds
- Provide passenger train access for the Bendigo Showgrounds and Harcourt, including the construction of new platforms
- Increase frequency of Bendigo-Melbourne, Bendigo-Echuca, Bendigo-Swan Hill rail services
- Restoring duplication of the Bendigo-Kyneton rail line
- Funding to significantly increase the delivery of universal access change facilities at rural and regional sporting facilities
- Funding for swimming pool refurbishment program for rural pools

Arts and culture

Bendigo Art Gallery expansion – The People’s Gallery

The success of Bendigo Art Gallery has caused it to outgrow its current facilities. The Gallery is renowned for hosting large-scale international blockbuster exhibitions that are a significant tourism drawcard and have many positive flow-on effects to tourism, accommodation and hospitality sectors, and our economy more broadly.

These successful exhibitions include *Elvis: Direct from Graceland*, *Mary Quant: Fashion Revolutionary*, *Tudors to Windsors: British Royal Portraits*, *Bendigo Art Gallery and Twentieth Century Fox present Marilyn Monroe and Grace Kelly: Style Icon*.

Over the past 10 years the Gallery has averaged 150,000 visitors a year but this number has been in excess of 200,000 when major exhibitions have been staged.

A redevelopment of the entire site will deliver a multi-storey building that enhances the capacity for major exhibitions and visitor attraction, and creates new engagement and public spaces for the regional community including:

- 600m² new world-class learning centre for students, families and community
- Traditional Owner recognition via Place of Keeping for the Dja Dja Wurrung collection
- Large, second level blockbuster exhibition space
- Redeveloped restaurant with a City of Gastronomy offering
- Expanded access to free and collection-based exhibitions and displays
- Expanded commercial opportunities via a Gallery shop and pop up blockbuster exhibition shop
- Accessible amenities and expanded public spaces

Total project cost – \$48M

Australian/Victorian governments – \$31M (shared cost)
City of Greater Bendigo – \$9M
Bendigo Art Gallery Board – \$3M
Philanthropic – \$5M

National Chinese Museum of Australia

The Golden Dragon Museum is ready to become the National Chinese Museum of Australia and serve as a cultural touchstone for celebrating our multicultural nation.

The Museum’s international collection is unsurpassed, holding items rarely seen outside of China and bringing together art and culture from a globally significant Chinese diaspora. Famous among the collection are Bendigo’s Imperial Processional Dragons – Loong, Sun Loong and Dai Gum Loong.

The surrounding Yi Yuan Gardens, Guan Yin Temple, and a public gathering and event space greatly enhance the Museum and together form the Dai Gum San precinct.

Easter time provides the Museum with its highest period of visitation each year, with approximately 100,000 tourists visiting for the Bendigo Easter Festival.

A key part of the Museum’s masterplan is to extend the current Museum building. This will increase visitation to the facility and enable current and additional artefacts that are of historical significance to be properly displayed.

The Victorian Government and City of Greater Bendigo have invested \$1.2M to upgrade the Museum’s entry foyer and restaurant and reinvigorate its front-of-house experience for visitors.

Total project cost – \$39M (estimated)

Australian Government – \$10M
Victorian Government – \$15M
City of Greater Bendigo/NCMA – \$5M
Private investment – \$9M



Artist impression of Bendigo Art Gallery

Tourism and event infrastructure

Central Deborah Gold Mine upgrade

A refresh of the site will complement Central Deborah Gold Mine's existing underground tours and self-guided surface mine tour.

The current proposal focuses on upgrading the existing site to create more multipurpose spaces for education and events, improved visitor experiences such as interpretive museum and exhibition spaces, as well as improving the retail and visitor hub for all Bendigo Heritage Attractions experiences, including evening tram services through the city centre.

It would also have the capacity to host new opportunities including gold panning, artisan workshops and a focus on STEM education. Additionally, the plan identifies the need for school/group accommodation in Bendigo, and the Central Deborah site is well suited due to its location and connectivity via the tram network.

Total project cost – \$10M (approximate)
Stage 1, refine business case (in progress)
Stage 2, delivery based on business case
Australian Government – \$4M
Victorian Government – \$5M
City of Greater Bendigo – \$1M

Major events partnership

The City would welcome the opportunity to partner with the Victorian Government on the delivery of major events that are held in Melbourne. For example, when the Grand Prix is on, creating pop-up events in regional areas so competitors can experience more of Victoria and communities can participate in the event. Another option is giving event ticket holders a 'regional Victoria pass' that allows them, while the event is on or for a limited time afterwards, to access discount tourism experiences in the regions as part of having purchased their ticket to the event.

Request
Explore the feasibility of a partnership model between regional Victorian tourism bodies and major events in Melbourne such as the Australian Open, Moomba, Melbourne Grand Prix, AFL Grand Final and Spring Racing Carnival etc.

