



**GREATER  
DANDENONG**  
*City of Opportunity*

# **MINUTES**

## **COUNCIL MEETING**

**MONDAY, 25 JULY 2022**  
Commencing at 7:00 PM

**COUNCIL CHAMBERS**  
225 Lonsdale Street, Dandenong VIC 3175

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## **1 MEETING OPENING**

### **1.1 ATTENDANCE**

#### **Apologies**

Cr Angela Long - Leave of Absence

Cr Jim Memet

Cr Sophie Tan

#### **Councillors Present**

Cr Eden Foster (Chairperson)

Cr Tim Dark, Cr Lana Formoso (remotely), Cr Rhonda Garad, Cr Richard Lim OAM, Cr Loi Truong, Cr Bob Milkovic, Cr Sean O'Reilly (remotely).

#### **Officers Present**

John Bennie PSM, Chief Executive Officer, Jody Bosman, Director City Planning, Design and Amenity, Jim Davine, Acting Director Community Services, Kylie Sprague, Executive Manager Communications and Customer Service, Michelle Hansen, Executive Manager Finance and Information Technology, Kevin Van Boxtel, Acting Director of Business, Engineering & Major Projects, Lisa Roberts, Manager Governance.

### **1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND**

Council acknowledges the Traditional Owners and Custodians of this land, the Bunurong people and pay our respects to their Elders past, present and emerging while also recognising their deep and continuing connections to climate, culture and country.

We also pay our respect to all Aboriginal and Torres Strait Islander peoples and their Elders and acknowledge their journey.



### 1.3 OFFERING OF PRAYER, REFLECTION OR AFFIRMATION

All remained standing as Mr Knowles Tivendale from Bunurong Country, read the following reflection and affirmation .

"I believe that we should live in peace and harmony in with nature. Diverse opinions are the essence of creativity. True knowledge comes from scientific approaches, shared wisdom and genuine two-way engagement. As leaders you should educate and inform the community while yourself being educated and informed on the emerging urgent needs of our community.

As our world enters a time of chaos, I reflect on a story told by Aunty Carolyn Briggs' that is proven by glaciologists and carbon dating to be over 10,000 years old. The full version is titled The Filling of the Bay – The Time of Chaos and can be found on the [Culture Victoria website](#). I will briefly paraphrase Aunty Carolyn and hope to do justice to her insight.

*A long time ago, the land beneath Nairm (Port Phillip Bay) was a fertile and productive plain. The Bunurong and other Kulin Nations had plentiful access to everything they needed but bickered about trivial things.*

*The Bunurong were custodians of the fertile plain but were not living within their means, hunted animals were left uneaten, yam daisys were neglected, fish were caught in their spawning season and eels were not harvested.*

*The people were not abiding by the laws of Bundjil (caring for country) or Waang (caring for each other).*

*Bundjil was angry with the people and the sea rose destroying the most fertile land by increasing temperatures, thereby increasing water levels to flood the Bay.*

*The sea threatened to inundate the whole of Bunurong Country and flood all of Greater Dandenong.*

*Bundjil told them they would have to change their ways to save their land. They needed to care for Country and care for each other or lose everything.*

*For 9,800 years the Bunurong committed to caring for Country and their neighbours. They taught others how to respect and care for Country.*

*The ancient highway now known as Nepean Highway has a name that literally means "Walk in single file" – so as to protect the sand dune.*

Spiritualism helps communities to agree on moral and virtuous approaches to decision making. In my view there is only one higher power, greater than humanity – Mother Nature. It is clear that She, Bundjil and Waang are not happy with our progress and the only true way to lead is to care for Country and each other.

As the latest climate crisis is upon us I know many residents (my wife and daughters included) would implore all Councillors to act in a way that cares for, and heals Country while sharing what you have with other people."

#### **1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Meeting of Council held 11 July 2022.

##### **Recommendation**

**That the minutes of the Meeting of Council held 11 July 2022 be confirmed.**

##### **MINUTE 514**

Moved by: Cr Bob Milkovic  
Seconded by: Cr Rhonda Garad

**That the minutes of the Meeting of Council held 11 July 2022 be confirmed.**

**CARRIED**

## **1.5 DISCLOSURES OF INTEREST**

**Cr Bob Milkovic disclosed a Direct Material Conflict of Interest of a Non-pecuniary nature (s. 128) in Item No. 2.3.3 Town Planning Application 30-32 Brady Road Dandenong North (Planning Application PLN21/10434, as he was the agent who sold this property to the applicant whilst working as an agent for O'Brien Real Estate, Dandenong. Cr Bob Milkovic left the Chamber prior to discussion and voting on this item.**

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## 1.6 ADOPTION OF THE AUDIT AND RISK COMMITTEE MEETING MINUTES

The Audit and Risk Committee held a meeting on 17 June 2022 and Minutes of this meeting as summarised in the following table are presented to Council for adoption.

| Item | Topic                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.   | The Audit and Risk Committee's Annual Work Plan was reviewed/amended as required and Council's rolling internal control environment (ICE) was noted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 2.   | The Audit and Risk Committee endorsed Council's updated Fixed Accounting 2022-23 and Purchasing Card Policies and also its updated draft Conflict of Interest Policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 3.   | <p>The Audit and Risk Committee noted and discussed a number of Council reports submitted to the Committee including the following:</p> <ul style="list-style-type: none"><li>• Update on Council's Fixed Asset Valuations for 2021-22;</li><li>• Risk Management Report for the Third Quarter 2021-22;</li><li>• Summary Financial Report 1 July 2021 – 31 March 2022;</li><li>• IT Vulnerability Assessment and Annual Penetration Test results</li><li>• South East Leisure Pty Ltd Financial Report April 2022;</li><li>• Council's Gift and Travel Registers Annual Report</li><li>• Legislative Compliance Annual Report</li><li>• Audit and Risk Committee Self-Assessment</li></ul> |
| 4.   | <p>Council's Internal Auditor Crowe tabled the following reports:</p> <ul style="list-style-type: none"><li>• Integrity Body Reports</li><li>• Review of Public Interest Disclosures April 2022</li><li>• Review of Events and Festivals Management April 2022</li><li>• Greater Dandenong City Council's Internal Audit Progress Report June 2022</li><li>• Strategic Internal Audit Program Briefing Note</li><li>• Greater Dandenong City Council's Internal Audit Universe April 2022</li></ul>                                                                                                                                                                                         |

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**1.6 ADOPTION OF THE AUDIT AND RISK COMMITTEE MEETING MINUTES (Cont.)**

**Recommendation**

**That the unconfirmed minutes of the Audit and Risk Committee meeting held on 17 June 2022 be adopted.**

**MINUTE 515**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Lana Formoso

**That the unconfirmed minutes of the Audit and Risk Committee meeting held on 17 June 2022 be adopted.**

**CARRIED**

## **2 OFFICERS' REPORTS - PART ONE**

### **2.1 DOCUMENTS FOR SEALING**

#### **2.1.1 Documents for Sealing**

|                      |                    |
|----------------------|--------------------|
| File Id:             | A2683601           |
| Responsible Officer: | Manager Governance |

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#### **Report Summary**

Under the Victorian Local Government Act, each Council is a body corporate and a legal entity in its own right. Each Council must therefore have a common seal (like any corporate entity) that is an official sanction of that Council.

Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing include agreements, contracts, leases or any other contractual or legally binding document that binds Council to another party.

#### **Recommendation Summary**

This report recommends that the listed documents be signed and sealed.

### **2.1.1 Documents for Sealing (Cont.)**

#### **Item Summary**

There is two (2) item being presented to Council's meeting of 25 July 2022 for signing and sealing as follows:

1. A letter of recognition to Samantha Lee Ward, Maternal and Child Health Services for 10 years of service to the Greater Dandenong City Council.
2. An Instrument of Appointment of Authorised Officer under the provisions of the Local Government Act 1989, the Local Government Act 2020, the Environment Protection Act 2017, the Infringements Act 2006, the Planning and Environment Act 1987, the Public Health and Wellbeing Act 2008, the Road Management Act 2004, the Road Safety Act 1986, the Sex Work Act 1994, Parts 2 and 3 of the Subdivisions Act 1988, the Summary Offences Act 1966, the Victorian Civil and Administrative Tribunal Act 1998 and the Regulations made under each of those Acts; the Local Laws made under the Local Government Act 1989 and the Local Government Act 2020; and any other Act, Regulation or delegated legislation (including the Greater Dandenong Planning Scheme) which relates to the powers of the Council made under the provisions and enactments described. This instrument enables the following Council officer to carry out the statutory responsibilities of the above Acts and is subject to policy and delegations previously adopted by Council:
  - Tariq Dean

#### **Recommendation**

**That the listed documents be signed and sealed.**

#### **MINUTE 516**

Moved by: Cr Richard Lim OAM

Seconded by: Cr Loi Truong

**That the listed documents be signed and sealed.**

**CARRIED**

## 2.2 DOCUMENTS FOR TABLING

### 2.2.1 Petitions and Joint Letters

|                      |                             |
|----------------------|-----------------------------|
| File Id:             | qA228025                    |
| Responsible Officer: | Manager Governance          |
| Attachments:         | Petitions and Joint Letters |

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### Report Summary

Council receives a number of petitions and joint letters on a regular basis that deal with a variety of issues which have an impact upon the City.

Issues raised by petitions and joint letters will be investigated and reported back to Council if required.

A table containing all details relevant to current petitions and joint letters is provided in Attachment 1. It includes:

1. the full text of any petitions or joint letters received;
2. petitions or joint letters still being considered for Council response as pending a final response along with the date they were received; and
3. the final complete response to any outstanding petition or joint letter previously tabled along with the full text of the original petition or joint letter and the date it was responded to.

**Note: On occasions, submissions are received that are addressed to Councillors which do not qualify as petitions or joint letters under Council's current Governance Rules. These are also tabled.**



### **2.2.1 Petitions and Joint Letters (Cont.)**

#### **Petitions and Joint Letters Tabled**

Council received no new petitions and no joint letters prior to the Council Meeting of 25 July 2022.

***N.B: Where relevant, a summary of the progress of ongoing change.org petitions and any other relevant petitions/joint letters/submissions will be provided in the attachment to this report.***

#### **Recommendation**

**That this report and Attachment be received and noted.**

#### **MINUTE 517**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Sean O'Reilly

**That this report and Attachment be received and noted.**

**CARRIED**

**2.2.1 Petitions and Joint Letters (Cont.)**

**DOCUMENTS FOR TABLING**

**PETITIONS AND JOINT LETTERS**

**ATTACHMENT 1**

**PETITIONS AND JOINT LETTERS**

**PAGES 6 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 1000.*

**2.2.1 Petitions and Joint Letters (Cont.)**

| Date Received | • Petition Text (Prayer)                    | No. of Petitioners | Status | Responsible Officer Response |
|---------------|---------------------------------------------|--------------------|--------|------------------------------|
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*If the details of the attachment are unclear please contact Governance on 8571 1000.*

**2.2.1 Petitions and Joint Letters (Cont.)**

| Date Received | Petition Text (Prayer)                      | No. of Petitioners | Status | Responsible Officer Response |
|---------------|---------------------------------------------|--------------------|--------|------------------------------|
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*If the details of the attachment are unclear please contact Governance on 8571 1000.*

**2.2.1 Petitions and Joint Letters (Cont.)**

| Date Received | • Petition Text (Prayer)                    | No. of Petitioners | Status | Responsible Officer Response |
|---------------|---------------------------------------------|--------------------|--------|------------------------------|
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*If the details of the attachment are unclear please contact Governance on 8571 1000.*

**2.2.1 Petitions and Joint Letters (Cont.)**

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*If the details of the attachment are unclear please contact Governance on 8571 1000.*

**2.2.1 Petitions and Joint Letters (Cont.)**

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*If the details of the attachment are unclear please contact Governance on 8571 1000.*

## **2.3 STATUTORY PLANNING APPLICATIONS**

### **2.3.1 Planning Decisions Issued by Planning Minister's Delegate - June 2022**

|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| File Id:             | qA280444                                                     |
| Responsible Officer: | Director City Planning Design & Amenity                      |
| Attachments:         | Planning Declared Area Delegated Decisions - June 2022 Att 1 |

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#### **Report Summary**

This report provides Council with an update on the exercise of delegation by Planning Minister's delegate.

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in June 2022.

It should be noted that where permits and notices of decision to grant permits have been issued, these applications have been assessed as being generally consistent with the Planning Scheme and Council's policies.

Application numbers with a PDA#.01 or similar, are applications making amendments to previously approved planning permits.

#### **Recommendation**

**That the items be received and noted**

#### **MINUTE 518**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Tim Dark

**That the items be received and noted**

**CARRIED**



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**2.3.1 Planning Decisions Issued by Planning Minister's Delegate - June 2022 (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**PLANNING DECISIONS ISSUED BY PLANNING MINISTER'S  
DELEGATES – JUNE 2022**

**ATTACHMENT 1**

**PLANNING DECLARED AREA  
DELEGATED DECISIONS  
JUNE 2022**

**PAGES 2 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

2.3.1 Planning Decisions Issued by Planning Minister's Delegate - June 2022 (Cont.)

PDA Delegated Decisions Issued 01/06/2022 to 30/06/2022 City of Greater Dandenong

| Application ID | Property/Address                          | Applicant              | Description                                                                                                                                                         | Notes                                     | Authority | Decision   | Decision Notified | Ward      |
|----------------|-------------------------------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-----------|------------|-------------------|-----------|
| PDA20/0002     | 39-41 Pulney Street<br>DANDENONG VIC 3175 | Ammache Architects     | Construction of a 5 storey mixed use building (45 apartments) and use of the land for a shop or retail premises                                                     | Comprehensive Development Zone 2, 2023sqm | Delegate  | PlanPermit | 16/06/2022        | Dandenong |
| PDA21/0003     | 21 Rodd Street<br>DANDENONG VIC 3175      | Rodd Dandenong Pty Ltd | Buildings and works associated with the construction of a 4 storey building (plus basement car park) comprising community care accommodation                        | Residential Growth 1 Zone, 926sqm         | Delegate  | PlanPermit | 16/06/2022        | Dandenong |
| PDA22/0001     | 5 Stud Road DANDENONG<br>VIC 3175         | Equal 5 Stud Road      | Use and development of the land for a community care accommodation building (4 storey plus rooftop terraces) and creation of access to a road in a Transport Zone 2 | Residential Growth 1 Zone, 1192sqm        | Delegate  | NOD        | 21/06/2022        | Cleeland  |
| Total :        |                                           |                        |                                                                                                                                                                     |                                           |           |            | 3                 |           |

LNICHO

1

01/07/2022

### **2.3.2 Planning Delegated Decisions Issued - June 2022**

File Id: qA280  
Responsible Officer: Director City Planning Design & Amenity  
Attachments: Planning Delegated Decisions Issued June 2022 Att 1

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#### **Report Summary**

This report provides Council with an update on the exercise of delegation by Council officers.

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in June 2022.

It should be noted that where permits and notices of decision to grant permits have been issued, these applications have been assessed as being generally consistent with the Planning Scheme and Council's policies.

Application numbers with a PLA#, PLN#.01 or similar, are applications making amendments to previously approved planning permits.

The annotation 'SPEAR' (Streamlined Planning through Electronic Applications and Referrals) identifies where an application has been submitted electronically. SPEAR allows users to process planning permits and subdivision applications online.

#### **Recommendation**

**That the items be received and noted.**

#### **MINUTE 519**

Moved by: Cr Tim Dark  
Seconded by: Cr Rhonda Garad

**That the items be received and noted.**

**CARRIED**

**2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**PLANNING DELEGATED DECISIONS ISSUED -  
JUNE 2022**

**ATTACHMENT 1**

**PLANNING DELEGATED  
DECISIONS ISSUED  
JUNE 2022**

**PAGES 15 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

City of Greater Dandenong

Planning Delegated Decisions Issued from 01/06/2022 to 30/06/2022

| Application ID | Category  | VicSmart | Property Address                            | Applicant Name                | Description                                                                                                                                                                                                                                                                                                                                                                                                                                  | Notes                                                                                                     | Authority | Decision  | Decision Date | Ward               |
|----------------|-----------|----------|---------------------------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|-----------|-----------|---------------|--------------------|
| PLA21/0043     | PInAppAnd | No       | 877-879 Princes Highway SPRINGVALE VIC 3171 | Urban Edge Consultants        | Amendment to: Use and development of the land for a restricted recreation facility, place of assembly, education centre, office, display home centre and warehouse, alteration of access to a road in a Road Zone Category 1, reduction in bicycle facilities, reduction in car parking requirements and to construct or put up signage'. The application also seeks to make associated changes to permit conditions and the endorsed plans. | Amend permit preamble, Condition 1.2 and endorsed plans to allow development of a display home            | Delegate  | AmendPerm | 24/06/2022    | Springvale North   |
| PLA21/0084     | PInAppAnd | No       | 21 Fifth Avenue DANDENONG VIC 3175          | A Khorrami                    | AMENDMENT TO: The development of the land for one (1) double storey dwelling and one (1) single storey dwelling (PLN18/0112)<br>TO PROPOSE: Development of the land for two (2) double storey dwellings                                                                                                                                                                                                                                      | Amend permit to allow development of the land for two new double storey dwellings                         | Delegate  | AmendPerm | 21/06/2022    | Yarraman           |
| PLA21/0641     | PInAppAnd | No       | 6-24 Monash Drive DANDENONG SOUTH VIC 3175  | NashCap                       | AMENDMENT TO: Buildings & Works (Industrial Building Extension) (PLN09/007.01)                                                                                                                                                                                                                                                                                                                                                               | Amend permit to allow amendment to Condition 1.2, deletion of Condition 3.3, changes to plans and signage | Delegate  | AmendPerm | 03/06/2022    | Dandenong          |
| PLA22/0005     | PInAppAnd | No       | 41 Lawn Road NOBLE PARK VIC 3174            | Noble One Development Pty Ltd | AMENDMENT TO: Development of the land for eight (8) double storey dwellings and reduction in car parking (visitor space) (PLN19/0827)                                                                                                                                                                                                                                                                                                        | Proposal fails to satisfy Clause 22.09-3.1 (Residential Development & Neighbourhood Character Policy)     | Delegate  | Refusal   | 08/06/2022    | Springvale Central |
| KSLIFK         |           |          |                                             |                               | 1                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                           |           |           | 01/07/2022    |                    |