Bendigo Showgrounds upgrade

The 2019 Master Plan for the Bendigo Showgrounds, developed in partnership between the City, Bendigo Agricultural Show Society and Regional Development Victoria, identifies a nine-stage plan to improve the Bendigo Showgrounds.

Given Bendigo's close proximity to Melbourne and other regional cities, there is a wide catchment area the Bendigo Showgrounds can draw on to attract visitors.

Proposed upgrades include a new \$6.5M arena for junior and women's sport, in-ground irrigation and lighting upgrade, a multipurpose sports pavilion including player changerooms, function room, umpire rooms, toilets, kiosk/canteen and a covered terraced viewing area.

The exhibition buildings and market precinct require a \$2.9M investment in covered market stall spaces, solar conversion, kitchen and equipment upgrades, sealed surfaces, gardens and landscaping, toilets and storage.

Total project cost – \$13M
Australian Government – \$5.5M
Victorian Government – \$5.5M
City of Greater Bendigo – \$2M



Artist impression of Central Deborah Gold Mine



A thriving regional economy

Bendigo Regional Employment Precinct – securing jobs for the future

The manufacturing and mining sectors are responsible for half of Greater Bendigo’s total exports to more than 50 countries around the world, valued at approximately \$2B per annum. Gold mining, defence equipment, transportation, engineering and advanced engineering, and food manufacturing are industries that have flourished with a highly skilled workforce.

An industrial precinct is essential and urgent to support central Victoria’s growing advanced manufacturing sector. The Bendigo Regional Employment Precinct (BREP) will provide a long-term pipeline of industrial land to meet growing industry needs and will secure jobs close to a growing residential population. It will also reduce land use conflicts and reduce freight movements through central Bendigo.

The City has negotiated the purchase of land that will need to be rezoned to facilitate employment and industrial activity. When this is complete, infrastructure and utility connections on the site will be necessary.

These works are critical to the sustainable growth of the Bendigo western growth corridor, with the BREP being a significant trigger for increased capacity in these essential services.

Total, stage 1 – \$44.5M

Australian Government – \$4.5M

Victorian Government – \$30M

City of Greater Bendigo – Land purchase + \$10M

Additional \$40M for water infrastructure, including strategic planning work (suggested even cost shared between Victorian and Australian governments).

Required investment, stage 1

Project element	Investment
Trunk infrastructure works	\$21.5M
Additional subdivision roads and internal infrastructure cost	\$12.5M
Marong Western Freight Corridor – Land	\$7.1M
Project management and fees	\$1.4M
Water servicing strategy	\$0.5M
Freight route planning	\$1.5M
Total cost	\$44.5M

An additional \$40M is required to support Marong’s residential and industrial growth, in particular water infrastructure. Major upgrades will be required to potable water and wastewater infrastructure (both trunk mains and treatment plants).





Circular Greater Bendigo

The City operates the Eaglehawk landfill and three regional transfer stations and re-sale shops. The Eaglehawk landfill will close in 2023 and as part of its post-landfill aspirations, the City is developing suitable circular economy infrastructure and multiple 'Circular Greater Bendigo' hubs to replace it.

Work to-date has identified the necessary infrastructure solutions, and ongoing work focuses on developing master plans to future-proof the City's own resource recovery operations at its existing resource recovery facilities, in addition to planning for a new commercial and industrial focused 'Circular Economy Precinct' to be developed at a City-owned site. This work will future-proof the provision of high-quality resource recovery and circular economy services to regional residents and businesses, and support the region's transition to a post-landfill environment.

Total project cost – \$44.6M (subject to firming as part of master planning)

- Australian Government – \$15M
- Victorian Government – \$25M (less than our waste levy payments over the last 5 years)
- City of Greater Bendigo (potentially other Councils) – \$4.6M

- This would involve:**
\$44.6M for the implementation of the Circular Greater Bendigo hubs. This includes:
- Transitioning the Eaglehawk landfill to a residential-focused hub
 - Developing a dedicated commercial and industrial Circular Economy Precinct to support central Victoria's shift to a circular economy
 - Upgrading the City's additional regional transfer stations and re-sale shops to support the region's two circular economy precincts



Bendigo Livestock Exchange shade structure

Provision of shade or cooling systems and shelter from extreme temperatures for animals in holding facilities is desirable. The Bendigo Livestock Exchange is the last of regional Victoria's four main saleyards to be without a significant roof structure.

The Bendigo Livestock Exchange is audited annually by AUSMEAT to ensure it complies with the National Saleyard Quality Assurance program – an optional standards program the site has continued to meet for more than 10 years.

It supports the sale of animals from across north and east Victoria and into southern New South Wales, and more than 1 million sheep and lambs pass through the site each year.

Given the extreme climate in central Victoria, it is optimal to have shelter for the animals and infrastructure of this scale presents an opportunity for added benefits such as solar power generation and water harvesting.

The City has allocated \$100,000 towards the development of a feasibility study and scoping document, and concept designs are completed

- Total project cost – \$12.9M**
- Australian Government – \$4M
- Victorian Government – \$6M
- City of Greater Bendigo – \$2.9M



GROW Bendigo

The Victorian Government's Growing Regional Opportunities for Work (GROW) initiative started in Geelong in 2015 to address disadvantage through employment opportunities. In 2019 it commenced in Bendigo and has been activating growth and employment across the community along with Shepparton, Ballarat and Gippsland municipalities, with current funding concluding in June 2023.

GROW Bendigo – delivered under the guidance of Bendigo's Chamber of Commerce, Be.Bendigo – brings together business, government, community organisations, employment providers and individuals with a common goal to improve and grow opportunities for employment in the Bendigo community.

GROW Bendigo has already delivered more than 150 employment outcomes across multiple target cohorts, and this momentum continues as the approach and practices embed within businesses, and new programs are piloted.

Further funding is required to ensure the positive momentum created by these GROW initiatives, is maintained beyond 2023, to secure lasting outcomes for communities of disadvantage, including:

- Young people (aged 15-24 years);
- People with a disability
- Aboriginal and Torres Strait Islander people
- Refugees and migrants
- Long-term unemployed

In light of the current labour shortages, and with industries being encouraged to review their recruitment processes that will benefit people with a disadvantage, now is an ideal time to continue the momentum by encouraging business to focus on their procurement activities and prioritise inclusive employment.

- Total project cost**
- Victorian Government – \$2M
- \$1.5M (over 3 years)
- \$500,000 (over 3 years, regional coordinator role)



Connected Greater Bendigo

Marong Western Freight Corridor

Marong is located 15 kilometres west of the centre of Bendigo at the junction of the Calder, Calder Alternate and Wimmera Highways where heavy vehicle traffic volumes are severely compromising the town centre.

Marong’s population is projected to grow to approximately 8,000 people (currently 1,500) in the next 15-20 years.

The Calder Freeway/Highway is one of the key freight routes connecting Mildura to Melbourne. It was recently gazetted on the Victoria Principle Freight Network and forms part of the National Freight Network.

The proposed Marong Western Freight Corridor will service the Bendigo Regional Employment Precinct, as well as bypassing heavy vehicles from the Marong town centre, creating a safer and higher amenity environment for all road users and residents.

In the longer term, the aim is to upgrade Bendigo’s major western freight route (Ravenswood to Epsom) and improve traffic and freight distribution around urban Bendigo. When delivered, this improved corridor will make it easier for freight vehicles to travel to the west or north of Bendigo, enhancing opportunities for existing, new and emerging businesses to succeed.

Request

Funding a planning study to identify, plan, design and adopt a preferred alignment for the future Marong Western Freight Corridor and confirm surrounding land uses. The study would include:

- Assessment of existing conditions
- Development of multiple viable road alignments
- Preparation of a planning study for community consultation
- Formal approval of the new freight corridor, estimated cost and land requirements

Total project cost – \$1.5M, study

Australian Government – \$1.1M

Victorian Government – \$400,000

New intersection – Carolyn Way, Maiden Gully

Maiden Gully is a key growth area in Greater Bendigo. The current population is 5,600 but is estimated to reach 11,600 in 30 years.

Maiden Gully has been steadily growing over recent years, placing pressure on the Calder Highway and Maiden Gully Road intersection, and resulting in the need for its urgent upgrade to signals, including the addition of a connection to Carolyn Way.

Recent school developments and increased traffic along the corridor have also triggered the need for improvement.

A Regional Roads Victoria business case estimates the project will cost approximately \$12M. Development of the intersection will make other suburban roads safer to travel on, as traffic using existing unsignalised intersections is expected to make use of this intersection.

Total project cost – \$12M

Signalise Calder Highway/Maiden Gully Road/Carolyn Way Intersection project cost – \$12M

Victorian Government – \$11M

City of Greater Bendigo – \$1M

Howard Street intersection

The current Howard Street/Midland Highway signalised intersection and approaching lanes are not adequate for a major intersection. There have been many reported casualty crashes at this intersection in recent years, including students from the nearby primary school.

The Midland Highway is a key arterial road, whilst Howard Street is a gazetted truck route. Both roads carry in excess of 10,000 vehicles each day. Issues at this intersection are compounded due to the proximity to Epsom Primary School, Epsom Train Station and Epsom Shopping Centre.

Department of Transport analysis confirmed the intersection is not suitable for the quantity or type of vehicles using it. A planning permit amendment process for the Epsom Village Shopping Centre redevelopment has also secured land and investment by a developer to help improve the intersection.

Total project cost – \$18M

Victorian Government – \$15M (including land acquisition)

Private investment – \$3M



Regional projects

Energy

There is an urgent need to upgrade the KerangLink to support the Victoria New South Wales Interconnector (VNI) West project.

The KerangLink interconnector is a priority project for the Australian Energy Market Operator (AEMO) and would run between Victoria and New South Wales, via a proposed terminal north of Ballarat, new stations near Bendigo and Kerang, through to Project EnergyConnect in Dinawan, NSW.