2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category  | VicSmart | Property Address                                    | Applicant Name                  | Description                                                                                                                | Notes                                                                                                                         | Authority | Decision  | Decision Date | Ward             |
|----------------|-----------|----------|-----------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|---------------|------------------|
| PLA22/0014     | PtnAppAnd | No       | 1 Mulgoa Avenue<br>DANDENONG NORTH<br>VIC 3175      | S Kelly                         | AMENDMENT TO: Use and development of the land for a Child Care Centre (PLA22/0014)                                         | Amend permit condition 14 relating to hours of operation                                                                      | Delegate  | AmendPerm | 09/06/2022    | Noble Park North |
| PLA22/0019     | PtnAppAnd | No       | 7 Loller Street<br>SPRINGVALE VIC 3171              | T Le                            | AMENDMENT TO: Development of the land for two (2) double storey dwellings (PLN19/0543)                                     | Amend plans to allow removal of decking                                                                                       | Delegate  | AmendPerm | 02/06/2022    | Springvale North |
| PLA22/0023     | PtnAppAnd | No       | 342-368 Hammond Road<br>DANDENONG SOUTH<br>VIC 3175 | Monde Construction Pty Ltd      | AMENDMENT TO: Use and development of the land for an abattoir and a reduction in the car parking requirements (PLN14/0358) | Amend endorsed plans to construct a 588sqm extension to the existing building and a further reduction of 2 car parking spaces | Delegate  | AmendPerm | 27/06/2022    | Dandenong        |
| PLA22/0028     | PtnAppAnd | No       | 2/5-13 Springvale Road<br>SPRINGVALE VIC 3171       | Prestige Town Planning Pty Ltd  | AMENDMENT TO: Change of Use (Indoor Recreation Centre) and Signage (PLN14/0174)                                            | Amend endorsed plans to allow changes to the business identification signage and internal alterations                         | Delegate  | AmendPerm | 10/06/2022    | Springvale North |
| PLA22/0056     | PtnAppAnd | No       | 177 Maxine Court NOBLE PARK VIC 3174                | Nobelius Land Surveyors Pty Ltd | AMENDMENT TO: Subdivision of the land into two (2) lots (PLN21/0548)                                                       | Delete permit Condition 3 relating to Building Regulations                                                                    | Delegate  | AmendPerm | 17/06/2022    | Yarraman         |
| PLA22/0058     | PtnAppAnd | No       | 1/25 Gibb Street<br>DANDENONG NORTH<br>VIC 3175     | KA Hicks                        | AMENDMENT TO: Subdivision of the land into two (2) lots (PLN21/0391)                                                       | Delete permit Condition 2 relating to Building Regulations                                                                    | Delegate  | AmendPerm | 21/06/2022    | Dandenong North  |
| KSLIFK         |           |          |                                                     |                                 | 2                                                                                                                          |                                                                                                                               |           |           | 01/07/2022    |                  |

2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category  | VicSmart | Property Address                               | Applicant Name       | Description                                                                                                                                                                                                                                                                                   | Notes                                                                                                                                              | Authority | Decision   | Decision Date | Ward               |
|----------------|-----------|----------|------------------------------------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|---------------|--------------------|
| PLA22/0059     | PtnAppAnd | No       | 1/28 Gray Street<br>SPRINGVALE VIC 3171        | A Aday               | AMENDMENT TO: Subdivision of the land into two (2) lots (PLN20/0328)                                                                                                                                                                                                                          | Delete permit Condition 4 relating to Building Regulations                                                                                         | Delegate  | AmendPerm  | 27/06/2022    | Springvale North   |
| PLN20/0346     | PtnApp    | No       | 5 Kelvinside Road<br>NOBLE PARK VIC 3174       | Architekton Ltd      | Development of the land for four (4) double storey dwellings on a lot                                                                                                                                                                                                                         | General Residential 1 Zone, 872sqm                                                                                                                 | Delegate  | PlanPermit | 14/06/2022    | Yarraman           |
| PLN20/0477     | PtnApp    | No       | 2 Nullawil Street<br>SPRINGVALE VIC 3171       | J Vo                 | Development of the land for three (3) dwellings on a lot                                                                                                                                                                                                                                      | General Residential 1 Zone, 581sqm                                                                                                                 | Delegate  | PlanPermit | 14/06/2022    | Springvale North   |
| PLN21/0008     | PtnApp    | No       | 98 Westall Road<br>SPRINGVALE VIC 3171         | Sky Jade Corporation | Use and development of the land for two (2) Convenience Restaurants; to erect and display internally illuminated and non-illuminated business identification and promotion signage; to create and alter access to a road in a Transport Zone 2; and to reduce the bicycle parking requirement | Proposal is inconsistent with Clause 32.08-13, Clause 53.04-2, and fails to comply with Clause 15.01-1S, Clause 22.11, Clause 52.05 and Clause 65. | Delegate  | Refusal    | 21/06/2022    | Springvale Central |
| PLN21/0172     | PtnApp    | No       | 459-461 Springvale Road<br>SPRINGVALE VIC 3171 | WestUrban Group      | Development of the land for eight (8) double storey dwellings on a lot comprising seven (7) double storey dwellings and one (1) single storey dwelling at the rear, and alteration of access to a road in a Transport Zone 2                                                                  | General Residential 1 Zone, 1308sqm                                                                                                                | Delegate  | NOD        | 16/06/2022    | Springvale Central |
| KSLIFK         |           |          |                                                |                      | 3                                                                                                                                                                                                                                                                                             |                                                                                                                                                    |           |            | 01/07/2022    |                    |

### 2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category | VicSmart | Property Address                             | Applicant Name             | Description                                                                                                                                                     | Notes                                    | Authority | Decision   | Decision Date | Ward            |
|----------------|----------|----------|----------------------------------------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------|------------|---------------|-----------------|
| PLN21/0290     | PtnApp   | No       | 29 Ronald Street<br>DANDENONG VIC 3175       | NAJM Design & Build        | Development of the land for three (3) double storey dwellings                                                                                                   | General Residential 3 Zone, 702sqm       | Delegate  | NOD        | 29/06/2022    | Dandenong       |
| PLN21/0338     | PtnApp   | No       | 3 Lexton Avenue<br>DANDENONG VIC 3175        | Farrington Architects      | Development of the land for three (3) dwellings (two double storey and one single storey to the rear)                                                           | General Residential 1 Zone, 704sqm       | Delegate  | PlanPermit | 20/06/2022    | Yarraman        |
| PLN21/0386     | PtnApp   | No       | 164 David Street<br>DANDENONG VIC 3175       | Kosic & Associates Pty Ltd | The development of the land for three (3) double-storey dwellings                                                                                               | General Residential 1 Zone, 708sqm       | Delegate  | PlanPermit | 28/06/2022    | Cleland         |
| PLN21/0388     | PtnApp   | No       | 30 Victor Avenue<br>DANDENONG NORTH VIC 3175 | Jesse Ant Architects       | Development of the land for two (2) dwellings, comprising one (1) double storey dwelling to the front of the lot and one (1) single storey dwelling to the rear | Neighbourhood Residential 1 Zone, 731sqm | Delegate  | PlanPermit | 02/06/2022    | Dandenong North |
| PLN21/0403     | PtnApp   | No       | 50 Hemmings Street<br>DANDENONG VIC 3175     | WCL Development Pty Ltd    | Development of five (5) double storey dwellings                                                                                                                 | General Residential 1 Zone, 838sqm       | Delegate  | NOD        | 08/06/2022    | Yarraman        |
| KS LIFK        |          |          |                                              |                            | 4                                                                                                                                                               |                                          |           |            | 01/07/2022    |                 |



2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category | VicSmart | Property Address                                           | Applicant Name                               | Description                                                                                                                                                                                                                                                                                                                                                                                           | Notes                                                                                                                                                                       | Authority | Decision   | Decision Date | Ward             |
|----------------|----------|----------|------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|---------------|------------------|
| PLN21/0480     | PInApp   | No       | 150 Colemans Road<br>DANDENONG SOUTH<br>VIC 3175           | Lawson Sideloaders<br>Services Pty Ltd       | Use and development of the<br>land for Shipping Container<br>Storage and food and drink<br>premise, development of the<br>land for five (5) warehouses,<br>display of business<br>identification signage<br>associated with the food and<br>drink premise, and reduction in<br>the car parking requirements<br>associated with a food and<br>drink premise and shipping<br>container storage facility | Industrial 1 Zone, shipping<br>container storage,<br>construction of cafe and 9 x<br>warehouses, business<br>identification signage, reduce<br>number of car parking spaces | Delegate  | PlanPermit | 21/06/2022    | Dandenong        |
| PLN21/0489     | PInApp   | No       | 145 South Gippsland<br>Highway DANDENONG<br>SOUTH VIC 3175 | Plans in Motion                              | The subdivision of land into two<br>lots and create and alter access<br>to a Road Zone Category 1                                                                                                                                                                                                                                                                                                     | No response to further<br>information request                                                                                                                               | Delegate  | Lapsed     | 21/06/2022    | Dandenong        |
| PLN21/0495     | PInApp   | No       | 26-30 Parsons Avenue<br>SPRINGVALE VIC 3171                | iCad Drafting & Design,<br>AWM Constructions | Development of the land for two<br>(2) warehouse buildings<br>(4 Kelly Court, Springvale)                                                                                                                                                                                                                                                                                                             | Industrial 1 Zone,<br>development of two<br>warehouses                                                                                                                      | Delegate  | PlanPermit | 06/06/2022    | Springvale North |
| PLN21/0515     | PInApp   | No       | 85 Callander Road<br>NOBLE PARK VIC 3174                   | O Alsharbat                                  | Development of the land for<br>three double storey dwellings                                                                                                                                                                                                                                                                                                                                          | General Residential 1 Zone,<br>690sqm                                                                                                                                       | Delegate  | PlanPermit | 20/06/2022    | Yarraman         |
| PLN21/0530     | PInApp   | No       | 117-123 Cheltenham<br>Road DANDENONG VIC<br>3175           | Southern Restaurants<br>Group Pty Ltd        | Use and development of the<br>land for a Convenience<br>Restaurant; to erect and display<br>internally illuminated and<br>non-illuminated business<br>identification signage; and to<br>create and alter access to a<br>road in a Transport Road Zone<br>2, all in accordance with the<br>endorsed plans                                                                                              | Industrial 1 Zone, change of<br>use and development of a<br>convenience restaurant and<br>alteration to a Road Zone<br>Category 1                                           | Delegate  | PlanPermit | 22/06/2022    | Dandenong        |
| KSLIFK         |          |          |                                                            |                                              | 5                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                             |           |            | 01/07/2022    |                  |

### 2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category | VicSmart | Property Address                                  | Applicant Name                  | Description                                                                                                                                     | Notes                                                                                                                                                                                                                                                                                                                       | Authority | Decision   | Decision Date | Ward             |
|----------------|----------|----------|---------------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|---------------|------------------|
| PLN21/0557     | PtnApp   | No       | 2 Camellia Avenue<br>NOBLE PARK NORTH<br>VIC 3174 | Allan Morris                    | Development of the land for three (3) double storey dwellings                                                                                   | Proposal fails to comply with Clauses 15.01-2S (Building Design), 15.01-5S (Neighbourhood Character), 21.05-1 (Urban Design and Character), 32.08 (GRZ1), 22.09-3.1 (Design Principles), 22.09-3.3 (Incremental Change), Clauses 55 (Planning Scheme), 52.06 (Car Parking), and 65 (Municipal Planning)                     | Delegate  | Refusal    | 14/06/2022    | Noble Park North |
| PLN21/0580     | PtnApp   | No       | 7 Pau Street NOBLE PARK VIC 3174                  | Nest Grower                     | Development of the land for four (4) double storey dwellings                                                                                    | Proposal fails to meet the objectives for Clauses 15.01-2S (Building Design), 15.01-5S (Neighbourhood Character), 21.05-1 (Urban Design), 32.08 (GR1Z), 22.09-3.1 (General Design Principles), 22.09-3.3 (Change Area Design Principles), Clause 55, 52.06 (Car Parking), and Clause 65, General Residential 3 Zone, 741sqm | Delegate  | Refusal    | 24/06/2022    | Yarraman         |
| PLN21/0593     | PtnApp   | No       | 2 Maple Street<br>SPRINGVALE VIC 3171             | A Better Design                 | Development of the land for four (4) double-storey dwellings                                                                                    |                                                                                                                                                                                                                                                                                                                             | Delegate  | NOD        | 06/06/2022    | Springvale North |
| PLN21/0595     | PtnApp   | No       | 22 Napier Street<br>DANDENONG VIC 3175            | Archiden Design and Consultancy | The development of the land for four (4) double-storey dwellings                                                                                | Residential Growth 2 Zone, 751sqm                                                                                                                                                                                                                                                                                           | Delegate  | PlanPermit | 02/06/2022    | Dandenong        |
| PLN21/0601     | PtnApp   | No       | 15 Wanke Crescent<br>DANDENONG VIC 3175           | Jova Drafting Consultants       | Development of the land for one (1) single storey dwelling to rear of an existing single storey dwelling and additions to the existing dwelling | General Residential 1 Zone, 661sqm                                                                                                                                                                                                                                                                                          | Delegate  | PlanPermit | 02/06/2022    | Cleveland        |
| KSLIFK         |          |          |                                                   |                                 | 6                                                                                                                                               |                                                                                                                                                                                                                                                                                                                             |           |            | 01/07/2022    |                  |

### 2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category | VicSmart | Property Address                              | Applicant Name                     | Description                                                                                                                                                                                                                              | Notes                                                                                                                                                                                                                                                                                                                                           | Authority | Decision   | Decision Date | Ward                  |
|----------------|----------|----------|-----------------------------------------------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|---------------|-----------------------|
| PLN21/0605     | PtnApp   | No       | 42 Nockolds Crescent<br>NOBLE PARK VIC 3174   | Archiden Design and<br>Consultancy | Development of the land for five<br>(5) double-storey dwellings and<br>a reduction of the visitor car<br>parking requirement                                                                                                             | General Residential 1 Zone,<br>976sqm                                                                                                                                                                                                                                                                                                           | Delegate  | PlanPermit | 02/06/2022    | Springvale North      |
| PLN21/0615     | PtnApp   | No       | 885 Thompsons Road<br>LYNDHURST VIC 3975      | Front Link Pty Ltd                 | Use and development of the<br>land for a camping and caravan<br>park and vehicle store to be<br>constructed in stages, alteration<br>of access to a road in a TRZ2,<br>reduction in bicycle facilities and<br>native vegetation removal. | No response to further<br>information request                                                                                                                                                                                                                                                                                                   | Delegate  | Lapsed     | 10/06/2022    | Dandenong             |
| PLN21/0620     | PtnApp   | No       | 2 Olive Street<br>DANDENONG VIC 3175          | Tom Motta Building<br>Designer     | Development of the land for<br>eighteen (18) dwellings                                                                                                                                                                                   | The proposal fails to meet<br>objectives of Clauses 15<br>(Built Environment and<br>Heritage), 21.05 (Built Form),<br>55.02-1 (Neighbourhood<br>Character), Clause 22.09.3-1<br>and 22.09-3.3 (Design<br>Principles), 32.08-4 (Minimum<br>Garden Area), 52.06-9 (Car<br>Parking Safety) and various<br>objectives and standards of<br>Clause 55 | Delegate  | Refusal    | 30/06/2022    | Cleland               |
| PLN21/0624     | PtnApp   | No       | 87 Kewinside Road<br>NOBLE PARK VIC 3174      | RD Design and Drafting<br>Pty Ltd  | Development of the land for two<br>(2) single storey dwellings                                                                                                                                                                           | General Residential 1 Zone,<br>585sqm                                                                                                                                                                                                                                                                                                           | Delegate  | PlanPermit | 17/06/2022    | Springvale North      |
| PLN21/0630     | PtnApp   | No       | 6-7/17 Balmoral Avenue<br>SPRINGVALE VIC 3171 | Dakao 98 Pty Ltd                   | Use of land for the sale and<br>consumption of liquor                                                                                                                                                                                    | Commercial 1 Zone                                                                                                                                                                                                                                                                                                                               | Delegate  | PlanPermit | 21/06/2022    | Springvale<br>Central |

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2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category   | VicSmart | Property Address                                 | Applicant Name                     | Description                                                                                                                         | Notes                                                                                  | Authority | Decision   | Decision Date | Ward                  |
|----------------|------------|----------|--------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------|------------|---------------|-----------------------|
| PLN21/0632     | PtnApp     | No       | 39 Woodward Street<br>SPRINGVALE VIC 3171        | Cultured House Pty Ltd             | Development of the land for two<br>(2) double storey dwellings                                                                      | General Residential 1 Zone,<br>587sqm                                                  | Delegate  | PlanPermit | 17/06/2022    | Springvale<br>Central |
| PLN21/0640     | PtnApp     | No       | 51 Dunblane Road<br>NOBLE PARK VIC 3174          | A Elkasovic                        | Development of the land for two<br>(2) double storey dwellings                                                                      | General Residential 1 Zone,<br>585sqm                                                  | Delegate  | NOD        | 23/06/2022    | Yarraman              |
| PLN21/0641     | PtnApp     | No       | 11 Virginia Street<br>SPRINGVALE VIC 3171        | VSDO Pty Ltd                       | Development of the land for two<br>(2) triple storey dwellings and<br>two (2) double storey dwellings<br>(total four (4) dwellings) | General Residential 3 Zone,<br>696sqm                                                  | Delegate  | NOD        | 14/06/2022    | Springvale North      |
| PLN21/0642     | PtnApp     | No       | 1043 Heatherston Road<br>NOBLE PARK VIC 3174     | DS Gill & C Kaur Pty Ltd           | Development of the land for two<br>(2) double storey dwellings                                                                      | General Residential 1 Zone,<br>580sqm                                                  | Delegate  | PlanPermit | 17/06/2022    | Springvale<br>Central |
| PLN21/0644     | PtnApp/Vic | Yes      | 17 Kirkham Road West<br>KEYSBOROUGH VIC<br>3173  | TD Total Smash Repairs             | Reduction in the car parking<br>requirements associated with<br>motor repairs VICSMART                                              | Industrial 1 Zone, reduce<br>number of car parking spaces                              | Delegate  | PlanPermit | 20/06/2022    | Dandenong             |
| PLN21/0655     | PtnApp     | No       | 1/97 Monash Drive<br>DANDENONG SOUTH<br>VIC 3175 | Pellicano Investments 3<br>Pty Ltd | Development of the land for a<br>warehouse building                                                                                 | Commercial 2 Zone,<br>3690sqm, construction of a<br>warehouse with ancillary<br>office | Delegate  | PlanPermit | 30/06/2022    | Dandenong             |
| KSLIFK         |            |          |                                                  |                                    | 8                                                                                                                                   |                                                                                        |           |            | 01/07/2022    |                       |

2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category | VicSmart | Property Address                         | Applicant Name                                      | Description                                                                                                                                                 | Notes                                                                                                                                                                                                        | Authority | Decision   | Decision Date | Ward                  |
|----------------|----------|----------|------------------------------------------|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|---------------|-----------------------|
| PLN21/0695     | PtnApp   | No       | 22 Hemmings Street<br>DANDENONG VIC 3175 | J Gaba                                              | Development of the land for five<br>(5) double-storey dwellings                                                                                             | Residential Growth 2 Zone,<br>836sqm                                                                                                                                                                         | Delegate  | PlanPermit | 06/06/2022    | Yarraman              |
| PLN21/0697     | PtnApp   | No       | 250 Fernside Drive<br>BANGHOLME VIC 3175 | Dandenong South Land<br>Holdings<br>c/- KLM Spatial | Development of bulk earthworks<br>and vegetation removal                                                                                                    | Proposal fails to comply with<br>Clauses 12.01-2S (Native<br>Vegetation Management),<br>13.03-1S (Floodplain<br>Management), 14.01-1S<br>(Protection of Agricultural<br>Land) and Clauses 35.07 and<br>65.01 | Delegate  | Refusal    | 16/06/2022    | Keysborough<br>South  |
| PLN21/0704     | PtnApp   | No       | 26 Lawn Road NOBLE<br>PARK VIC 3174      | Lawn Road Pty Ltd                                   | Development of the land for two<br>(2) double storey dwellings                                                                                              | General Residential 1 Zone,<br>644sqm                                                                                                                                                                        | Delegate  | NOD        | 17/06/2022    | Springvale<br>Central |
| PLN21/0714     | PtnApp   | No       | 9 Marion Street<br>DANDENONG VIC 3175    | AAS Singh                                           | Development of the land for two<br>(2) double storey dwellings                                                                                              | General Residential 3 Zone,<br>557sqm                                                                                                                                                                        | Delegate  | PlanPermit | 16/06/2022    | Yarraman              |
| PLN22/0004     | PtnApp   | No       | 20 Krox Street NOBLE<br>PARK VIC 3174    | Abacus Design &<br>Planning                         | Development of the land for a<br>double storey dwelling to the<br>rear of an existing single storey<br>dwelling and alterations to the<br>existing dwelling | General Residential 1 Zone,<br>954sqm                                                                                                                                                                        | Delegate  | PlanPermit | 21/06/2022    | Noble Park            |
| KS LIFK        |          |          |                                          |                                                     | 9                                                                                                                                                           |                                                                                                                                                                                                              |           |            | 01/07/2022    |                       |