KerangLink will also facilitate the development of Victorian Renewable Energy Zones and help to bring forward significant network capacity to connect renewable energy projects in Victoria and support regional jobs.

VNI West will unlock and share geographically and technologically diverse clean, low-cost renewables.

VNI West is a proposed new 500 kilovolt (kV) electricity transmission interconnector. It will increase power export capacity to NSW by 1,930MW and capacity to Victoria by 1,800MW, as well as unlocking investment in over 2,000MW of renewable energy projects.

Request

Progress the development of KerangLink as quickly as possible because of the benefits it will deliver to regional economies.

Digital connectivity

Digital technology and infrastructure are fundamental to the economic and social growth of regional Victoria. Digital connectivity creates opportunities and reduces barriers.

Quality digital connection is essential for businesses and households to be able to participate and engage in modern life, engage with friends and family as well as access everyday services, including health care and education. Digital connectivity reduces the need to travel and brings services to the home or business.

One of the biggest challenges facing rural and regional Victoria is access to essential services. Without access to quality NBN connections, many rural and regional communities are falling behind.

Request

- Continuation of mobile blackspot funding
- Rollout of very fast connectivity in central Bendigo, using the 100 gig network
- Extension of free public Wi-Fi in central Bendigo
- Improved rural access to telehealth to reduce the health inequalities in health service access and provision



Healthy communities and environments

Peter Krenz Centre

A multi-stage redevelopment is planned for the Peter Krenz Centre in Eaglehawk to create a vibrant community hub.

Peter Krenz Centre currently features a range of facilities, including gym, group fitness studio, four squash courts, single court stadium, creche and meeting rooms. It also features aquatic facilities, including a spa, steam room and three heated pools (50 metre, program and toddler pools). The current facilities are either approaching or at the end of their lifespan and many no longer meet community needs.

Stage 1 of the project will connect to the Centre's existing aquatic facilities and include:

- A new library
- A new indoor/outdoor café
- A 24/7 gym with strength and exercise equipment
- Flexible meeting spaces with kitchenettes
- Public toilets to service the wider precinct

Total project cost – \$27M
Australian Government – \$10M
Victorian Government – \$10M
City of Greater Bendigo – \$7M

Low Line shared trail

The Low Line will create an active transport corridor into and through the city centre.

The Low Line represents an adaptive reuse of the Bendigo Creek channel, where a shared path will be built along the channel to create a safe, efficient and low carbon travel option for locals and visitors. This will ease traffic congestion and support our local population to be active and healthy.

Bendigo Creek is the natural spine of Bendigo connecting the majority of suburbs, with 95,000 people living within 5km of the creek. Most of Bendigo Creek has an existing trail, but a key gap of 4.4km exists within the city centre. The Low Line will fix this gap and activate a central public space corridor.

The Low Line will emulate New York's High Line, yet do it Bendigo-style! This will include enabling the Dja Dja Wurrung to express a cultural narrative for the trail and then creating public art to celebrate all of Bendigo's cultures.

Total project cost – \$8M
Victorian Government – \$7.5M
City of Greater Bendigo – \$500,000



Tracks and trails

When we walk and cycle we contribute to creating better places and environments, healthier people, better connected communities and more viable businesses. By making daily walking and cycling easier and more comfortable, these benefits can be shared more fairly across the community.

Greater Bendigo is Australia's first internationally-accredited Bicycle Friendly Community, while the 2019 Active Living Census found walking and cycling were among the most popular physical activities of all residents within the municipality, with three quarters indicating that they would like to walk or cycle more often.

To support Greater Bendigo's population growth to 200,000 residents by 2050, the City is seeking to create a more connected, safe and accessible cycling network.

Strategic cycling corridors – \$9.2M

- Calder Highway – Maiden Gully to West Bendigo link – \$7M
- Ironbark Gully Trail – \$2.2M

Heathcote to Rushworth Rail Trail – \$3.1M

- Construction of a walking and cycling trail along the former railway reserve at Rushworth to connect to the Murchison Rail Trail and to extend the works to Heathcote via existing tracks and trails, including a new Heathcote winery loop

Underpasses and crossings – \$2M

- Lockwood Road underpass – \$500,000
- Emu Creek, Strathfieldsaye underpass – \$300,000
- Bullock Creek, Marong underpass – \$300,000
- Crossing construction on existing corridors, including the Long Gully Trail, Bendigo Creek Trail and Back Creek Trail (nine key crossings identified) – \$100,000 per crossing (\$900,000 total)

Bushland Tracks and Trails Strategy – \$100,000

Total project cost \$14.4M
Victorian Government – \$12.9M
City of Greater Bendigo – \$1.5M

Reimagining Bendigo Creek

Bendigo Creek flows through the heart of Bendigo. The Reimagining Bendigo Creek Plan focuses on restoring the health of the catchment and creek, creating connections to the creek, and celebrating Djaara and migrant culture along the creek.