2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category | VicSmart | Property Address                                 | Applicant Name                   | Description                                                                                                                             | Notes                                                                                                                                     | Authority | Decision   | Decision Date | Ward      |
|----------------|----------|----------|--------------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|---------------|-----------|
| PLN22/0012     | PtnApp   | No       | 87.5 Taylors Road<br>DANDENONG SOUTH<br>VIC 3175 | Quality First Designs Pty<br>Ltd | Development of the land for one<br>(1) warehouse building<br>(Future Property: 24 Frances<br>Drive, Dandenong South)                    | Industrial 1 Zone,<br>development of warehouse<br>building<br>623sqm                                                                      | Delegate  | PlanPermit | 17/06/2022    | Dandenong |
| PLN22/0024     | PtnApp   | No       | 20 Jeffers Street NOBLE<br>PARK VIC 3174         | Durable Design Pty Ltd           | Development of the land for two<br>(2) double-storey dwellings                                                                          | General Residential 1 Zone,<br>623sqm                                                                                                     | Delegate  | NOD        | 03/06/2022    | Yarraman  |
| PLN22/0026     | PtnApp   | No       | 181-183 Lonsdale Street<br>DANDENONG VIC 3175    | Bayside Town Planning<br>Pty Ltd | Use of the land for a place of<br>assembly (function centre) and<br>a reduction in the car parking<br>requirements DECLARED AREA        | Comprehensive Development<br>2 Zone, proposed function<br>centre with maximum 50<br>patrons, reduce number of<br>car parking spaces by 15 | Delegate  | PlanPermit | 21/06/2022    | Dandenong |
| PLN22/0059     | PtnApp   | No       | 59 Lonsdale Street<br>DANDENONG VIC 3175         | Hatch Planning Pty Ltd           | Use of the land for the purpose<br>of a Place of Assembly and<br>alteration to a road in a<br>Transport Zone 2                          | Commercial 2 Zone, shisha<br>lounge, 50 patrons                                                                                           | Delegate  | PlanPermit | 17/06/2022    | Dandenong |
| PLN22/0082     | PtnApp   | No       | 1-5 Scott Street<br>DANDENONG VIC 3175           | Squareback Planning Pty<br>Ltd   | To display internally illuminated<br>signage DECLARED AREA                                                                              | No response to further<br>information request                                                                                             | Delegate  | Lapsed     | 28/06/2022    | Dandenong |
| PLN22/0093     | PtnApp   | No       | 69 Robinson Street<br>DANDENONG VIC 3175         | Stud Road Medical Centre         | Buildings and works (facade<br>alterations) and a reduction in<br>car parking, in association with<br>a medical centre DECLARED<br>AREA | Comprehensive Development<br>2 Zone, building to be used<br>as a medical centre                                                           | Delegate  | PlanPermit | 17/06/2022    | Yarraman  |
| KS LIFK        |          |          |                                                  |                                  | 10                                                                                                                                      |                                                                                                                                           |           |            | 01/07/2022    |           |

2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category | VicSmart | Property Address                                                           | Applicant Name                             | Description                                                                                                                                                                                                     | Notes                                                                                                 | Authority | Decision   | Decision Date | Ward                  |
|----------------|----------|----------|----------------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-----------|------------|---------------|-----------------------|
| PLN22/0096     | P/nApp   | No       | 5 Ibis Circuit<br>DANDENONG SOUTH<br>VIC 3175                              | Quality First Designs Pty<br>Ltd           | The construction of buildings<br>and works (warehouse)                                                                                                                                                          | Industrial 1 Zone, 4993sqm,<br>warehouse with first floor<br>ancillary office                         | Delegate  | PlanPermit | 10/06/2022    | Dandenong             |
| PLN22/0104     | P/nApp   | No       | 12 Nickolds Crescent<br>NOBLE PARK VIC 3174                                | Nacha Moore Land<br>Surveyors Pty Ltd      | Subdivision of the land into four<br>(4) lots SPEAR                                                                                                                                                             | Residential                                                                                           | Delegate  | PlanPermit | 10/06/2022    | Springvale North      |
| PLN22/0107     | P/nApp   | No       | 2460 Clow Street<br>DANDENONG VIC 3175                                     | M Mosaad                                   | Use and development of the<br>land for a rooming house, to<br>carry out internal and external<br>alterations to a building subject<br>to HO11, and a waiver of the<br>car parking requirements<br>DECLARED AREA | No response to further<br>information request                                                         | Delegate  | Lapsed     | 22/06/2022    | Dandenong             |
| PLN22/0142     | P/nApp   | No       | 49 Balmoral Avenue<br>SPRINGVALE VIC 3171                                  | Aldo Ventieri Architect                    | Development of the land for an<br>extension to education centre                                                                                                                                                 | General Residential 3 Zone,<br>extension to existing building<br>for toilet and kitchen facilities    | Delegate  | PlanPermit | 22/06/2022    | Springvale<br>Central |
| PLN22/0165     | P/nApp   | No       | Parkmore Shop F01<br>1F/317-321 Cheltenham<br>Road KEYSBOROUGH<br>VIC 3173 | Yu Cachia Design &<br>Construction Pty Ltd | Buildings and works (external<br>alterations to the facade), to<br>display three (3)<br>internally-illuminated business<br>identification signs and one (1)<br>non-illuminated business<br>identification sign  | Commercial 1 Zone, Business<br>Identification Signage and<br>alterations to shopping centre<br>facade | Delegate  | PlanPermit | 24/06/2022    | Keysborough           |
| PLN22/0169     | P/nApp   | No       | 3 Woodward Street<br>SPRINGVALE VIC 3171                                   | Nobelius Land Surveyors<br>Pty Ltd         | Subdivision of the land into two<br>(2) lots SPEAR                                                                                                                                                              | Residential                                                                                           | Delegate  | PlanPermit | 09/06/2022    | Springvale<br>Central |
| KSLIFK         |          |          |                                                                            |                                            | 11                                                                                                                                                                                                              |                                                                                                       |           |            | 01/07/2022    |                       |

2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category  | VicSmart | Property Address                                           | Applicant Name                               | Description                                                                                     | Notes                                                                              | Authority | Decision   | Decision Date | Ward             |
|----------------|-----------|----------|------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-----------|------------|---------------|------------------|
| PLN22/0175     | PInAppVic | Yes      | 2/11 England Street<br>DANDENONG SOUTH<br>VIC 3175         | Heighton Mezzanines                          | Buildings and Works<br>(Mezzanine) and reduction of<br>the car parking requirements<br>VICSMART | Industrial 1 Zone, extension<br>of existing mezzanine                              | Delegate  | PlanPermit | 10/06/2022    | Dandenong        |
| PLN22/0197     | PInApp    | No       | 42 Parsons Avenue<br>SPRINGVALE VIC 3171                   | Nilsson Noel & Holmes<br>(Surveyors) Pty Ltd | Subdivision of the land into four<br>(4) lots SPEAR                                             | Residential                                                                        | Delegate  | PlanPermit | 10/06/2022    | Springvale North |
| PLN22/0202     | PInApp    | No       | 268 Corrigan Road<br>NOBLE PARK VIC 3174                   | 360 Land Solutions                           | Subdivision of the land into<br>three (3) lots SPEAR                                            | Residential                                                                        | Delegate  | PlanPermit | 24/06/2022    | Springvale South |
| PLN22/0211     | PInApp    | No       | 1-5 Thomas Murrell<br>Crescent DANDENONG<br>SOUTH VIC 3175 | Pacific Petroleum                            | Display of an internally<br>illuminated business<br>identification pylon sign                   | Industrial 2 Zone, internally<br>illuminated business<br>identification pylon sign | Applicant | Withdrawn  | 02/06/2022    | Dandenong        |
| PLN22/0217     | PInAppVic | Yes      | 13 Godfrey Crescent<br>DANDENONG VIC 3175                  | VicSurvey                                    | Subdivision of the land into two<br>(2) lots SPEAR VICSMART                                     | Residential                                                                        | Delegate  | PlanPermit | 17/06/2022    | Cleveland        |
| PLN22/0222     | PInApp    | No       | 1 Jolly Street<br>DANDENONG VIC 3175                       | 360 Land Solutions                           | Subdivision of the land into four<br>(4) lots SPEAR                                             | Residential                                                                        | Delegate  | PlanPermit | 17/06/2022    | Yarraman         |
| KS LIFK        |           |          |                                                            |                                              |                                                                                                 |                                                                                    |           |            | 01/07/2022    |                  |



2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category  | VicSmart | Property Address                                  | Applicant Name      | Description                                                                                                   | Notes                                                                                                          | Authority | Decision   | Decision Date | Ward             |
|----------------|-----------|----------|---------------------------------------------------|---------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-----------|------------|---------------|------------------|
| PLN22/0229     | PInAppV/c | Yes      | 29 Simpson Drive<br>DANDENONG NORTH<br>VIC 3175   | CF Lobo, NC Lobo    | Subdivision of the land into two<br>(2) lots SPEAR VICSMART                                                   | Residential                                                                                                    | Delegate  | PlanPermit | 22/06/2022    | Dandenong North  |
| PLN22/0235     | PInAppV/c | Yes      | 58-62 Edison Road<br>DANDENONG SOUTH<br>VIC 3175  | Stephen D'Andrea    | Extension to an existing<br>warehouse building and a<br>reduction to the car parking<br>requirements VICSMART | Industrial 1 Zone, 755sqm,<br>warehouse extension and<br>reduction in car parking<br>requirements              | Delegate  | PlanPermit | 23/06/2022    | Dandenong        |
| PLN22/0239     | PInApp    | No       | 15 Lenore Street<br>SPRINGVALE VIC 3171           | P Luon              | Subdivision of the land into<br>three (3) lots SPEAR                                                          | Residential                                                                                                    | Delegate  | PlanPermit | 20/06/2022    | Springvale South |
| PLN22/0240     | PInAppV/c | Yes      | 4/3 Olive Grove<br>KEYSBOROUGH VIC<br>3173        | P Truong            | Construct buildings and works<br>comprising a mezzanine floor<br>VICSMART                                     | Industrial 1 Zone,<br>retrospective approval for a<br>mezzanine                                                | Delegate  | PlanPermit | 10/06/2022    | Keysborough      |
| PLN22/0242     | PInApp    | No       | 14-16 Podmore Street<br>DANDENONG VIC 3175        | GC Sultani          | Subdivision of the land into two<br>(2) lots SPEAR                                                            | Industrial                                                                                                     | Delegate  | PlanPermit | 22/06/2022    | Dandenong        |
| PLN22/0245     | PInAppV/c | Yes      | 9-15 Vision Street<br>DANDENONG SOUTH<br>VIC 3175 | Heighton Mezzanines | Buildings and works<br>(mezzanine) and a reduction in<br>the car parking requirements<br>VICSMART             | Industrial 1 Zone,<br>construction of a mezzanine<br>in a warehouse and reduce<br>number of car parking spaces | Delegate  | PlanPermit | 23/06/2022    | Dandenong        |
| KS LIFK        |           |          |                                                   |                     |                                                                                                               |                                                                                                                |           |            | 01/07/2022    |                  |

### 2.3.2 Planning Delegated Decisions Issued - June 2022 (Cont.)

| Application ID | Category  | VicSmart | Property Address                              | Applicant Name    | Description                                                   | Notes       | Authority | Decision   | Decision Date | Ward       |
|----------------|-----------|----------|-----------------------------------------------|-------------------|---------------------------------------------------------------|-------------|-----------|------------|---------------|------------|
| PLN22/0253     | PtnAppVic | Yes      | 7 Tarronga Court NOBLE<br>PARK VIC 3174       | VicSurvey         | Subdivision of the land into two<br>(2) lots SPEAR VICSMART   | Residential | Delegate  | PlanPermit | 08/06/2022    | Noble Park |
| PLN22/0286     | PtnAppVic | Yes      | 62 Boyd Street<br>DANDENONG NORTH<br>VIC 3175 | MG Land Surveyors | Subdivision of the land into two<br>(2) lots SPEAR (VICSMART) | Residential | Delegate  | PlanPermit | 24/06/2022    | Cleland    |
| 72             |           |          |                                               |                   |                                                               |             |           |            |               |            |
| KS LIFK        |           |          |                                               |                   | 14                                                            |             |           |            | 01/07/2022    |            |

### **2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434)**

|                      |                                                        |
|----------------------|--------------------------------------------------------|
| File Id:             | 269035                                                 |
| Responsible Officer: | Director City Planning Design & Amenity                |
| Attachments:         | Att 1: Submitted Plans<br>Att 2: Location of Objectors |

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#### **Application Summary**

|            |                                                                                                                   |
|------------|-------------------------------------------------------------------------------------------------------------------|
| Applicant: | SongBowden Pty Ltd                                                                                                |
| Proposal:  | Use and development of the land for a child care centre and to display associated business identification signage |
| Zone:      | Neighbourhood Residential Zone – Schedule 1                                                                       |
| Overlay:   | No overlays apply to the site                                                                                     |
| Ward:      | Dandenong North                                                                                                   |

#### **This application has been brought to a Council meeting as it has received three (3) objections.**

The application proposes the use and development of the land for a child care centre and to display associated business identification signage.

A permit is required pursuant to:

- Clause 32.09-2 (Neighbourhood Residential Zone) to use the land for a child care centre.
- Clause 32.09-9 (Neighbourhood Residential Zone) to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
- Clause 52.05-13 (Sign) to erect and display internally illuminated business identification signage.

#### **Objectors Summary**

The application was advertised to the surrounding area through the erection of two notices on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Three (3) objections were received to the application. Issues raised generally relate to matters of:

- Increased traffic noise;

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- Increased traffic;
- Safety of children from traffic.

**Assessment Summary**

The subject site is well suited for the use and development of the land for non-residential purposes given the subject site is located adjacent to a Transport Zone 3 (Brady Road).

The development is considered to be respectful of the existing neighbourhood character by providing a single storey building with sufficient setbacks from the front, side and rear boundaries to allow for a reasonable level of landscaping to occur. The use of varying building materials and finishes to the external walls provides a level of articulation when viewed from the streetscape and adjoining residential properties.

Conditions would be included on any permit to be granted to protect the amenity of the area from noise, odour, lighting and rubbish.

Sufficient car parking would also be provided on site in accordance with the requirements of the Planning Scheme.

**Recommendation Summary**

As assessed, officers consider this proposal to be generally compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. All grounds of objection have been considered, and Council Officers are of the view that on balance, the proposal's degree of compliance with the Planning Scheme justifies that the application should be supported. Therefore, it is recommended that a Notice of Decision (which provides appeal rights to objectors) to grant a permit be issued subject to the conditions as set out in the recommendation.

If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.

### 2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)

## Subject Site and Surrounds

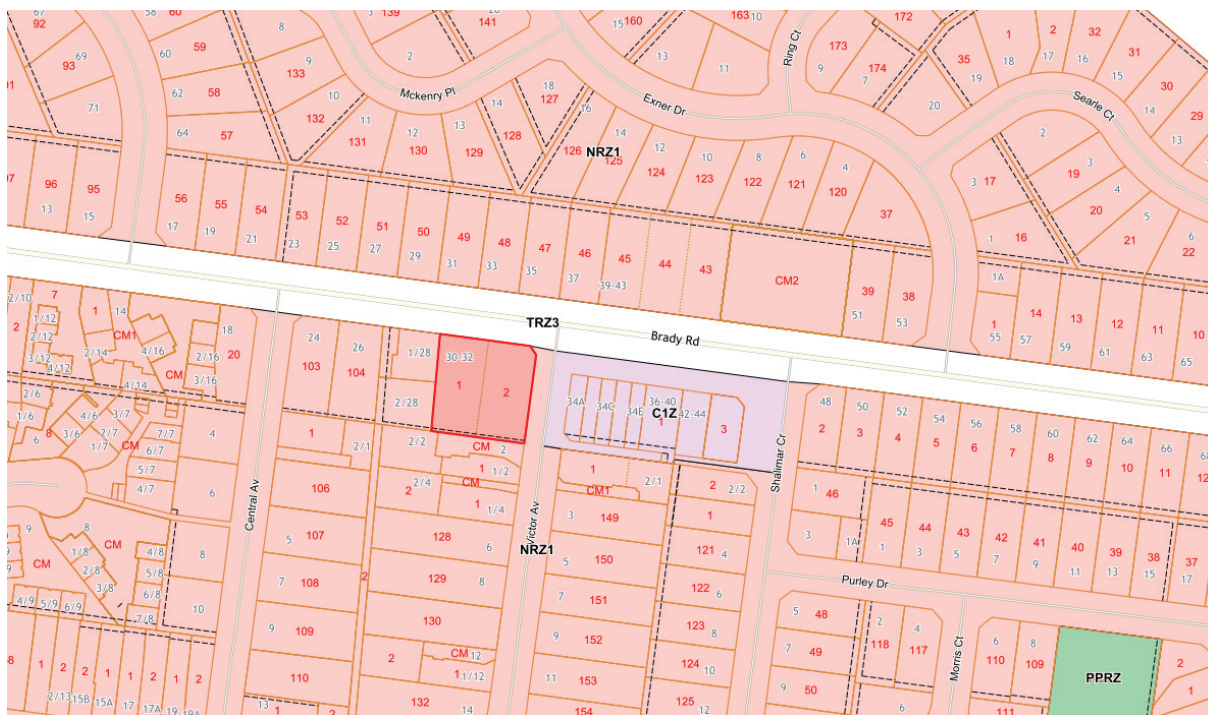
### Subject Site

- The subject site is located at the southwest corner of Brady Road and Victor Ave.
- The land has a frontage to Brady Road of 36.58m along Brady Road, a side of 36.58m along Victor Ave and a splay of 4.32m at the corner of Brady Road and Victor Ave. The total land area is 1532.6 square metres.
- A 1.22m wide drainage and sewerage easement is located along the southern boundary.
- The existing condition of the site is a single storey weatherboard house with a detached weatherboard garage in the south west corner of the site.
- There are a number of medium-large trees across the site.

### Surrounding Area

- The site is surrounded by residential dwellings to the west and south.
- The land to the east is a Commercial Zone – Schedule 1 which consist of the Brady Road shopping precinct.
- Brady Road, a Transport Zone 3 adjoins the northern boundary of the site. Opposite Brady Road (further north of subject site) are residential allotments.
- The closest public transport (bus stop) is approximately 160m west of the site on Brady Road.

### Locality Plan



p Subject Site North é

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### 2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)



## Background

### Previous Applications

A search of Council records revealed no previous planning applications have been considered for the subject site.

### Proposal

The application proposes the use and development of the land for the purpose of a child care centre and to display associated business identification signage.

The proposed child care centre would be located central to the site. The building would have an area of 410 square metres and would have 588 square metres of dedicated outdoor play area.

The premises consists of five (5) child play areas, three children's WC and preparation/store, kitchen, staff room, planning/admin room, bathroom facilities, bin store and a waste/loading collection. The application also proposes eighteen (18) car parking spaces (1 accessible, 17 standard).

The proposed child care centre will have a maximum of eighty four (84) children at any one time.

The proposed hours of operation are:

- 6.30am-6.30pm Monday to Friday
- Closed on Saturday and Sunday



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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

The proposed building would be single storey. The building would reach a maximum height of 5.16m. The proposal would include the provision of outdoor play areas incorporating learning/play activities such as two (2) sandpits, a softball mulch pit, produce area with garden beds/boxes and synthetic turf as indicated on the landscape plan.

**Signage**

The proposed signage comprises of one internally illuminated business identification signage above the entry to the building facing Victor Avenue.

More specifically the sign is located 2.5m above natural ground level and has dimensions of 1.45m (w) x 0.6m (h) leading to a total display area of 0.87 square metres.

**Car parking and vehicle access**

A total of eighteen (18) shared car spaces would be provided, including an accessible car space.

Access to the site would be provided via one (1) crossover. The existing crossover on the northern boundary to Brady Road will be removed and a new 6.4m crossover on the western boundary to Victor Avenue will be constructed as the site's only vehicular access point.

**Trees**

Thirteen (13) trees are currently located within the site, one tree is located on a neighbouring site in close proximity to the southern boundary of the subject site, and seven trees are located on the road reserves adjoining this site. An arborist report has been provided, which identified three of the trees as being of high retention value.

It is proposed to retain all three trees identified as being of high retention value, two of which are located on the subject site, and the other on the neighbouring site to the south. It is also proposed to retain the trees on the adjoining road reserves.

The remaining trees are proposed for removal. None of these trees are of high retention value, and do not require a planning permit for their removal.

*A copy of the submitted plans is included as Attachment 1.*

**Acoustic treatments**

An Acoustic Report has been provided. The report submitted reveals that noise levels from the use are predicted to conform with the EPA's publication 1826 'Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues'.

Acoustic fencing of 1.8m metres in height would be provided to the southern and western boundaries.

The Acoustic Report confirms that the proposal could operate without adverse noise impact on residential amenity in the area.

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**Victorian Charter of Human Rights and Responsibilities**

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report and are consistent with the standards set by the Charter.

**Financial Implications**

No financial resources are impacted by this report.

**Planning Scheme and Policy Frameworks**

Pursuant to the Greater Dandenong Planning Scheme, a planning permit is required under:

- Clause 32.09-2 (Neighbourhood Residential Zone) to use the land for a child care centre.
- Clause 32.09-9 (Neighbourhood Residential Zone) to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
- Clause 52.05-13 (Sign) to erect and display internally illuminated business identification signage.

The relevant controls and policies are as follows:

**Zoning Controls**

The subject site is located in a Neighbourhood Residential Zone – Schedule 1, as is the surrounding land to the south and west. The adjoining land to the north is within a Transport Zone 3 (Brady Road).

The purpose of the Neighbourhood Residential Zone outlined at Clause 32.09 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.09-2, a permit is required to use the land for a child care centre. A permit is also required under Clause 32.08-9 to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

**Overlay Controls**

No overlays affect the subject site or surrounding area.



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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**Planning Policy Framework**

The **Operation of the Planning Policy Framework** outlined at Clause 10 seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The objectives of Planning in Victoria are noted as:

- (a) To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (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.*
- (e) To protect public utilities and other facilities for the benefit of the community.*
- (f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- (g) To balance the present and future interests of all Victorians.*

In order to achieve those objectives, there are a number of more specific objectives contained within the State Planning Policy Framework that need to be considered under this application.

Clause 11 – Settlement states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Clause 11.02-1S – Supply of Urban Land contains the objective to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Economic Development is outlined at Clause 17 of the Scheme. Clause 17.02-1S - '**Business**' has the following objective:

- '*To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services.*'

Transport is outlined at Clause 18 of the Scheme. Clause 18.02-4S – '**Road**' has the following objective:

- *To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.*

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**Local Planning Policy Framework**

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies.

The MSS is contained within Clause 21 of the Scheme. The MSS at **Clause 21.02** focuses on the **Municipal Profile**, within which the following is noted:

- *Greater Dandenong is a net provider of jobs, with a resident workforce of 53,000, and local businesses providing approximately 74,000 jobs. Greater Dandenong businesses provide the third highest number of jobs in metropolitan Melbourne, with the employment sector largely orientated towards manufacturing occupations. Within the metropolitan Melbourne area, Greater Dandenong is ranked – in terms of job stock – first in manufacturing, second in storage, third in road transport and fourth in wholesale trade.*

Greater Dandenong's vision is outlined at **Clause 21.03**. Amongst others, the vision is that Greater Dandenong will be:

- *a healthy community that embraces a sense of pride and belonging and works together to achieve an economically, socially and environmentally sustainable future.*
- *a well-balanced satisfied community, which has easy and equitable access to services important to people's everyday life.*

**Clause 21.04 -Land Use**, contains the objectives, strategies and implementation for land use issues under the themes of:

- Housing and community
- Retail, commerce and entertainment
- Industrial
- Green Wedge

Clause 21.04-1 (Housing and community) includes the following relevant objective and strategies:

Objective

*5. To protect the amenity of residential areas adjacent to particular uses and protect sensitive particular uses from residential development.*

Strategies

*5.2 Encourage incorporation of acoustic attenuation measures in new residential developments within Mixed Use Zones and Commercial Zones to protect occupants from external noise.*

*5.3 Discourage non-residential uses except along main roads or collector roads or on corner sites.*

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**Clause 21.05-1 Urban Design, character, streetscapes and landscapes** – contains the following relevant objectives and strategies:

- *To facilitate high quality building design and architecture.*
  - *Ensure building design is consistent with the identified future character of an area and fully integrates with surrounding environment.*
  - *Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.*
  - *Encourage innovative architecture and building design.*
  - *Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance*
- *To facilitate high quality development, which has regard for the surrounding environment and built form.*
  - *Promote views of high quality landscapes and pleasing vistas from both the public and private realm.*
  - *Promote all aspects of character – physical, environmental, social and cultural.*
  - *Encourage planting and landscape themes, which complement and improve the environment.*
  - *Encourage developments to provide for canopy trees.*
- *To protect and improve streetscapes*
  - *Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.*
  - *Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.*
- *To ensure landscaping that enhances the built environment*
  - *Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.*
  - *Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.*
- *To ensure a co-ordinated approach to sign design and placements, in commercial, industrial, residential areas and along road corridors.*
  - *Ensure that the design and placement of new signs considers the cumulative impact of existing signs on the host building, adjoining buildings and the streetscape.*
  - *Encourage signs in appropriate areas to include English and one other language reflecting the cultural aspect of the locality.*

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- *Ensure major promotion and sky signs along road corridors are appropriately spaced so as not to dominate the overall setting and to minimise impact on viewing corridors/major view lines.*
- *Ensure signs in residential areas do not dominate the building, the site and the streetscape.*

**Clause 22.11 – Advertising signs policy.** Advertising signs play an important role within the built environment to identify premises, advertise a product or to promote a business. Signs can add visual interest to the façade of a building adding vibrancy and colour to activity centres. A balance between the extent of signage and size of the signs and built form is critical to prevent a clustering of signage which can degrade the character of streetscapes and public spaces.

The objectives of Clause 22.11 are;

- *To ensure that signs are designed, positioned and displayed in an appropriate and attractive manner.*
- *To encourage signs that make a positive contribution to both the day and night time character of activity centres.*
- *To improve the appearance of identified gateway locations across the municipality through the effective, sensitive display of signs and the avoidance of a proliferation of signs and visual clutter.*

**Particular Provisions**

**Clause 52.05 – Advertising Signs**

The purposes of this provision are:

- *To regulate the display of signs and associated structures.*
- *To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

Clause 52.05-2 notes that Clauses 52.05-11 to 52.05-14 specify categories of advertising control. These categories each contain three (3) sections, sign types not requiring permits, those requiring permits, and those that are prohibited.

Clause 52.05-13 – Category 3 (High Amenity Areas) – medium limitation. The following purpose is noted:

*To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area*

Pursuant to Clause 52.05-13, a planning permit is required to display business identification, internally-illuminated or promotion signage.

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**Clause 52.06 Car parking**

The purpose of this provision are:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The table to Clause 52.06-5 (Car parking – Number of car parking spaces required under Table 1) contains car parking ratios for different uses. The subject site is not within the Principle Public Transport Network map area. Therefore, Column A of Clause 52.06-5 is applicable.

A Child Care Centre under Column A of Clause 52.06-5 requires 0.22 car spaces to each child.

**General Provisions**

Clause 65 – Decision Guidelines needs to be considered, as is the case with all applications. For this application the requirements of Clause 65.01 for the approval of an application or plan is of relevance. This Clause outlines the requirements that the responsible authority must consider when determining the application.

**Proposed Planning Scheme Amendments**

There is no Planning Scheme Amendment relevant to this application.

**Restrictive Covenants**

The proposal has a registered Covenant (Instrument 1385732), which states that any proposed use, 'will not carry on the said land hereby transferred or any part thereof or on any buildings erected or to be erected thereon any noxious or objectionable trade business or manufacture'. The applicant has provided legal advice confirming that the proposal not in breach of any restrictive covenant.

**Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. In accordance with the commitment in Council's Annual Plan, all applications are considered on their merits.

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### 2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)

#### Diversity (Access & Equity)

It is not considered that the proposal raises any diversity issues affecting the planning assessment of this application.

#### Community Safety

It is considered that there would be no adverse community safety implications in permitting the proposal subject to strict conditions on any planning permit issued.

#### Safe Design Guidelines

Consideration of the relevant requirements of these Guidelines has been undertaken within the Assessment of this application.

#### Referrals

##### External

The application was not required to be referred to any external referral authorities pursuant to Section 55 of the Planning and Environment Act 1987.

##### Internal

The application was internally referred to the following Council departments for their consideration. The comments provided have been considered in the assessment of the application.

| Internal Referrals        |                                                 |
|---------------------------|-------------------------------------------------|
| Civil Development         | No objections, subject to conditions on permit. |
| Assets Planning           | No objections, subject to conditions on permit. |
| Transport Planning        | No objections, subject to conditions on permit. |
| Arborist                  | No objections, subject to conditions on permit. |
| Waste Management Services | No objections.                                  |

#### Advertising

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing signs on site facing Brady Rd and Victor Ave.

The notification has been carried out correctly.

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### **2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

Council has received three (3) objections to date.

*The location of the submitters is shown in Attachment 2.*

#### **Consultation**

As only three (3) objections were received, the threshold for a consultative meeting has not been met and therefore no consultative meeting has been undertaken.

#### **Summary of Grounds of Submissions/Objections**

- **Increased traffic noise**

*The proposed uses would operate from 6.30am to 6.30pm Monday to Friday only. The proposed hours of operation are not considered excessive having considered that the site is adjacent to a major road (Brady Road).*

*The proposed development would include 1.8m high acoustic fence along the south and west boundaries for noise attenuation purposes to the neighbouring adjoining residential properties.*

*Conditions would be included on any permit to be granted requiring that noise emanating from the site must not exceed the permissible noise levels determined in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the Incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) and that no external sound amplification equipment or loudspeaker are to be used.*

*Subject to conditions, it is considered that the use of the land for a child care centre would not result in excessive noise to the surrounding land uses.*

- **Increase in traffic**

*The proposed eighty four (84) children childcare centre would require a total of eighteen (18) car parking spaces, pursuant to the requirements within Clause 52.06.*

*The proposed development would provide eighteen (18) on-site car spaces, meeting the car parking requirement of Clause 52.06 (Car Parking) of the Greater Dandenong Planning Scheme.*

*Council's Transport Planning team has reviewed the proposal and has no objection to the number of car spaces proposed or the car parking layout provided.*

*Conditions would also be included on any permit to be granted limiting the number of children to eighty four (84) maximum to ensure the proposal remains compliant with the car parking requirement specified in the scheme.*

*Given the car parking requirements of the planning scheme are met, it is not considered that on-street parking required, or that unacceptable traffic impacts on the surrounding road network will not occur.*

- **Safety concerns for children caused by traffic**



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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

*Council's Transport Planning team has reviewed the proposal and has no objection to the number of car spaces proposed or the car parking layout provided. The proposal has no additional safety concerns in relation to children safety from a traffic perspective. A childcare centre being located adjacent to a major road such as Brady Road is not uncommon and the only access to the site is off Victor Ave. Furthermore, there is a fence along the frontage to Brady Road to ensure children do not abruptly run onto the road. Condition 1.6 has also been included on the permit to ensure that vehicles exiting the site have pedestrian visibility that is not obscured by landscapes or objects. Overall, the functionality of the site and its layout is considered adequate from a traffic safety perspective.*

**Assessment**

The application has been assessed against all relevant provisions of the Greater Dandenong Planning Scheme.

Overall, the proposal is considered to be appropriate on the basis that it complies with the Planning Policy Framework and Local Planning Policy Framework for land use and built form.

The following assessments have been made:

**Use & Development**

Whilst the land is within a Neighbourhood Residential Zone – Schedule 1, the location of the site being adjacent to a Transport Zone 3 (Brady Road) and on a corner site is considered appropriate for non-residential uses having considered Strategy 5.3 of Clause 21.04 (Land Use) which discourages non-residential uses in residential zones except along main roads or collector roads or on corner sites.

In addition, the site is on the periphery of a commercial strip, with commercial zoning located directly opposite on Victor Avenue, just 16m to the east. It is considered that the proposal would serve local community needs at an appropriate location and is consistent with the Planning Policy Framework.

With regards to the potential amenity impact to the surrounding properties, the proposal would provide a 1.8m high acoustic fence along the south and west boundaries to mitigate potential amenity impacts on adjoining residential properties.

The proposed maximum number of children is 84 with hours of operation proposed from 6.30am to 6.30pm Monday to Friday. The scale and intensity of the proposed use is not significant, and the proposed hours of operation would not result in late night disturbance to the surrounding properties.

The neighbourhood character objectives listed under Schedule 1 to the Neighbourhood Residential Zone seek to achieve respectful development which considers prevailing setbacks, built form and landscape to allow for substantial high-quality landscaping, including canopy trees to protect the amenity and outlook of adjoining properties and contribute to the landscape character. The proposed development would be of a high quality, incorporate additional tree-planting and retention of large trees on site and consist of single storey scale which is considerate of the neighbourhood objectives and decision guidelines of the schedule to the zone.



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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

It is considered that the proposed single storey contemporary buildings with pitched roof and a maximum height of 5.16m, are not out of character with the surrounding buildings.

The proposed buildings which consist of varying building materials and finishes to the external walls would provide a level of articulation when viewed from the streetscape and adjoining residential properties.

Whilst the submitted landscape plan has shown locations of landscape areas with schematic locations of planting, including retention of large canopy trees, a detailed landscape plan with additional planting requirements together with a landscape schedule should be requested as a condition of any permit to be granted.

Whilst the proposal would result in a small increase of traffic to the area, it is considered that the existing road networks could cater for the increase. The application was referred to Council's Transport Planning Unit who has no objection to the proposal subject to conditions.

Overall, it is considered that the proposed use and development is consistent with the Greater Dandenong Planning Scheme.

**Signage**

**The proposed signage comprises of single internally illuminated business identification sign on the eastern elevation of the building facing Victor Avenue (east).**

Considering that the sign is facing towards a commercial building across the road to Victor Ave, and given the limited area of the sign (0.87sqm) as well as the location of the sign, being mounted flush to the building entry, it will not detract from the appearance of the building. The sign poses minimal amenity impacts to the local area. The proposed sign is considered to accord with the decision guidelines pursuant to Clause 52.05-8.

**Car Parking**

Clause 52.06-5 (Car parking) contains car parking provision for difference uses.

The site is not within the Principal Public Transport Network. Therefore the car parking rate in Column A of 52.06-5 is applicable.

Clause 52.06-5 states:

- If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

A Child care centre requires 0.22 car space to each child permitted in Column A of Clause 52.06-5. The application proposes 84 children and requires the following number of car spaces:

- $0.22 \times 84 = 18.48$  car spaces required

Rounded down to the nearest whole number, the proposal requires eighteen (18) car spaces.

The proposal provides eighteen (18) car spaces and complies with the car parking provision.

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

The application has also been assessed against the design guidelines of Clause 52.06-9 and is considered to comply with the guidelines.

The application has been referred to Council's Transport Planning Unit who has no objection to the proposal subject to conditions requiring no visual obstruction to be provided within the 2 x 2.5m corner splay at the entrance to the car parking area required by Clause 52.06. This could be conditioned.

**Landscaping, Vegetation & Tree Impacts**

The proposal retains the three trees identified as being of high retention value, as well as the trees on the adjoining road reserves. The proposal was referred to Council's internal arborist team who has advised that they do not object to the proposal subject to numerous conditions relating to the incorporation of tree protection fencing, permeable paving and a tree protection and management plan (TPMP). The conditions imposed on the permit will serve to protect the high retention value trees on site as well as trees on adjoining properties. The tree protection measures and retention of large trees on site as well as the incorporation of additional tree planting as per the submitted landscape plan will ensure that the proposal will possess a satisfactory landscape outcome throughout the site.

**Environmentally Sustainable Development**

A non-residential development with a building area of 1000sqm or more requires a Sustainable Design Assessment (SDA) or Sustainability Management Plan (SMP).

The proposed building has a floor area of 410sqm and as such does not require a SDA or SMP.

**Conclusion**

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the Planning Policy Framework, Local Planning Policy Framework, Municipal Strategic Statement, zones, overlays, particular provisions and Clause 65.

Overall, it is considered that the proposal is appropriate having regard to the site's location being adjacent to a Transport Zone 3 within a Neighbourhood Residential Zone – Schedule 1, the proposed built form, and overall compliance with the Greater Dandenong Planning Scheme.