An extensive co-design process with Traditional Owners, the Dja Dja Wurrung, relevant agencies and the community was undertaken to develop the plan.

The investment priorities include:

1. Enable Dja Dja Wurrung to lead the way – \$1M over 5 years. Funding for project staff and Traditional Owner engagement.
2. Dja Dja Wurrung cultural expression – \$350,000. Funding to enable Dja Dja Wurrung to develop a cultural narrative along Bendigo Creek and commence installing public art and modern cultural interpretation.
3. Recreate a chain of ponds on the Bendigo Creek – \$4.4 M. Works are underway to create the first ponds on Bendigo Creek near Weeroona Ave. Future stages will continue the chain of ponds 1.6 kilometres downstream to Lyons St, White Hills. These works will involve significant earthworks, revegetation and landscaping. This will improve water quality and create habitat for native fish and platypus in years to come.
4. Creek renaturalisation detailed design and investigations – \$400,000. Funding for the necessary due diligence and design to enable two priority locations to be renaturalised – Back Creek and Bendigo Creek between Bay St and Maple St, Golden Square.
5. Build stage 1 of the Long Gully Constructed Wetlands – \$850,000. The first stage is to build a series of wetlands and associated landscaping. The longer-term vision is to create a linear park jointly managed by the Dja Dja Wurrung and the City. The initial investment will decontaminate the site and be a catalyst for further enhancements.
6. Detail design and investigations for the priority flood mitigation option – \$200,000. Design to divert flood waters from the upper catchment into No. 7 Reservoir and Crusoe Reservoir and reduce downstream flooding risk.
7. Mobilising the community to act – \$300,000 over three years. Funding to facilitate revegetation by Landcare and community groups within the Bendigo Creek catchment and to deliver citizen science activities such as water and bird monitoring.

Total project cost – \$7.5M
Australian Government – \$2.5M
Victorian Government – \$2.5M
City of Greater Bendigo –\$2.5M



Policy support

Planning – housing our community

There are clear policy tensions between managing bushfire risk and retaining vegetation. While recognising these are both essential planning considerations and must be addressed through the planning process, strict guidelines and direction in both of these areas in recent years is leading to an inability to progress planning in certain areas. With no clear growth front in Greater Bendigo to provide certainty and ensure the more cost effective and timely delivery of infrastructure, this is also a challenge to managing growth.

Implementing the Big Housing Build is critical to addressing the need for affordable housing supply. To close the housing gap, the City is supportive of inclusionary zoning being added to the Victoria Planning Provisions so social and affordable housing can be mandated within the Greater Bendigo Planning Scheme. The City would also welcome being a trial Council for inclusionary zoning.

Rehabilitation of contaminated former mining land would also assist in in-fill development, providing a pipeline of land for development and a way to address access to housing shortages as a result of people seeking a tree change throughout the COVID-19 pandemic. This would also unlock public open space for recreation and environmental enhancement.

Elevating sustainable design requirements for new development is critical to achieving climate resilient, energy efficient homes which minimise operating costs for households and contribute to tackling climate change. The Victorian Government’s commitment to 7-star energy ratings for new homes is welcome. This initiative should be supported with higher sustainable design requirements in planning schemes, including requirements for zero carbon development, as set out in the planning scheme amendments lodged in July 2022 by 24 local councils.

Returning State fees to the regions

Greater Bendigo contributes to a range of State Government fee or levy collections, in particular the Gold Mining Royalty and EPA Waste Levy. From June 2023, the Windfall Gains Tax will also be introduced for Victoria.

- In 2021/2022, more than \$140M was paid in the Gold Mining Royalty by Victoria’s minerals sector, of which the Greater Bendigo region contributed approximately \$43M. Local mining companies Agnico Eagle and Mandalay Resources, together with the Minerals Council of Australia, all consider as a top priority the return of some of the royalty to mining communities. As little as 20 per cent reinvested over a 10-year period would support major land rehabilitation and help heal ‘upside-down Country’ for Traditional Owner groups.
- The City paid \$6.9M in the EPA Waste Levy for 2021/2022. The City allocates \$500,000 in its annual budget towards waste education and other initiatives to support residents to ‘put the right thing in the right bin’. The City also continues to reserve capital provisions for future circular economy improvements for the region. A 20 per cent reinvestment of waste levy funds in Greater Bendigo over five financial years would be \$6.2M, which would very nearly match our capital investment over the same period.
- Windfall Gains Tax will come into effect from July 1, 2023 and will apply to all land that has increased in value by \$100,000 or above as a result of government rezoning. As Greater Bendigo continues to grow it would be appropriate to see part of this money invested in infrastructure improvements for the future communities of the rezoned land.