**Recommendation**

**That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 30-32 Brady Road Dandenong North (Lot 1 TP 593237 Vol 8533 Fol 688), for the 'Use and development of the land for a child care centre and to display internally illuminated business identification signage', subject to the following conditions:**

- 1. Before the development or use starts, amended plans must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**The plans must be in accordance with the plans submitted with the application but modified to show:**

- 1.1 The minimum finished floor level of the proposed childcare building is 63.35m to AHD.**
- 1.2 The finished floor level of the surrounding ground at the northern side of the child car must be set no higher than 63.00m to AHD.**
- 1.3 An annotation included on the plans stating:  
“Letterboxes and all other structures (including visually obstructive fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with Dandenong Planning Scheme Clause 52.06-9”.**
- 1.4 A landscape plan in accordance with Condition 2.**
- 1.5. A Tree Protection and Management Plan (TPMP) in accordance with Condition 9.**

**All to the satisfaction of the Responsible Authority.**

- 2. Prior to the endorsement of the plans required by Condition 1, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:**
  - 2.1 plans to accord with Condition 1 of this permit;**
  - 2.2 the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;**
  - 2.3 details of the proposed layout, type and height of fencing;**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 2.4 legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
- 2.5 a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
- 2.6 landscaping designs must use tree species from the Medium- or Large-tree categories of the City of Greater Dandenong's Tree Selection and Planting guidelines. All tree stock must comply with AS 2303-2018 Tree stock for landscape use;**
- 2.7 tree protection zones in accordance with the arborist report submitted with the application.**

**When approved, the amended landscape plan will be endorsed and will form part of this permit.**

**The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority.**

**Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.**

- 3. Prior to the commencement of the use, the acoustic fence must be constructed along the south and west boundaries in accordance with the endorsed acoustic report at the full expense of the land owner to the satisfaction of the Responsible Authority.**
- 4. The layout of the site and size, design, location and use of the buildings and works permitted must always be in accordance with the endorsed plans, unless with the written consent of the Responsible Authority.**
- 5. Prior to the commencement of any buildings and/or works approved by this permit, temporary fencing must be erected around the public tree asset located on the Brady Road and Victor Street frontages (Trees 1-7), to the satisfaction of the Responsible Authority and must:**
  - 5.1 Exclude access and construction activity within the permeable nature strip areas of the TPZs:**
    - 5.1.1 Trees 1-5, and Tree 7 have a 2 m radius**
    - 5.1.2 Tree 6 has a 4 m radius**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 5.2 Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 Temporary fencing and hoardings.**
  - 5.3 Not prevent the use of the road or footpath.**
  - 5.4 Remain in place until all buildings and/or works are completed, unless with the prior written consent of the Responsible Authority.**
- 6. The crossover and carpark proposed within the Tree Protection Zones (TPZs) of Tree 1 and Tree 16 must be constructed above the existing grade using permeable materials to the satisfaction of the Responsible Authority. There must be no excavation within these TPZs, except for scraping the surface up to 30 mm deep to remove surface organics and/or debris.**
- 7. Removal of the existing crossover on the Brady Road frontage shall include the removal of all base materials and spoil. Re-instatement of the nature strip in this location shall include top dressing and turf seeding to the satisfaction of the Responsible Authority.**
- 8. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.**
- 9. Prior to the commencement of any building and/or works, a Tree Protection and Management Plan (TPMP) must be submitted to and approved by the Responsible Authority. The TPMP must be prepared to the satisfaction of the Responsible Authority by an arborist with a minimum AQF level 5 qualification and must detail tree protection and management actions prior to, during, and post works (including demolition). The TPMP is required:**
  - 9.1 To maintain and protect the condition of all retained trees (Trees 1-7, 9, 16, and 20);**
  - 9.2 To comply with AS 4970–2009 *Protection of trees on a development sites* (Australian Standard AS 4970–2009).**

**The TPMP must include all tree related requirements conditioned in this permit. All works in the TPMP affecting trees must be implemented and/or monitored by an arborist with a minimum AQF level 5 qualification to the satisfaction of the Responsible Authority.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 10. The uses must only operate between the hours of:**
  - 10.1 Monday to Friday: 6.30am-6.30pm**
  - 10.2 Saturday and Sunday: Closed**

**Unless with the written consent of the Responsible Authority.**
- 11. The number of children on the site at any one time must not exceed the following:**
  - 11.1 eighty four (84) children**

**unless with the written consent of the Responsible Authority.**
- 12. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**
  - 12.1 Transport of materials, goods or commodities to or from the land.**
  - 12.2 Appearance of any building, works or materials.**
  - 12.3 Adverse behaviour of patrons on, to or from the premises.**
  - 12.4 Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or oil.**
  - 12.5 Presence of vermin.**

**All to the satisfaction of the Responsible Authority.**
- 13. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.**
- 14. Noise levels emanating from the land must not exceed the permissible noise levels stipulated in the Environment Protection Regulations under the Environment Protection Act 2017 and the Incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) as may be amended from time to time to the satisfaction of the Responsible Authority.**
- 15. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

16. All rubbish from the premises must be immediately collected and disposed of in an appropriate receptacle to the satisfaction of the Responsible Authority.
17. Bins or other receptacles for any form of rubbish or refuse may not be placed or allowed to remain in the view of the public, and no adverse odour shall be emitted from any such receptacle.
18. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operators control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.
19. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
20. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.
21. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the legal point of discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required.
22. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.
23. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.
24. Prior to the use commencing, all parking areas and accessways must be:
  - 24.1 constructed and available for use in accordance with the plan approved by the responsible authority;
  - 24.2 formed to such levels and drained so that they can be used in accordance with the plan; and

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 24.3** line-marked or provided with some other adequate means of showing the car parking spaces.
- 25.** Car spaces, access lanes, loading bays and driveways must be maintained (including line marking) and kept available for these purposes at all times.
- 26.** The car parking provided on the land must always be kept available for its intended purpose at all times. No measures must be taken to restrict access to the car park.
- 27.** The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.
- 28.** The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land.
- 29.** No buildings or works may be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority without the prior written consent of the relevant authority and the Responsible Authority.

**Signage conditions**

- 30.** The location, type and dimensions of the signage as shown on the endorsed plan/s must not be altered unless with the written consent of the Responsible Authority.
- 31.** Bunting, streamers, flags, windvanes or similar material must not be displayed except with the prior written consent of the Responsible Authority.
- 32.** The sign(s) must only contain an advertisement which provides or supplies information relating to the business conducted on the land.
- 33.** The approved sign(s) must not be animated in part or whole and flashing, intermittent or moving light/s must not be displayed.
- 34.** The intensity of the light in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.



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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 35. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.**

**Expiry date**

- 36. This permit will expire if:**

- 36.1 The development does not start within two (2) years of the date of this permit; or**
- 36.2 The development is not completed within four (4) years of the date of this permit; or**
- 36.3 The use does not start within one (1) year of the completion of the development; or**
- 36.4 The use is discontinued for a period of two (2) years.**

**Before the permit expires or within six (6) months afterwards, the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.**

**The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:**

- a. the request for the extension is made within twelve (12) months after the permit expires; and**
  - b. the development or stage started lawfully before the permit expired.**
- 37. This permit expires fifteen (15) years from the date of this permit for the approved signage. Before this permit expires, the approved sign(s) and any supporting structure must be removed and the land and/or building surface made good to the satisfaction of the Responsible Authority.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**Permit Notes**

**A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.**

**A flood dispensation is to be obtained prior to issue of Building Permit.**

**Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**

**Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.**

**Prior to the drainage plans being approved, a drainage approval fee will need to be paid to Council.**

**Approval of any retention system within the property boundary is required by the relevant building surveyor.**

**Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.**

**As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.**

**A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings.**

**Proposal to remove any public tree assets will be conditional to demonstration by the applicant's Project Arborist that removal is the last resort (Tree 2). Once approved by the Responsible Authority, the payment for tree removal and replacement planting of 1 new street tree must be made to Council prior to the commencement of works. The permit holder must contact Council's arborist to arrange for any approved roadside tree removal at the permit holder's cost. New trees will be planted at a time and location determined by the Responsible Authority.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**All construction activities that are within the TPZs of retained site trees (Trees 9 and 20), public tree assets (Trees 1-7), and neighbouring trees (Tree 16) must be under the supervision of a minimum AQF Level 5 Arborist.**

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**Cr Bob Milkovic disclosed a Direct Material Conflict of Interest of a Non-pecuniary nature (s. 128) in Item No. 2.3.3 Town Planning Application 30-32 Brady Road Dandenong North (Planning Application PLN21/10434, as he was the agent who sold this property to the applicant whilst working as an agent for O'Brien Real Estate, Dandenong. Cr Bob Milkovic left the Chamber at 7.08pm prior to discussion and voting on this item.**

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**MINUTE 520**

Moved by: Cr Sean O'Reilly  
Seconded by: Cr Rhonda Garad

**That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 30-32 Brady Road Dandenong North (Lot 1 TP 593237 Vol 8533 Fol 688), for the 'Use and development of the land for a child care centre and to display internally illuminated business identification signage', subject to the following conditions:**

- 1. Before the development or use starts, amended plans must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit.**

**The plans must be in accordance with the plans submitted with the application but modified to show:**

- 1.1 The minimum finished floor level of the proposed childcare building is 63.35m to AHD.**
- 1.2 The finished floor level of the surrounding ground at the northern side of the child car must be set no higher than 63.00m to AHD.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 1.3 An annotation included on the plans stating:  
“Letterboxes and all other structures (including visually obstructive fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with Dandenong Planning Scheme Clause 52.06-9”.**
- 1.4 A landscape plan in accordance with Condition 2.**
- 1.5. A Tree Protection and Management Plan (TPMP) in accordance with Condition 9.**

**All to the satisfaction of the Responsible Authority.**

- 2. Prior to the endorsement of the plans required by Condition 1, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:**
  - 2.1 plans to accord with Condition 1 of this permit;**
  - 2.2 the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;**
  - 2.3 details of the proposed layout, type and height of fencing;**
  - 2.4 legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
  - 2.5 a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
  - 2.6 landscaping designs must use tree species from the Medium- or Large-tree categories of the City of Greater Dandenong’s Tree Selection and Planting guidelines. All tree stock must comply with AS 2303-2018 Tree stock for landscape use;**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 2.7 tree protection zones in accordance with the arborist report submitted with the application.**

**When approved, the amended landscape plan will be endorsed and will form part of this permit.**

**The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority.**

**Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.**

- 3. Prior to the commencement of the use, the acoustic fence must be constructed along the south and west boundaries in accordance with the endorsed acoustic report at the full expense of the land owner to the satisfaction of the Responsible Authority.**
- 4. The layout of the site and size, design, location and use of the buildings and works permitted must always be in accordance with the endorsed plans, unless with the written consent of the Responsible Authority.**
- 5. Prior to the commencement of any buildings and/or works approved by this permit, temporary fencing must be erected around the public tree asset located on the Brady Road and Victor Street frontages (Trees 1-7), to the satisfaction of the Responsible Authority and must:**
- 5.1 Exclude access and construction activity within the permeable nature strip areas of the TPZs:**
- 5.1.1 Trees 1-5, and Tree 7 have a 2 m radius**
- 5.1.2 Tree 6 has a 4 m radius**
- 5.2 Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 Temporary fencing and hoardings.**
- 5.3 Not prevent the use of the road or footpath.**
- 5.4 Remain in place until all buildings and/or works are completed, unless with the prior written consent of the Responsible Authority.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

6. The crossover and carpark proposed within the Tree Protection Zones (TPZs) of Tree 1 and Tree 16 must be constructed above the existing grade using permeable materials to the satisfaction of the Responsible Authority. There must be no excavation within these TPZs, except for scraping the surface up to 30 mm deep to remove surface organics and/or debris.
7. Removal of the existing crossover on the Brady Road frontage shall include the removal of all base materials and spoil. Re-instatement of the nature strip in this location shall include top dressing and turf seeding to the satisfaction of the Responsible Authority.
8. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
9. Prior to the commencement of any building and/or works, a Tree Protection and Management Plan (TPMP) must be submitted to and approved by the Responsible Authority. The TPMP must be prepared to the satisfaction of the Responsible Authority by an arborist with a minimum AQF level 5 qualification and must detail tree protection and management actions prior to, during, and post works (including demolition). The TPMP is required:
  - 9.1 To maintain and protect the condition of all retained trees (Trees 1-7, 9, 16, and 20);
  - 9.2 To comply with AS 4970–2009 *Protection of trees on a development sites* (Australian Standard AS 4970–2009).

The TPMP must include all tree related requirements conditioned in this permit. All works in the TPMP affecting trees must be implemented and/or monitored by an arborist with a minimum AQF level 5 qualification to the satisfaction of the Responsible Authority.

10. The uses must only operate between the hours of:
  - 10.1 Monday to Friday: 6.30am-6.30pm
  - 10.2 Saturday and Sunday: ClosedUnless with the written consent of the Responsible Authority.

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 11. The number of children on the site at any one time must not exceed the following:**

**11.1 eighty four (84) children**

**unless with the written consent of the Responsible Authority.**

- 12. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**

**12.1 Transport of materials, goods or commodities to or from the land.**

**12.2 Appearance of any building, works or materials.**

**12.3 Adverse behaviour of patrons on, to or from the premises.**

**12.4 Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or oil.**

**12.5 Presence of vermin.**

**All to the satisfaction of the Responsible Authority.**

- 13. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.**

- 14. Noise levels emanating from the land must not exceed the permissible noise levels stipulated in the Environment Protection Regulations under the Environment Protection Act 2017 and the Incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) as may be amended from time to time to the satisfaction of the Responsible Authority.**

- 15. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**

- 16. All rubbish from the premises must be immediately collected and disposed of in an appropriate receptacle to the satisfaction of the Responsible Authority.**

- 17. Bins or other receptacles for any form of rubbish or refuse may not be placed or allowed to remain in the view of the public, and no adverse odour shall be emitted from any such receptacle.**

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

18. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operators control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.
19. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
20. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.
21. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the legal point of discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required.
22. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.
23. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.
24. Prior to the use commencing, all parking areas and accessways must be:
  - 24.1 constructed and available for use in accordance with the plan approved by the responsible authority;
  - 24.2 formed to such levels and drained so that they can be used in accordance with the plan; and
  - 24.3 line-marked or provided with some other adequate means of showing the car parking spaces.
25. Car spaces, access lanes, loading bays and driveways must be maintained (including line marking) and kept available for these purposes at all times.
26. The car parking provided on the land must always be kept available for its intended purpose at all times. No measures must be taken to restrict access to the car park.



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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

27. The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.
28. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land.
29. No buildings or works may be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority without the prior written consent of the relevant authority and the Responsible Authority.

**Signage conditions**

30. The location, type and dimensions of the signage as shown on the endorsed plan/s must not be altered unless with the written consent of the Responsible Authority.
31. Bunting, streamers, flags, windvanes or similar material must not be displayed except with the prior written consent of the Responsible Authority.
32. The sign(s) must only contain an advertisement which provides or supplies information relating to the business conducted on the land.
33. The approved sign(s) must not be animated in part or whole and flashing, intermittent or moving light/s must not be displayed.
34. The intensity of the light in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.
35. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.

**Expiry date**

36. This permit will expire if:

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**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

- 36.1      The development does not start within two (2) years of the date of this permit; or**
- 36.2      The development is not completed within four (4) years of the date of this permit; or**
- 36.3      The use does not start within one (1) year of the completion of the development; or**
- 36.4      The use is discontinued for a period of two (2) years.**

**Before the permit expires or within six (6) months afterwards, the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.**

**The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:**

- a.    the request for the extension is made within twelve (12) months after the permit expires; and**
  - b.    the development or stage started lawfully before the permit expired.**
- 37.      This permit expires fifteen (15) years from the date of this permit for the approved signage. Before this permit expires, the approved sign(s) and any supporting structure must be removed and the land and/or building surface made good to the satisfaction of the Responsible Authority.**

**Permit Notes**

**A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.**

**A flood dispensation is to be obtained prior to issue of Building Permit.**

**Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**

---

**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.**

**Prior to the drainage plans being approved, a drainage approval fee will need to be paid to Council.**

**Approval of any retention system within the property boundary is required by the relevant building surveyor.**

**Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.**

**As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.**

**A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings.**

**Proposal to remove any public tree assets will be conditional to demonstration by the applicant's Project Arborist that removal is the last resort (Tree 2). Once approved by the Responsible Authority, the payment for tree removal and replacement planting of 1 new street tree must be made to Council prior to the commencement of works. The permit holder must contact Council's arborist to arrange for any approved roadside tree removal at the permit holder's cost. New trees will be planted at a time and location determined by the Responsible Authority.**

**All construction activities that are within the TPZs of retained site trees (Trees 9 and 20), public tree assets (Trees 1-7), and neighbouring trees (Tree 16) must be under the supervision of a minimum AQF Level 5 Arborist.**

**CARRIED**

---

**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

---

For Motion: Cr Loi Truong, Cr Rhonda Garad, Cr Eden Foster, Cr Richard Lim OAM, Cr Sean O'Reilly, Cr Lana Formoso.

Against Motion: Cr Tim Dark.

---

**Cr Bob Milkovic returned to the Chamber at 7.16pm.**

---

**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**Town Planning Application - No. 30-32 Brady Road Dandenong North  
(Planning Application PLN21/0434)**

**ATTACHMENT 1**

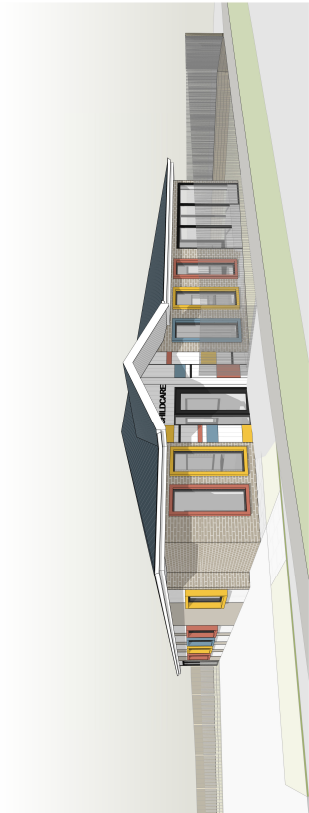
**SUBMITTED PLANS**

**PAGES 16 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application  
PLN21/0434) (Cont.)

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PROPOSED CHILDCARE  
30-32 BRADY ROAD, DANDENONG VIC 3175

| SHEET NUMBER | SHEET NAME          | REV | REV DATE   |
|--------------|---------------------|-----|------------|
| TT001        | COVER SHEET         | H   | 19.02.2022 |
| TT002        | SITE CONTEXT        | F   | 29.09.2021 |
| TT003        | DESIGN RESPONSE     | H   | 19.02.2022 |
| TT004        | GROUND FLOOR        | H   | 19.02.2022 |
| TT005        | ELEVATIONS SET 1    | H   | 19.02.2022 |
| TT006        | ELEVATIONS SET 2    | H   | 19.02.2022 |
| TT007        | SECTIONS            | H   | 19.02.2022 |
| TT008        | STREETSCAPE         | F   | 29.09.2021 |
| TT009        | SHADOW DIAGRAM 9AM  | F   | 29.09.2021 |
| TT010        | SHADOW DIAGRAM 12PM | F   | 29.09.2021 |
| TT011        | SHADOW DIAGRAM 3PM  | F   | 29.09.2021 |
| TT012        | LANDSCAPE PLAN      | H   | 19.02.2022 |

PROJECT NAME  
PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD,  
DANDENONG VIC 3175

REVISIONS

| NO. | DATE       | DESCRIPTION                   |
|-----|------------|-------------------------------|
| 1   | 19.02.2022 | ISSUED FOR PRELIMINARY REVIEW |
| 2   | 29.09.2021 | ISSUED FOR PRELIMINARY REVIEW |
| 3   | 19.02.2022 | ISSUED FOR PRELIMINARY REVIEW |
| 4   | 19.02.2022 | ISSUED FOR PRELIMINARY REVIEW |

DATE

19.02.2022

SCALE

1:100

PROJECT NO.

PLN21/0434

PROJECT NAME

PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD,  
DANDENONG VIC 3175

PROJECT NO.

PLN21/0434

PROJECT NAME

PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD,  
DANDENONG VIC 3175

[illegible]

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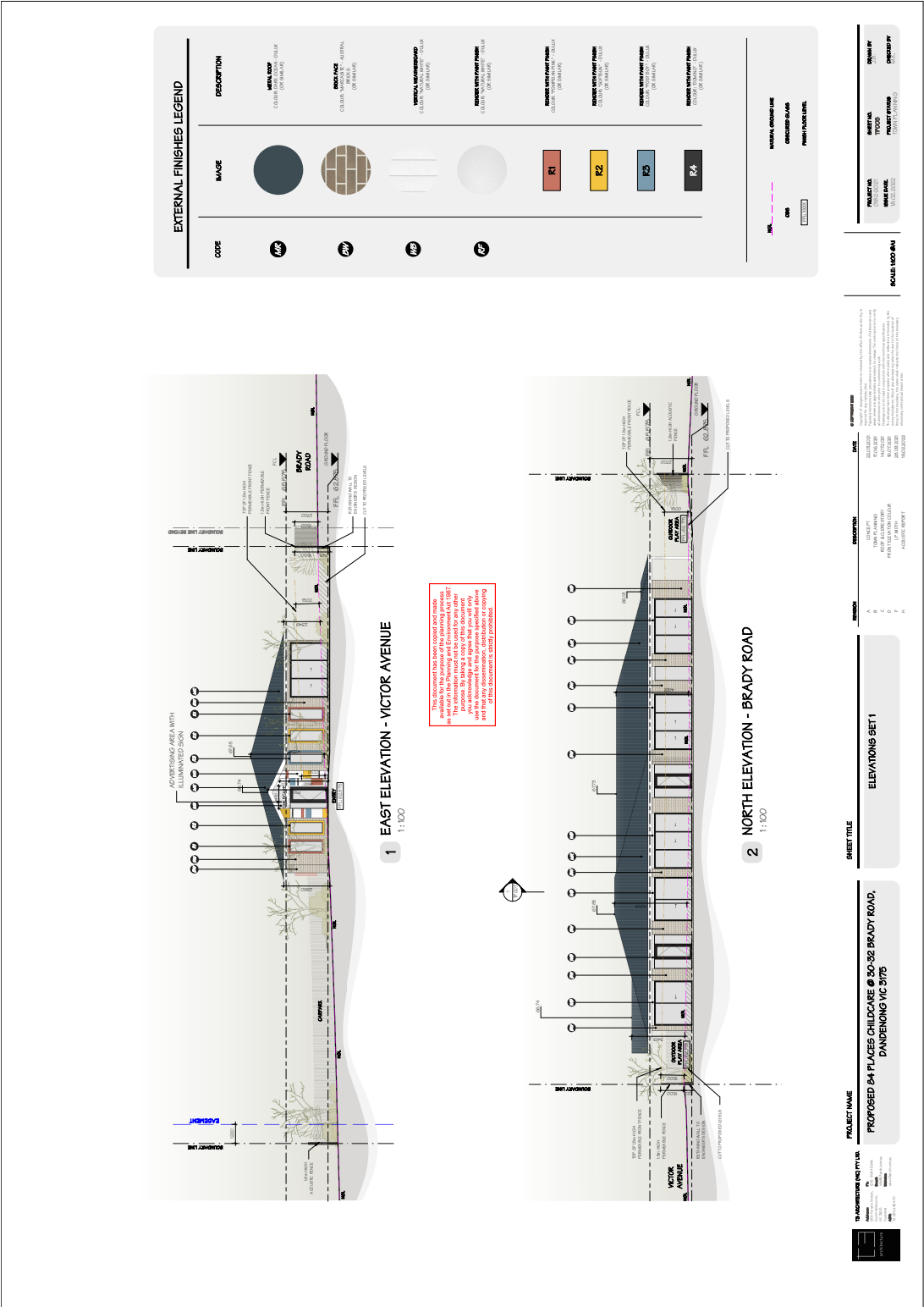






| PROJECT NAME             | PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD, DANDENONG VIC 3175 |
|--------------------------|---------------------------------------------------------------------|
| SHEET TITLE              | GROUND FLOOR                                                        |
| DATE                     | 10/10/2023                                                          |
| DESIGNER                 | ACQUINTANCE AND PTY LTD                                             |
| CLIENT                   | 84 PLACES CHILDCARE                                                 |
| PROJECT NO.              | 84-001                                                              |
| SCALE                    | 1:1000                                                              |
| PROJECT LOCATION         | 30-32 BRADY ROAD, DANDENONG VIC 3175                                |
| PROJECT TYPE             | CHILDCARE                                                           |
| PROJECT STATUS           | PROPOSED                                                            |
| PROJECT PHASE            | PRELIMINARY DESIGN                                                  |
| PROJECT DESCRIPTION      | PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD, DANDENONG VIC 3175 |
| PROJECT CONTACT          | 84 PLACES CHILDCARE                                                 |
| PROJECT CONTACT NO.      | 08 9595 1234                                                        |
| PROJECT CONTACT EMAIL    | info@84places.com.au                                                |
| PROJECT CONTACT WEBSITE  | www.84places.com.au                                                 |
| PROJECT CONTACT ADDRESS  | 84 PLACES CHILDCARE, 100 DANDENONG ROAD, DANDENONG VIC 3175         |
| PROJECT CONTACT POSTCODE | 3175                                                                |
| PROJECT CONTACT STATE    | VIC                                                                 |
| PROJECT CONTACT COUNTRY  | AUSTRALIA                                                           |
| PROJECT CONTACT PHONE    | 08 9595 1234                                                        |
| PROJECT CONTACT FAX      | 08 9595 1234                                                        |
| PROJECT CONTACT EMAIL    | info@84places.com.au                                                |
| PROJECT CONTACT WEBSITE  | www.84places.com.au                                                 |
| PROJECT CONTACT ADDRESS  | 84 PLACES CHILDCARE, 100 DANDENONG ROAD, DANDENONG VIC 3175         |
| PROJECT CONTACT POSTCODE | 3175                                                                |
| PROJECT CONTACT STATE    | VIC                                                                 |
| PROJECT CONTACT COUNTRY  | AUSTRALIA                                                           |

2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application  
PLN21/0434) (Cont.)



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1 WEST ELEVATION  
1:100

2 SOUTH ELEVATION  
1:100

## EXTERNAL FINISHES LEGEND

| CODE | IMAGE | DESCRIPTION                                                               |
|------|-------|---------------------------------------------------------------------------|
| MS   |       | <b>MAINT. ROOF</b><br>COLOR: MAINT. COLOR<br>(OF FINISH)                  |
| PM   |       | <b>MAINT. WALL</b><br>COLOR: MAINT. COLOR<br>(OF FINISH)                  |
| MB   |       | <b>VERTICAL WOODGRAIN</b><br>COLOR: MAINT. COLOR<br>(OF FINISH)           |
| PC   |       | <b>MAINT. VERTICAL PAINT FINISH</b><br>COLOR: MAINT. COLOR<br>(OF FINISH) |
|      |       | <b>MAINT. VERTICAL PAINT FINISH</b><br>COLOR: MAINT. COLOR<br>(OF FINISH) |
|      |       | <b>MAINT. VERTICAL PAINT FINISH</b><br>COLOR: MAINT. COLOR<br>(OF FINISH) |
|      |       | <b>MAINT. VERTICAL PAINT FINISH</b><br>COLOR: MAINT. COLOR<br>(OF FINISH) |
|      |       | <b>MAINT. VERTICAL PAINT FINISH</b><br>COLOR: MAINT. COLOR<br>(OF FINISH) |

MAINT. ROOF LINE  
MAINT. WALL LINE  
MAINT. FLOOR LINE

## PROJECT NAME

PROPOSED 64 PLACES CHILD CARE @ 30-32 BRADY ROAD,  
DANDENONG VIC 3170

## SHEET TITLE

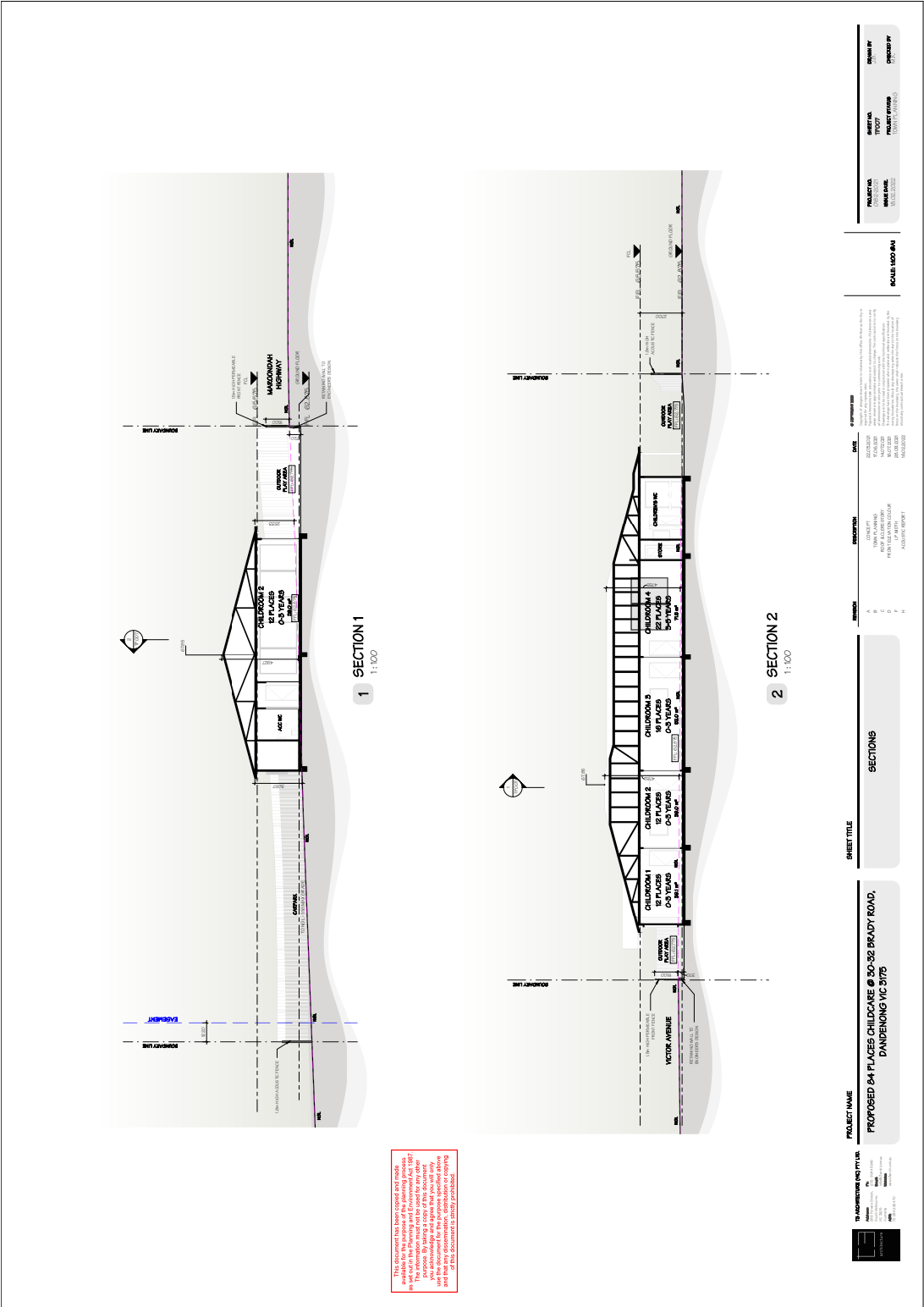
ELEVATIONS SET 2

| NO. | REVISION          | DATE       | BY         |
|-----|-------------------|------------|------------|
| 1   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 2   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 3   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 4   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 5   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 6   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 7   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 8   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 9   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 10  | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |

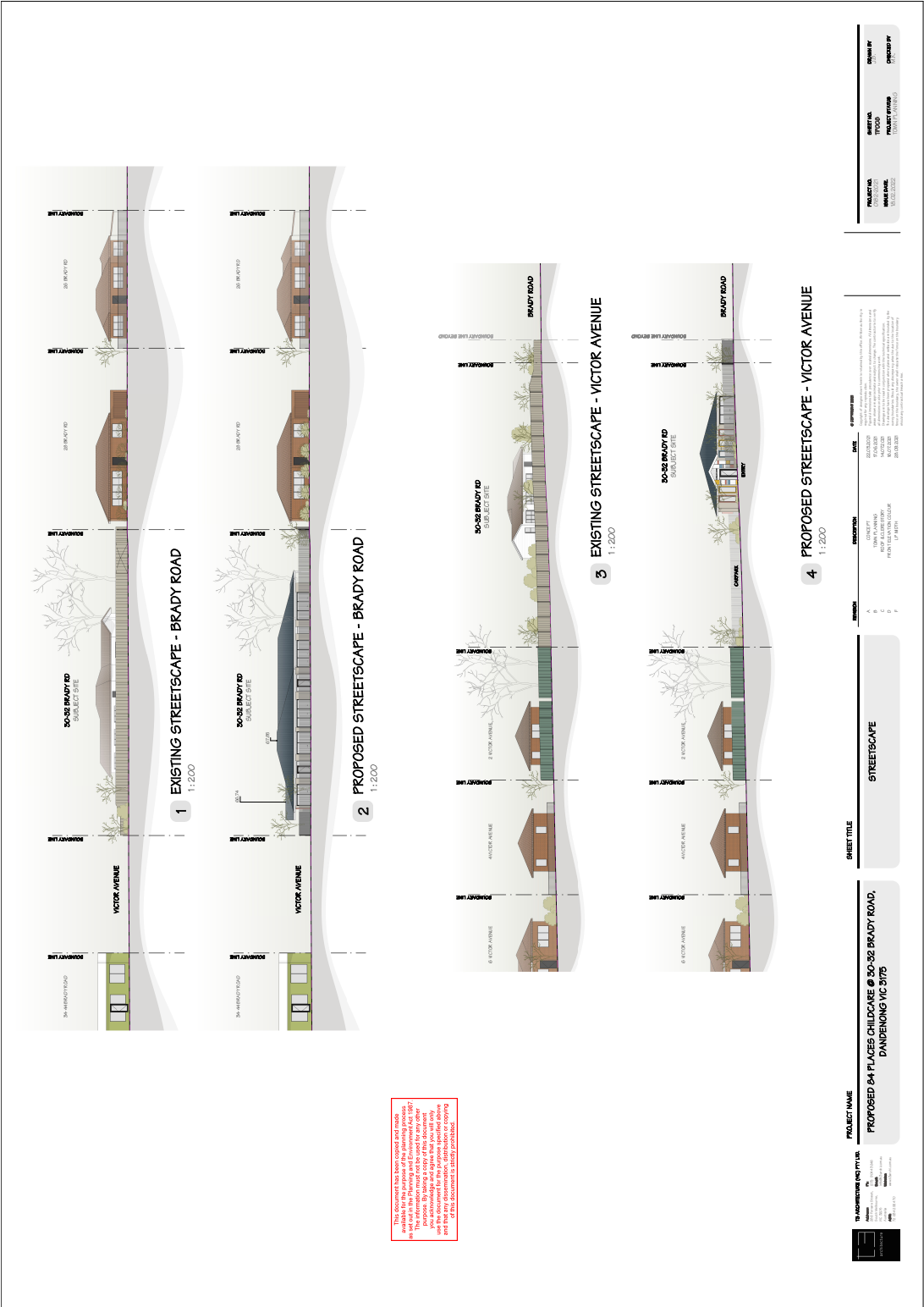
| NO. | REVISION          | DATE       | BY         |
|-----|-------------------|------------|------------|
| 1   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 2   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 3   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 4   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 5   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 6   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 7   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 8   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 9   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 10  | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |

| NO. | REVISION          | DATE       | BY         |
|-----|-------------------|------------|------------|
| 1   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 2   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 3   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 4   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 5   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 6   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 7   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 8   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 9   | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |
| 10  | ISSUED FOR PERMIT | 10/01/2023 | 10/01/2023 |

2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application  
PLN21/0434) (Cont.)



2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application  
PLN21/0434) (Cont.)



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PROJECT NAME: PROPOSED 34 PLACES CHILDCARE @ 30-32 BRADY ROAD, DANDENONG VIC 3175  
 SHEET NO: 1  
 DATE: 10/10/2023  
 SCALE: 1:200

DATE: 10/10/2023  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: 1:200

PROJECT NAME: PROPOSED 34 PLACES CHILDCARE @ 30-32 BRADY ROAD, DANDENONG VIC 3175  
 SHEET NO: 1  
 DATE: 10/10/2023  
 SCALE: 1:200

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**PROJECT NAME**: PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD, DANDENONG VIC 3175  
**SHEET NO**: 1  
**TITLE**: SHADOW DIAGRAM 12PM  
**DATE**: 11/20/20  
**DRAWN BY**: JACOB WATSON  
**CHECKED BY**: JACOB WATSON  
**SCALE**: 1:200



[illegible]



**VEGETATION LEGEND**

- PROPOSED CANOPY TREE
- PROPOSED SHEDS
- EXISTING TREE TO REMAIN
- TREE TO BE REMOVED WITH NEW PLANTING IN SAME POSITION
- TREE PROPOSED DUE TO AGE AND CONDITION
- PROPOSED SHEDS AND PLANTING AS PER ARCHITECT REPORT
- TREE REMAINS AS PER ARCHITECT REPORT

**PLANTING DETAILS**

- ADVANCED TREE IN 100% PLANTING REGION
- SHED PLANTING IN 100% PLANTING REGION
- GRASS/GRASS/SHED PLANTING REGION

**SIGHT TRIANGLE LEGEND**

ALL INTERSECTIONS MUST BE PROVIDED WITH A MINIMUM 100% SIGHT TRIANGLE. THE AREA SHOWN IS A MINIMUM REQUIREMENT.

**LANDSCAPE PLAN**

**PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD, DANDENONG VIC 3175**

**1:100**

**SS BRICK HOUSE CHURCH CTR**

**28**

**VEGETATION LEGEND**

- PROPOSED CANOPY TREE
- PROPOSED SHEDS
- EXISTING TREE TO REMAIN
- TREE TO BE REMOVED WITH NEW PLANTING IN SAME POSITION
- TREE PROPOSED DUE TO AGE AND CONDITION
- PROPOSED SHEDS AND PLANTING AS PER ARCHITECT REPORT
- TREE REMAINS AS PER ARCHITECT REPORT

**PLANTING DETAILS**

- ADVANCED TREE IN 100% PLANTING REGION
- SHED PLANTING IN 100% PLANTING REGION
- GRASS/GRASS/SHED PLANTING REGION

**SIGHT TRIANGLE LEGEND**

ALL INTERSECTIONS MUST BE PROVIDED WITH A MINIMUM 100% SIGHT TRIANGLE. THE AREA SHOWN IS A MINIMUM REQUIREMENT.