Energy and environment

Australia is on the brink of an energy transformation with the replacement of coal fired power with renewable energy. This rapid decarbonisation is critical to mitigating the worst effects of climate change. To facilitate this change and ensure local communities benefit from the transition, the following regulatory changes and infrastructure upgrades are required:

- Review of electricity regulations that currently inhibit trading of electricity by small embedded generators such as households and businesses with roof top solar. Current market regulations and distribution charges preference large generators and disincentivise peer-to-peer transactions that could enable increased generation and transmission of renewable energy at a local scale, thereby increasing the flow of revenue to local communities.
- Upgrades to local distribution networks to enable increased local renewable energy generation through rooftop solar and other small-scale renewable energy projects. This will help support the transition to renewable energy while enabling local households and businesses to benefit.

Carbon market

While the City is aiming to achieve zero emissions by 2030 for the organisation and the community, it is likely that some residual emissions will remain from historic landfill sites and from fuels. The City’s preference would be to offset these emissions through local projects that achieve environmental and economic co-benefits.

The current Emission Reduction Fund requirements and carbon accounting standards do not support biodiverse revegetation projects relevant to our region, preferencing establishment of a forest ecosystem relevant to only a small part of Victoria. The verification process is also costly and time consuming, making participation in the carbon market prohibitive for small-scale projects.

Consequently, review of the current Emissions Reduction Fund regulations is encouraged to broaden participation in the Australian carbon market in a way that benefits biodiversity and local communities.



Contact

P 1300 002 642

E requests@bendigo.vic.gov.au

www.bendigo.vic.gov.au



18. ABORIGINAL RECONCILIATION

Nil

19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT

Nil

20. A VIBRANT, CREATIVE COMMUNITY

Nil

21. A SAFE, WELCOMING AND FAIR COMMUNITY

21.1. Marong Kindergarten and Community Hub (stage 1)

Author:	Jo Connellan, Planning and Policy Coordinator
Responsible Director:	Stacy Williams, Director, Healthy Communities and Environments

Purpose

The purpose of this report is to provide an update on the Marong Kindergarten and seek approval to use Council-owned land to build the kindergarten and prepare for future community hub development.

Recommended Motion

That Council approves the use of Council-owned land at 36 Torrens St, Marong to build a kindergarten.

RESOLUTION - Resolution No. 22/09-18

Moved: Cr Fyffe

Seconded: Cr Alden

That the recommended motion be adopted.

CARRIED

Executive Summary

The Marong Kindergarten and Community Hub is a place-making project that will provide a staged delivery of a kindergarten and community hub in the centre of Marong (**see attachment 1 for location detail**). This project is being driven by the introduction of funded three-year-old kindergarten, the recent announcement of 30 hours of four-year-old kindergarten ("Pre-Prep") from 2025 and a high level of unmet demand for kindergarten places in SA2 region-south.

Stage 1, the Marong Kindergarten, will be a fully funded project delivered with access to state government "Building Blocks" funding.

Stage 2, the Community Hub, is a proposed future project to meet commitments in the Marong Township Structure Plan 2020. This project currently remains unfunded and is outside the scope of DET funding.

The two projects are being designed in conjunction with one-another to ensure maximum use of the land and benefit to community.

Agreement is sought to use Council-owned land at 36 Torrens Street, Marong to apply for State Government “Building Blocks” funding to fully fund construction of the new kindergarten building.

Background

- The need for early years infrastructure in Marong was identified in the draft Early Years Infrastructure Strategy (EYIS).
- In 2020, the City of Greater Bendigo (“the City”) signed a Kindergarten Infrastructure and Service Plan (KISP) with the Department of Education and Training (DET) that highlighted SA2 region - South as an area with significant unmet demand for three and four-year-old kindergarten places.
- The draft EYIS was presented to EMT and Council in February 2022 and approved for release for community consultation.
- In June 2022, the State Government announced further early years reform with funded four-year-old kindergarten (“Pre-Prep”) hours to increase to 30 hours from 2025.
- The development of the Early Years Infrastructure Strategy is on hold to enable further understanding of these reforms.
- The Marong Kindergarten project will now be a standalone project outside of future EYIS planning.

Previous Council decisions:

7 February 2022 (EYIS released for community consultation)

20 June 2022 (EYIS development placed on hold)

Report

This place-making project will support the staged delivery of a kindergarten and community hub in Marong. This report focuses primarily on stage 1 kindergarten delivery but also considers future stage 2 community hub works to ensure whole of site assessment and design works.

Stage 1 is being driven by State Government policy with the introduction of funded three-year-old kindergarten, 30 hours of four-year-old kindergarten (“Pre-Prep”) from 2025 and a high level of unmet demand for kindergarten places in SA2 region-south.

Discussions with DET are ongoing for a fully funded kindergarten. Building type and design are yet to be determined. Funding streams are available for fixed or modular building types and each option will require analysis of risk, project management and funding requirements. A future council decision will be required to endorse the final approach.