**LANDSCAPE PLAN**

**PROPOSED 84 PLACES CHILDCARE @ 30-32 BRADY ROAD, DANDENONG VIC 3175**

**1:100**

**SS BRICK HOUSE CHURCH CTR**

**28**

**VEHICLE USED IN SIMULATION**

Length: 12m  
Width: 2.5m  
Turning Circle (left-to-right): 15.5m

**DESIGN VEHICLE (HEAVY TRUCK)**

**HEAVY TRUCK**

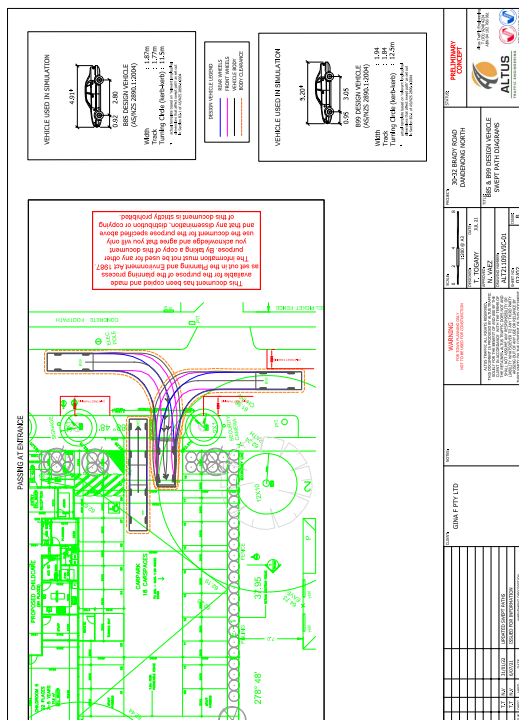
**MEDIUM TRUCK**

**LIGHT VEHICLE**

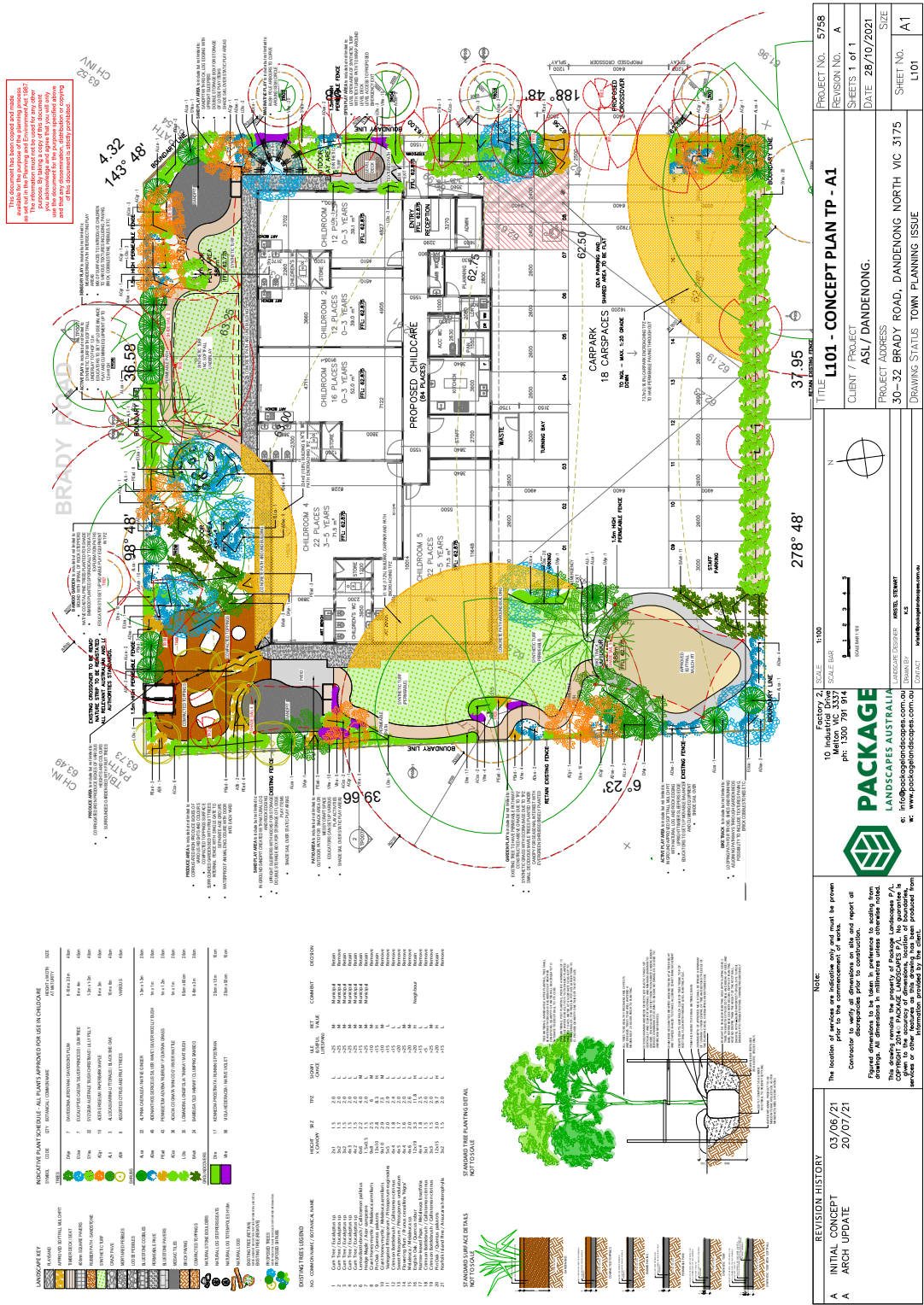
**SCALE**

0 100 FEET

**North Arrow**



2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application  
PLN21/0434) (Cont.)



**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**Town Planning Application - No. 30-32 Brady Road Dandenong North  
(Planning Application PLN21/0434)**

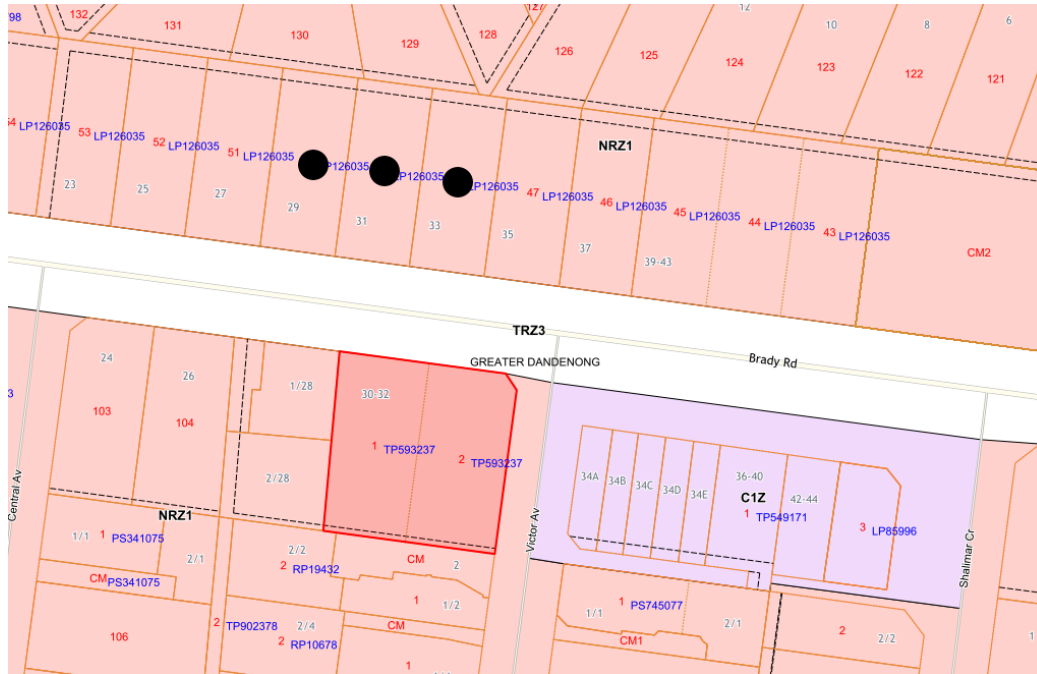
**ATTACHMENT 2**

**LOCATION OF OBJECTORS**

**PAGES 2 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**2.3.3 Town Planning Application - No. 30-32 Brady Road Dandenong North (Planning Application PLN21/0434) (Cont.)**



Subject Site



LOCATION OF OBJECTOR

### 3 QUESTION TIME - PUBLIC

#### Question

**Matthew Kirwan, Noble Park**

Why is the community wing of the Paddy O'Donoghue Centre currently closed during the day and how long will this situation continue? The Paddy O'Donoghue community lounge area is an important location for informal community space for the Noble Park community.

#### Response

**Kylie Sprague, Executive Manager Communications and Customer Service**

All areas of the centre were previously open to the public as it was a customer service centre and therefore it was always staffed. With the closure of that customer service counter, rooms in the centre are available for hire and all hirers have swipe card access to the venue, which they appreciate and which work sufficiently. This prevents other people from wondering in, entering and disrupting their events. The onset of COVID-19 pandemic has also raised additional challenges, such as cleaning requirements and the need for all users of the centre to operate under a COVIDSafe Plan.

Having the doors open would allow people to come and go, further increasing the need for extra cleaning and disregarding other rules that our hirers need to abide by. We have raised this issue previously with members of the Noble Park Public Hall Trust who are very supportive of our approach and would prefer access to be restricted to the hirers. That said, there is currently work underway on the feasibility of a library lounge in that centre, so plans could very well change in the near future.

#### Question

**Matthew Kirwan, Noble Park**

As part of the new set of interpretive signs for central Noble Park, is there one planned for Copas Park explaining about Thomas Copas? The 1994 plaque from the City of Springvale indicates how much the community work of Thomas Copas was valued, however, there is no information there about his life.

#### Response

**Kevin Van Boxtel, Acting Director of Business, Engineering & Major Projects**

In December 2021, Council, in partnership with the Noble Park Revitalisation Board, installed a new interpretive sign in Copas Park, Noble Park. The sign draws on the park's unique history and the locals who contributed to its creation, with special focus on Thomas Copas. The sign references his passion for horticulture and highlights his contribution to the Noble Park community. It forms part of the placemaking program across the City of Greater Dandenong's three activity centres.

#### Question

**Roz Blades, Noble Park**

On behalf of the Noble Park Community Centre, we would appreciate an update on the Ross Reserve Master Plan.



---

**3 QUESTION TIME - PUBLIC (Cont.)**

**Response**

**Jody Bosman, Director City Planning, Design & Amenity**

There are several projects occurring in relation to the Ross Reserve Master Plan and the officers dealing with these projects would be more than happy to meet representatives of the Noble Park Community Centre and provide an overview of current and future projects. Officers will contact representatives of the community centre shortly and will arrange a time to provide the group with an update of all the activities that are related to the Ross Reserve Master Plan.

---

**John Bennie PSM, Chief Executive Officer tabled a response to a public question taken on notice/requiring further action at the previous Council meeting. A copy of the response is provided as an attachment.**



3 QUESTION TIME - PUBLIC (Cont.)

PUBLIC QUESTIONS TAKEN ON NOTICE/REQUIRING FURTHER ACTION

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Responsible Officer                               | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/07/22<br>PQT1        | Branka Tomic      | I am writing to the Council to consider my application for a permit for a disability zone for on-street parking next to my house. I am begging the Council to consider assigning a permit zone or disabled zone for the parking next to my house so that I am able to use it without the difficulties. It is becoming an increasingly difficult task for me to access the parking area next to my gates and I request that the Council consider this in light of my physical disabilities and age. | Director Business, Engineering and Major Projects | 15/07/2022         | <p><b>Initial response provided 11/07/22:</b><br/>Council does not typically reserve public on-street parking spaces for private usage, particularly in residential areas. Should any residents have specific parking needs, they are encourage to cater for these needs within their own property. I am aware that your request has been received recently via other channels and can advise that Council's transport engineers are assessing the matter and will respond shortly.</p> <p><b>Further response provided 15/07/22:</b><br/>Thank you for raising your concern with Council. We are sorry to hear about your health issues and wish you all the best in managing them.</p> <p>Your request for the provision of a permit parking space (or accessible space) adjacent to your property has been considered by Council's Traffic Engineers. Whilst it is often desirable for residents to have easy access to on-street parking close or near their properties, this is not always achievable.</p> <p>On-street parking is within the public domain. As such, Council does not reserve space for private or individual usage, particularly in residential areas.</p> <p>Further to the above, we need to be</p> |

Question Time Public – Questions Taken on Notice & Requiring Further Action

1 / 2

**3 QUESTION TIME - PUBLIC (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question | Responsible Officer | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------|-------------------|-------------------------------|---------------------|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                         |                   |                               |                     |                    | <p>mindful of any precedent which could be set regarding on-street parking usage. As I am sure you can appreciate, the number of residents who would like to reserve on-street space for their sole use for various reasons would be unmanageable. This would also limit the parking available for visitors and cause further issues throughout the municipality.</p> <p>Regarding your situation, I can advise you are permitted to temporarily stop your vehicle on your crossover (driveway) when you are opening your gate before driving into your garage. So long as you are not leaving the vehicle there for longer than required to undertake the task of opening/closing the gate/garage door, Council's Parking Management Officers have identified it's very unlikely you would receive an infringement.</p> <p>Again, thank you for contacting Council. Whilst I understand the above may not be the outcome you were seeking; I trust the information provided clearly explains the rationale behind Council's position on this matter.</p> |

COMPLETED

**At the Ordinary meeting of Council on Monday, 24 March 2014, Council resolved to change the way Councillors and Public questions taken on notice are answered and recorded from 14 April 2014 meeting of Council onwards.**

Question Time Public – Questions Taken on Notice & Requiring Further Action

2 / 2

## **4 OFFICERS' REPORTS - PART TWO**

### **4.1 OTHER**

#### **4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022**

File Id:

Responsible Officer:

Director Community Services

Attachments:

Draft Minutes of Arts Advisory Board Meeting on  
31 May 2022

---

### **1. Report Summary**

At the Council meeting held 23 April 2018, Council resolved in part to *invite Advisory Committees and Reference Groups to submit meeting minutes for Council endorsement*. This resolution also allowed interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.

### **2. Recommendation Summary**

This report recommends that the draft Minutes of the Arts Advisory Board meeting provided in Attachment 1 to this report be noted and endorsed by Council.

---

#### 4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)

### 3. Background and Proposal

Greater Dandenong City Council is represented on a wide range of Committees, Reference Groups and Advisory Groups which frequently reflect the interests of individual Councillors in serving the broader community in their role. A full listing of these appointments is confirmed each November at Council's Annual meeting to elect the Mayor and Deputy Mayor and is available via Council's website.

The resolution of Council made on 23 April 2018 provides for Minutes of meetings held by Advisory Committees and Reference Groups to be submitted to Council for information purposes, for noting and for endorsement (not adoption).

As such, the draft Minutes are provided as Attachment 1 to this report.

There are no financial implications associated with the development and submission of this report.

### 4. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

#### **4.1 Community Vision 2040**

This report is consistent with the Community Vision 2040 and its accompanying principles:

- Safe and peaceful community
- Education, training, entrepreneurship and employment opportunities
- Sustainable environment
- Embrace diversity and multiculturalism.
- Mind, Body and Spirit
- Art and Culture

#### **4.2 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city
- A city that respects and celebrates diversity, our history and the arts
- A city of accessible, vibrant centres and neighbourhoods

---

#### **4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)**

- A green city committed to a sustainable future
- A city that supports entrepreneurship, quality education and employment outcomes
- A Council that demonstrates leadership and a commitment to investing in the community.

### **5. The Overarching Governance Principles of the *Local Government Act 2020***

Section 9 of the *Local Government Act 2020* (LGA2020) states that a Council must in the performance of its role give effect to the overarching governance principles.

The establishment of the Arts Advisory Board and the work that it undertakes gives particular consideration to the following overarching governance principles:

- priority is given to achieving the best outcomes for the municipal community, including future generations (section 9(b) of the LGA2020);
- the municipal community is engaged in strategic planning and strategic decision making – many advisory committees and reference groups have community members as participants (section 9(d) of the LGA2020);
- innovation and continuous improvement is pursued (section 9(e) of the LGA2020);
- collaboration with other Councils, governments and statutory bodies is sought – many advisory committees and reference groups have representatives attending from these organisations (section 9(f) of the LGA2020);
- the ongoing financial viability of Council is ensured (section 9(g) of the LGA2020);
- regional, state and national plans and policies are taken into account in strategic planning and decision making – diverse representation within these groups ensures this occurs (section 9(h) of the LGA2020); and
- the transparency of Council decisions, actions and information is ensured by this regular reporting mechanism (section 9(i) of the LGA2020).

### **6. Victorian Charter of Human Rights and Responsibilities**

All matters relevant to the Victorian Charter of Human Rights and Responsibilities have been considered in the preparation and are consistent with the standards set by the Charter.

### **7. The *Gender Equality Act 2020***

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires Councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents because it is a reporting mechanism only.

The report does not have the potential to influence broader social norms and gender roles nor does it benefit any one gender group over any other.

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**4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)**

**8. Consideration of Climate Change and Sustainability**

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a “Climate and Ecological Emergency” and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report has no impact on Council’s Declaration on a Climate and Ecological Emergency, Council’s Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability because it is purely administrative in nature and is a reporting mechanism only.

**9. Recommendation**

**That Council notes the draft Minutes of meeting for the Arts Advisory Board as provided in Attachment 1 to this report.**

**MINUTE 521**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Richard Lim OAM

**That Council notes the draft Minutes of meeting for the Arts Advisory Board as provided in Attachment 1 to this report.**

**CARRIED**

**4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)**

**OTHER**

**DRAFT MINUTES OF ARTS ADVISORY BOARD MEETING – 31  
MAY 2022**

**ATTACHMENT 1**

**DRAFT MINUTES OF ARTS ADVISORY  
BOARD ON 31 MAY 2022**

**PAGES 5 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

#### 4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)

**Advisory Committee or Reference Group Name:** Arts Advisory Board (AAB)

**Date of Meeting:** 31 May 2022

**Time of Meeting:** 6pm–7.55pm

**Meeting Location:** The Drum Theatre (Committee Room) – Walker Street and Lonsdale Street, Dandenong, VIC, 3175

**Attendees:**

Roh Singh (RS) (Chair), Mish Eisen (ME), Oz Malik (OM), Acting Manager Community Arts, Culture and Library Services (CGD), Coordinator Arts and Cultural Development (CGD), Coordinator Drum Theatre (CGD)

**Apologies:**

Acting Director Community Services, Councillor Rhonda Garad

**Minutes:**

Coordinator Arts and Cultural Development (CGD)

| Item No. | Item                                                                                                                                                                                                                                                                                                                                                  | Action                                                                                                                                           | Action By                                                           |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| 1        | <b>Welcome</b><br><br>The Chair acknowledged the Traditional Owners of the Land, welcomed attendees, and noted the apologies.                                                                                                                                                                                                                         |                                                                                                                                                  |                                                                     |
| 2        | <b>Introductions, Apologies, Staffing updates</b><br><br>Council officers provided an update on CGD staffing changes, where the roles interact with the committee.<br><br>Council officers provided an update on the resignation of Shelley McSpedden, a committee member of AAB.                                                                     | Prepare thank you letter to Shelley for her time on Arts Advisory Board.                                                                         | RS /<br>Coordinator<br>Arts and<br>Cultural<br>Development<br>(CGD) |
| 3        | <b>Review of Minutes</b><br><br>Committee endorsed the previous meeting minutes of the Arts Advisory Board Meeting on 15 February 2022. <ul style="list-style-type: none"><li>• Moved – ME</li><li>• Seconded - CGD</li></ul>                                                                                                                         |                                                                                                                                                  |                                                                     |
| 4        | <b>Vacant AAB positions</b><br><br>Council officers provided update and proposal to hold off advertising for the two vacant AAB positions until July following the endorsement of new Arts, Culture and Heritage Strategy at the end of June. This would enable candidates to be clear on the direction of Council's art, culture and heritage goals. | Prepare recruitment and advertising of new AAB members to take place in July / August, after endorsement of Arts, Culture and Heritage Strategy. | Coordinator<br>Arts and<br>Cultural<br>Development<br>(CGD)         |

*If the details of the attachment are unclear please contact Governance on 8571 5235.*



## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                           |                                                 |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-------------------------------------------------|
|   | <p>Discussion of key areas of skill to highlight as part of selection process and advertising:</p> <ul style="list-style-type: none"> <li>• First Nations</li> <li>• diversity of experience (not necessarily a lot of experience)</li> <li>• diversity of ages</li> <li>• familiarity with area</li> <li>• creative/cultural facilities</li> <li>• philanthropic/creative industry/business</li> <li>• refugee/asylum seeker voice (perhaps via working group).</li> </ul> <p><b>Working Group Membership discussion</b><br/>Discussion from committee around working group numbers, general agreement that 3-4 core members is enough and then bringing others in as required.</p> <p>Decision not to advertise for more working group volunteers but focus only on filling AAB members for now.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                           |                                                 |
| 5 | <p><b>Arts and Cultural Heritage Strategy (Draft)</b></p> <p>Council Officer gave overview of process to date, including no significant changes to draft after community feedback process. Thanked AAB members for their contribution to the Strategy.</p> <p>Draft Strategy going to Council for formal endorsement on 27 June, finalised version will then be distributed to all members.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Distribute final Strategy to all members. | Coordinator Arts and Cultural Development (CGD) |
| 6 | <p><b>Working Group Chair Reports</b></p> <p><b>Public Art Working Group:</b><br/>(See minutes of working group)</p> <p><b>Key points:</b> Working group met and had a tour of Dandenong and discussed strategy. Agreed to meet four times during year in person in four key districts of CGD. Discussed deaccessioning of artwork; Dandenong New Art digital artwork; different types of public art and potential increased activation of Crump Lane. Next dates to be set.</p> <p>AAB discussion around background and processes for deaccessioning and unique situation of The Utilitarian art piece, noting that procedures have been updated so this issue would not be repeated.</p> <p><b>Drum Theatre Working Group:</b><br/>No meeting since last AAB meeting. Have been working with Darebin Council to support in benchmarking to similar working groups.</p> <p><b>Community Connection Working Group:</b><br/>Discussion of In Situ activations and projections and activations of Heritage Hill and other locations. OM currently speaking to Council staff and looking to find more people to join.</p> <p><b>Key points:</b> Introduction of members and sharing of information around what is happening in Dandenong. Group excited about Dandenong New Art. Discussed possibilities for Dandenong and sharing/interaction between multicultural groups. Example of Western</p> |                                           |                                                 |