To submit a Building Blocks Application and secure funding for the build and ancillary works, authorisation to build on the site is required by Council. Adding some complexity to the project, the 'subject site' currently spans across three titles. See **attachment 1** for an overview of site, buildings and impacts.

All three titles which form the "subject site" are City owned and will remain property of the City upon completion of the project. The kindergarten building will be a 99-place facility with two allied health (multipurpose) rooms that will become property of the City upon completion. Ongoing maintenance of the facility will also be borne at the cost of City with agreement that the site will operate as a Kindergarten for at least 10 years. The City will seek to appoint an appropriate provider to deliver kindergarten services upon completion of the works.

Funding has been received through DET for design and feasibility studies. Feasibility studies are complete, and Brandrick Architects are currently undertaking overall site masterplan design. The current "subject site" includes several community buildings that are in poor condition / not fit for purpose. These include:

- Marong Neighbourhood House
- 4x Tennis Courts
- Men's Shed
- Marong Community Hall

To deliver the stage 1 Kindergarten project, the existing tennis courts will require demolition. The Lockwood South Tennis Club are currently accessing the courts and have been engaged in early consultation. Additional tennis courts are in scope for the Malone Park Master Plan.

The Community Hall remains in good condition with the project seeking to adaptively re-purpose the building as part of a future stage 2, subject to concept planning outcomes. The Men's Shed building and Neighbourhood House building are at end of life and will likely require demolition as part of stage 2. A Community Reference Group has been established and engaged in early discussion.

Stage 2 will focus on the development of flexible, multi-purpose community buildings that have a place-making relationship to the kindergarten. Business cases, capital and operating cost projections will need to be developed for these. In the interim, the existing community buildings should be able to remain operational but are likely to require increased maintenance to achieve this.

To ensure the kindergarten is built in a timely manner the Marong Kindergarten and Community Hub project needs to progress even though the EYIS is on hold. The aim is to have the kindergarten fully operational by the start of term 1 in 2024.

Priority/Importance

High priority/importance

Options considered

To do nothing regarding early years infrastructure in SA2 region- south is not considered to be an option as early years services are required to meet current and future community need.

Timelines

If approval is endorsed, a Building Blocks application will be submitted immediately to secure funding. Stage 1 is aiming to be completed by January 2024.

Communications/Engagement

- A Marong Community Reference Group has been established to guide engagement with the Marong community. Representatives include Marong Community Action Group, Marong Primary School, Shine Bright EYM, Marong Community Hall Committee and the Marong Neighbourhood House.
- Initial engagement underway with Lockwood South Tennis Club who have an agreement with the Marong Community Hall Committee as the Committee of Management for the tennis courts, and the Marong Neighbourhood House for use of toilet facilities. The proposed new kindergarten is unlikely to impact the 2022/23 tennis season. Active and Healthy Communities officers will work with the tennis club to find an alternative location prior to the 2023/24 season.
- A Marong Family Fun Day will be held on October 16, 2022. This will be an opportunity to showcase Marong and the number of City initiatives and projects underway in that region.
- Targeted consultation will be undertaken with Service Providers, staff, families and children during the design and build phases.

Financial Sustainability

- DET "Building Blocks" grant funding applications will be submitted to fund the kindergarten build. If funding applications are unsuccessful, the project will be unable to proceed.
- Business cases, capital and operating cost projections will be developed for Stage 2 of the project.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 1 - Lead and govern for all

Outcome 2 - Healthy, liveable spaces and places

Outcome 3 - Strong, inclusive and sustainable economy

Outcome 7 - A safe, welcoming and fair community

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Goal 8 - Targeted investment in services, facilities, and programs to communities most in need

Goal 2 - Education and training pathways that fulfil the city's employment needs

Goal 4 - A community that values and engages with people of all ages, abilities, genders and sexualities

Other Reference(s)

Early Years Infrastructure Strategy (draft)

Greater Bendigo Community Hubs Strategy (draft)

Marong Township Structure Plan

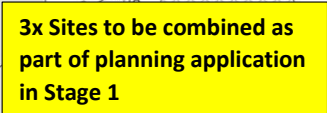
Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Marong Site Map [21.1.1 - 2 pages]





22. URGENT BUSINESS

Nil

23. NOTICES OF MOTION

Nil

24. MAYOR'S REPORT

The Mayor, Cr Andrea Metcalf, tabled a report on attendance at the following meetings and events:

- Official sod turning for the third stage of the Bendigo Airport development.
- Met with the Hon. Harriet Shing, Minister for Regional Development.
- Joint meeting with Bendigo Netball and City of Greater Bendigo representatives.
- Chaired the Regional Cities Victoria Executive Management Group meeting.
- Met online with Ms Maree Edwards, Member for Bendigo West,
- Victorian Local Government Grants Commission Information Session.
- Axedale Our Town – Our Future meeting to discuss community hub.
- Met with the Hon. David Davis, Hon. Wendy Lovell and Mr Darin Schade – Liberal Candidate for Bendigo East.
- Spoke at the official opening of Planet Aware.
- Whipstick Ward listening post held in Elmore.
- Spoke at the Country Women's Association - Bendigo Northern Group Conference.
- Spoke at the White Night Bendigo Official Function, then attended the Dja Dja Wurrung Welcome to Country and smoking ceremony.
- Toured Galkangu with Councillors' and staff.
- Planning Institute of Australia's Better Regional Planning session.
- Spoke at the New Bendigo Legacy House Grand Opening.
- Participated in online presentation by LGBTIQ+ Commissioner, Todd Fernando on 'Pride in Our Future'.
- Participated in media opportunity for the Healthy Heart of Victoria Launch event.
- Spoke at the Healthy Heart of Victoria regional planning workshop.
- City of Greater Bendigo Audit and Risk Committee.
- Planning Huntly's future, workshop - Huntly Structure Plan Project
- Met with representatives at Albert Roy Reserve regarding the baseball diamond and lighting.
- Toured the exhibition In Our Time and Treasures of Dai Gum San.
- Kangaroo Flat Community Inclusive Hub Open Day - Scope Bendigo Disability Services.
- 2022 Michelsen Medal - Bendigo Football/Netball League.
- Participated in media opportunity for the Spring Bloom Campaign launch.
- Campaspe Run Annual General Meeting.
- Spoke at the Transport Stakeholder Forum - Greater Bendigo Climate Collaboration.
- Chaired the Eaglehawk Table Tennis and Badminton Meeting.
- Online Greater Bendigo Gender Equity Coalition Forum.

- Passions and Pathways Expos.
- Online meeting with The Hon. Peter Walsh MP, Mr Bill Tilley MP regarding the Goldfields World Heritage Bid.
- Assisted with the trophy presentation for the Bendigo Balloon Football match.
- Councillor Workshop – Planning Scheme review.
- Spoke at the Protech Elite Series Badminton Open event.
- Presided at the National Citizenship Day, Citizenship Ceremony attended by 54 new citizens from 17 countries.
- Loddon Campaspe Multicultural Services Office Opening.
- Djaara Renewable Energy Strategy Launch.
- Chaired the Farming and Agribusiness Advisory Committee meeting.
- Spoke at the Calisthenics Victoria State Championships.
- “When Merdeka Came To Australia”, showcasing a documentary film, entitled “Indonesia Calling”, a film made in 1946 directed by Joris Iven.
- Spoken with residents, businesses and community groups regarding a wide range of issues.
- Participated in numerous radio, newspaper, television media interviews and photo opportunities.

25. CHIEF EXECUTIVE OFFICER'S REPORT

It was great to have 17 different countries represented at the National Citizenship Day and the opportunity of reading those countries out is great. It would be good to see those countries on a map showing the variety of different locations people are coming from, to live in and enjoy our community.

The Silver Award for Australia's Top Tourism Awards announced last week. It is great to be recognised on a national stage at any level, great for the community to be party to that award and, I believe that it is a whole of community award.

The Circular Economy award last week, as part the Premier's Sustainability Awards is a great achievement, particularly for part of our organisation that has been working hard behind the scenes for a long, long time and again, other parts of the organisation that are very supportive of this work.

I would like to mention the financial statements and performance statements that you adopted tonight and recognise the amount of work that staff put in for a pretty short period of time from late in the financial year to now, to get all that work done. As it has been recognised tonight, they are well regarded across the State and within the Audit sector for the quality of the work that they do. They do put in some pretty big hours through that time to get that work done. We recognise that and I know that you recognise and appreciate that as well.

Thank you for your support around the Commonwealth Games legacy document. That is going to be a really important piece of work that we can take to the Office of Commonwealth Games and to the State Government and really start to push hard and advocate for legacy outcomes for our community as we move through the decision making process around that. Thanks for your supporting of additional resources.

The Investment Prospectus – that is a great document to have with us and we carry that everywhere we go and we distribute it widely and people start to talk about our projects back to us and I think that that is a good sign of being successful in that area.

Cr Fagg mentioned very early on tonight, the Citizen of the Year and Young Citizen of the Year nominations and I want to play that out again. That is a really important process we go through every year. It is really important that we recognise strong volunteers and contributors in the community, so I invite Councillors and community members to put their thinking caps on and start to think about who might be a worthy recipient of those two awards.

26. CONFIDENTIAL (SECTION 66) REPORTS

RECOMMENDED MOTION

That Council close the meeting to members of the public pursuant to Section 66(2) of the Local Government Act 2020, to consider reports relating to:

(g) private commercial information, being information provided by a business, commercial or financial undertaking that -(i) relates to trade secrets; or(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

(c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;

RESOLUTION - Resolution No. 22/09-19

Moved: Cr Fyffe

Seconded: Cr Evans

That the recommended motion be adopted.

CARRIED

27. CLOSE OF MEETING

There being no further business, this Council Meeting closed at 8:37 pm.