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

#### 4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
|   | <p>Sydney Ramadan night market and consideration of this for Dandenong.</p> <p>AAB discussion around activation and blending of cultural groups:</p> <ul style="list-style-type: none"> <li>Note the Juice Bar in Lonsdale St and Thomas St being highly active at night.</li> <li>Mention of Dandenong Visitor Attraction Plan that Council is actively working on (especially for Lonsdale Street).</li> <li>Experience of Drum hosting 2 different shows simultaneously with different audience demographics – blending worked well from an interest perspective but would be difficult to undertake with bigger audience groups.</li> <li>Noted that Springvale audiences/customers tend to blend and connect well. Although doesn't seem as obvious in Dandenong.</li> <li>Consideration that it might be more to do with diversity of activity. Note that festivals are good for that - people like to be part of a 'buzz'.</li> </ul>                                                                                                                                                      |  |  |
| 7 | <p><b>Dandenong New Art (DNA) and Precinct Energy Plan (PEP) projects</b></p> <ul style="list-style-type: none"> <li>Discussion around Dandenong New Art and former Precinct Energy Plant projects. No current update on DNA.</li> <li>PEP business case currently underway and detailed design occurring this year (including co-design component with potential users). Advised that grant application for interim infrastructure applied for – awaiting outcome.</li> </ul> <p>Discussion around whether buildings would be connected – note that concept design indicated this possibility, but details would come from detailed design process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |
| 8 | <p><b>Facility &amp; Service Updates &amp; Discussion</b></p> <p><b>The Drum:</b></p> <ul style="list-style-type: none"> <li>Program nearly fully delivered with little cancellations.</li> <li>Kutcha Edwards ran workshop today. Noted discounted tickets for First Nations audiences (for The Sapphires).</li> <li>Wiggles in 2 weeks (from 2 shows to 5 sold out shows).</li> <li>Next season (July to December) at the printers and for distribution soon.</li> <li>Audiences still slow to return, but staff cautiously optimistic.</li> <li>Note that staffing has been a challenge (due to COVID exposure) (understaffed) and people are stretched.</li> <li>Audience sentiment surveys indicate audiences feel safer if audiences are wearing masks. Drum audiences seem to have ~50% wearing masks (on/off depending on social distancing). Staff monitoring how that works and putting up 'masks encouraged' signs.</li> </ul> <p><b>Walker Street Gallery:</b></p> <ul style="list-style-type: none"> <li><i>Seen</i> exhibition closing 17 June has been very successful.</li> </ul> |  |  |

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

#### 4.1.1 Draft Minutes of Arts Advisory Board Meeting - 31 May 2022 (Cont.)

|                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                    |                                                                                              |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
|                                                                                                          | <ul style="list-style-type: none"> <li>Upending expectations: Contemporary Glass – touring exhibition from Canberra Glassworks opening 27 June.</li> </ul> <p><b>COVID-19 impact/recovery:</b> noted that this has been discussed throughout meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                    |                                                                                              |
| 9                                                                                                        | <p><b>Sector Updates</b></p> <ul style="list-style-type: none"> <li>VAPAC Showcase: concentrated on performing arts touring model and how that works in COVID setting (for producers, artists and venues). Also noted staff skilled shortage particularly in technical production area.</li> <li>AAB Member updates: Photo 22 at Monash Gallery of Art: Hoda Afshvar and exhibition of First Nations artists. Queer exhibition and discussion with friends around institution putting forward the voices of that community.</li> <li>Asia Pacific Triennial at GOMA (Brisbane) has been incredibly curated.</li> </ul> <p>Discussion around National Exhibitions Touring Support (NETS) and its potential positive links to DNA in the future. Including the opportunity to host Wilam Biik exhibition in partnership with NETS.</p> |                                                                                                    |                                                                                              |
| 10                                                                                                       | <p><b>Other Business</b></p> <p>Consideration of moving next meeting to accommodate for Councillor representative clash.</p> <p>Next meeting agreed for Tuesday 9 August.</p> <p><b>Drum:</b> AAB members are invited to opening night 15 July &amp; 16 July: Opera Australia performing Barber of Seville with local children's choruses. Negotiation with Opera Australia around cultural diversity and inclusion. Working to include local group, Keerthana Music School (Keysborough).</p> <p>31 July: Drum taking part in Open House Melbourne, AAB members welcome to attend.</p> <p><b>OM:</b> Shared experience of meeting with Department of Home Affairs and discussion took place around ethical/moral consideration of where arts projects are being funded from.</p>                                                    | <p>Send updated meeting details for next meeting.</p> <p>CGD to send invites for VIP function.</p> | <p>Coordinator Arts and Cultural Development (CGD)</p> <p>Coordinator Drum Theatre (CGD)</p> |
| <p><b>Next Meeting:</b><br/>Tuesday 9 August<br/>6pm–8pm<br/>Venue: TBC</p> <p>Meeting closed 7.55pm</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                    |                                                                                              |

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

#### **4.1.2 Re-appointment of Director - Dandenong Market Pty Ltd (DMPL)**

File Id: A8858232

Responsible Officer: Executive Manager Communications & Customer Service

Attachments:

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### **1. Report Summary**

Dandenong Market Pty Ltd (DMPL) is a wholly owned subsidiary company of Greater Dandenong City Council established for the purposes of operating Dandenong Market.

The Constitution governing Dandenong Market provides that the Board of Management controlling the company is to be comprised of between two and five Directors. At present the Board is operating with a full complement of five Directors.

This report recommends the re-appointment of one Director, Mr Tom Mollenkopf, for a further 12 months up to the maximum of nine years as set out in the Company's Constitution.

### **2. Recommendation Summary**

This report recommends that Council re-appoint Mr Tom Mollenkopf as a Director of Dandenong Market Pty Ltd for a further one-year term commencing 25 August 2022 which will take him to the maximum nine (9) year period of service.

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#### **4.1.2 Re-appointment of Director - Dandenong Market Pty Ltd (DMPL) (Cont.)**

### **3. Background**

Dandenong Market Pty Ltd (DMPL) was established in September 2012 as a means of Council establishing a skills-based Board to drive the strategic direction and operations of the Dandenong Market. Since then, the Board has provided an extremely valuable service to Council and the Market has continued to evolve and develop including initiatives such as the introduction of Sunday trading, the trialling of night markets and a full program of festivals and events.

The Market is an extremely valuable asset, not only to the City of Greater Dandenong, but also to the region, and acts as an important community networking vehicle that brings together people from all different backgrounds in the one location.

DMPL originally consisted of five Directors which were appointed by Council under the terms of the DMPL Constitution (which requires Director appointments to be made by the Shareholder (Council)). Mr Mollenkopf is the longest serving of the current five directors and has expressed his desire to continue serving DMPL for a further 12 months up to the maximum period applicable.

### **4. Proposal**

It is proposed that Council reappoints Mr Tom Mollenkopf as Non-Executive Director to the DMPL Board for an additional one year, taking him up to the maximum nine year period of service.

### **5. Financial Implications**

There are no financial implications associated with this report.

### **6. Consultation**

As this is a limited tenure reappointment, the position of Non-Executive Director has only been discussed between the Chairperson, members of DMPL and the General Manager Dandenong Market.

### **7. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

#### **7.1 Community Vision 2040**

This report is consistent with the Community Vision 2040 and its accompanying principles:

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#### **4.1.2 Re-appointment of Director - Dandenong Market Pty Ltd (DMPL) (Cont.)**

- Safe and peaceful community
- Education, training, entrepreneurship and employment opportunities
- Embrace diversity and multiculturalism.

#### **7.2 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city
- A city that respects and celebrates diversity, our history and the arts
- A city of accessible, vibrant centres and neighbourhoods
- A Council that demonstrates leadership and a commitment to investing in the community.

### **8. The Overarching Governance Principles of the *Local Government Act 2020***

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles.

This report addresses the following governance principles:

- a. Council decisions are to be made and actions taken in accordance with the relevant law;
- b. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c. the ongoing financial viability of the Council is to be ensured;
- d. the transparency of Council decisions, actions and information is to be ensured;

and also takes into account the following supporting principles:

- a. the public transparency principles;
- b. the strategic planning principles;
- c. the financial management principles;
- d. the service performance principles.

This report forms part of Council's ongoing commitment to responding to the overarching governance principles of the *Local Government Act 2020* and delivers equitable, accessible and responsive services of good value to the community and services that are effectively monitored and continuously improved.

### **9. Victorian Charter of Human Rights and Responsibilities**

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

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#### **4.1.2 Re-appointment of Director - Dandenong Market Pty Ltd (DMPL) (Cont.)**

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report and are consistent with the standards set by the Charter.

### **10. The Gender Equality Act 2020**

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires Councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents.

The topic and content of this report does not have a direct and significant impact on members of the Greater Dandenong community therefore a gender impact assessment is not required. Whilst this report is largely administrative in nature, the recruitment and selection of relevant DMPL board members is conducted with a view to having a gender and diversity balance on the Committee, along with relevant expertise. There are currently two female and three male directors.

### **11. Consideration of Climate Change and Sustainability**

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a "Climate and Ecological Emergency" and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report has no impact on Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability.

### **12. Conclusion**

Under the Constitution that governs Dandenong Market Pty Ltd (DMPL), Clause 9.1 provides that the number of company directors shall be not less than two nor more than five. It further provides that the Shareholder (Council) may, by resolution, appoint a person as a Director for a term up to three years.

It also allows for a Director who has reached the end of the term of their appointment to be eligible for re-appointment, provided that their total continuous term of appointment as a director is not more than nine years.

DMPL currently operates with five Director positions, one of which will reach the conclusion of their term in August 2022. The purpose of this report is to recommend the reappointment of that Director role for a further 12 months up to the maximum allowed under the DMPL Constitution.

**4.1.2 Re-appointment of Director - Dandenong Market Pty Ltd (DMPL) (Cont.)**

**13. Recommendation**

**That Council reappoints Mr Tom Mollenkopf as a Director of Dandenong Market Pty Ltd for a further and final one-year term commencing 25 August 2022 and concluding on 24 August 2023.**

**MINUTE 522**

Moved by: Cr Tim Dark  
Seconded by: Cr Bob Milkovic

**That Council reappoints Mr Tom Mollenkopf as a Director of Dandenong Market Pty Ltd for a further and final one-year term commencing 25 August 2022 and concluding on 24 August 2023.**

**CARRIED**



#### **4.1.3 Renaming of the Link Road in Noble Park to Muderra Way**

|                      |                                                                                                                                                                                                                                           |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| File Id:             | A8825671                                                                                                                                                                                                                                  |
| Responsible Officer: | Director Business, Engineering & Major Projects                                                                                                                                                                                           |
| Attachments:         | Naming of Link Road Noble Park BLCAC Language Naming Request Outcome – Att. 1<br><br>Naming of Link Road Noble Park Advertisement - Star Journal Paper 31 May 2022 – Att. 2<br><br>Naming of Link Road Noble Park Survey Results – Att. 3 |

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#### **Report Summary**

This report seeks Council's endorsement to rename the Link Road in Noble Park to Muderra Way, following direct engagement with the Bunurong Land Council and the completion of a four-week community consultation process formally supporting 'Muderra' (meaning Torrential Rain) as the preferred name.

#### **Recommendation Summary**

This report recommends that the Traditional Owner name 'Muderra' be put forward as the preferred name for the link road to the Level Crossing Removal Authority as the responsible authority.

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#### **4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)**

### **Background**

The Noble Park Link Road connects Leonard Avenue and Ian Street running east west beneath the railway station. The road was created as part of the level crossing removal project and does not have an official name.

The Level Crossing Removal Authority (LXRA), landowner and naming authority of Noble Park Link Road, has requested Council provide a preferred name for the newly created road.

Upon receipt of a recommended name, LXRA will commence a statutory gazettal process through Geographic Names Victoria (GNV) and officially declare and recognise the Link Road as Muderra Way, and will also appoint Council as the road authority.

In accordance with GNV's naming rules for places in Victoria (Statutory requirement for naming roads, features and localities), and Council's Naming of Places and Naming and Numbering of Roads Policy, Council engaged exclusively with the Bunurong Land Council Aboriginal Corporation (BLCAC) to identify a culturally and linguistically preferred name. BLCAC formally supported the use of three traditional language words to name the link road.

The preferred words provided by BLCAC included:

- Muderra (Moo - Dah - Ra), meaning Torrential Rain
- Yoke (Y - O - Gk), meaning Eel
- Kow An (Koa - Won), meaning Echidna

A broader community engagement process inviting feedback on the proposed names was carried out on May 9 through to June 6 2022. An online survey seeking community input was advertised via Council's web page, Facebook media posts, the Star and Journal newspapers (31 May 2022). A total 91 survey responses were received, with Muderra receiving 48 votes, followed by Kow An with 26 votes and Yoke with 17 votes. Council received one letter from a resident in Endeavour Hills expressing disagreement with the proposed names using the traditional owner language.

### **Proposal**

The report seeks Council's approval to submit to LXRA, and subsequently the Office of Geographic Names Victoria, a proposal to rename the Link Road, Noble Park, to Muderra Way.

### **Financial Implications**

There are no financial implications associated with this report.

### **Consultation**

This matter is subject to Council's Community Engagement Policy under the Local Government Act 2020 and Council's Community Engagement Planning Framework to ensure thorough, consistent and genuine community engagement has taken place to inform responsible decision making for the benefit of the community.

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#### **4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)**

A public consultation program was undertaken in accordance with the Framework, including targeted engagement activities with BLCAC as the legally recognised Traditional Owner group for the Greater Dandenong local government area and the broader community.

In accordance with statutory requirements, BLCAC were formally engaged to undertake research and consultation within their community to identify culturally and linguistically preferred names. Written consent for the use of four traditional language words for the express purpose of naming the link road in Noble Park was provided to Council on 25 March 2022. (Attachment 1)

Upon presenting the four names to GNV to ensure the proposed traditional language words met the Naming Rules for Places in Victoria Guidelines, Council was advised that the word 'Beal' was a duplicate and too similar to other roads within close proximity.

The three remaining words were then put forward as part of the broader community consultation process, which sought to build awareness on the opportunity to submit feedback and vote for a preferred name, which was advertised via Council's web page, Facebook media posts and in the Star and Journal newspapers, Endeavour Hills and Dandenong editions on 31 May 2022 (Attachment 2).

A total 91 online survey responses were received. Muderra received 48 votes, followed by Kow An with 26 and Yoke with 17 votes - Attachment 3. Council received one written submission from a resident in Endeavour Hills expressing their disagreement with the use of traditional owner language for the naming of a road.

### **Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

This report is consistent with the Community Vision 2040 and its accompanying principles, the Council Plan, Strategies, Policies and Plans.

### **The Overarching Governance Principles of the *Local Government Act 2020***

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles.

The report and recommendation for the use of the traditional language word "Muderra" be used for the naming of the link in road in Noble Park considers and responds directly to the overarching governance principles in that:

- a. Priority is to be given to achieving the best outcomes for the municipal community, including future generations; by enabling the use of Traditional Owner language for naming of roads. This demonstrates council's commitment to supporting Aboriginal self-determination in line with the Greater Dandenong's Reconciliation Action Plan and GNV's Aboriginal place naming rules. The process of identifying a Traditional Owner word for the naming of the link road will deliver a tangible and meaningful outcome that will realise for the first time, an Aboriginal name for a local road by the traditional owners of the land.
- b. Collaboration with other Councils and Governments and statutory bodies has been sought; the collaboration between the Level Crossing Removal Authority as the road naming authority,

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#### **4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)**

Geographic Names Victoria and the Bunurong Land Council as the legally recognised Traditional Owner group for the Greater Dandenong local government area through the Aboriginal Heritage Act 2006 as a Registered Aboriginal Party.

- c. The report considers and responds to the overarching governance principles and demonstrates the implementation of Council's community Engagement Policy through the councils collaborate level of community involvement with the Bunurong Land Council Aboriginal Corporation on the IAP2 spectrum. The BLCAC researched and provided alternative names for the link road. Council continued to seek advice throughout the process and is endorsing the use of one traditional owner language word.
- d. Council also implemented a consultative approach to seeking feedback on the preferred names with the wider community through a variety of methodologies that align with consultation on the IAP2 spectrum.

#### **Victorian Charter of Human Rights and Responsibilities**

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report and are consistent with the standards set by the Charter.

The report demonstrates how Council has engaged meaningfully with its Traditional Owners the Bunurong Land Council Aboriginal Corporation in line with Section 19 – Right to enjoy one's culture, practice religion or use one's own language in the case of Aboriginal persons, the right to have distinct cultural rights. The report explains the exclusive engagement process of collaboration to identify culturally and linguistically appropriate words for the naming of the link road in Noble Park. Furthermore, the recommendation of this report if endorsed will enable for the first time the use of a Traditional Language word for the naming of a local road; a demonstration of Council supporting Aboriginal self-determination in line with the Greater Dandenong's Reconciliation Action Plan and GNV's Aboriginal place naming rules.

#### **The Gender Equality Act 2020**

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires Councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents.

The content of this report is purely administrative in nature and does not benefit any one gender group over any other.

---

#### **4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)**

### **Consideration of Climate Change and Sustainability**

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a “Climate and Ecological Emergency” and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report has no impact on Council’s Declaration on a Climate and Ecological Emergency, Council’s Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability.

### **Related Council Policies, Strategies or Frameworks**

Council’s Naming of Places and Naming and Numbering of Roads Policy has been used to guide the process of identifying a name for the link road in Noble Park.

Council’s Community Engagement Policy and Framework has been used to identify appropriate engagement and consultation methods.

The Activity Centre’s Placemaking Framework guiding principles have guided a placemaking approach for the place naming process that:

- Responds to the essential character of the place
- Is meaningful to people; emotionally and spiritually
- Involves local people in the place’s planning and production

### **Recommendation**

**That Council, with consideration of the majority support expressed by the public, approve a submission being made to the Level Crossing Removal Authority to propose the renaming of the Link Road in Noble Park to Muderra Way.**

### **MINUTE 523**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Loi Truong

**That Council, with consideration of the majority support expressed by the public, approve a submission being made to the Level Crossing Removal Authority to propose the renaming of the Link Road in Noble Park to Muderra Way.**

**CARRIED**

**4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)**

**OTHER**

**RENAMING OF THE LINK ROAD IN NOBLE PARK TO MUDERRA WAY**

**ATTACHMENT 1**

**NAMING OF LINK ROAD NOBLE PARK  
BLCAC LANGUAGE NAMING REQUEST  
OUTCOME**

**PAGES 2 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

---

#### 4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)



ABN: 66 129 413 297 ICN:3630  
336-340 Nepean Hwy, Frankston VIC 3199  
PO Box 11219, Frankston VIC 3199  
Ph: (03) 9770 1273  
[www.bunuronglc.org](http://www.bunuronglc.org)

Date: 25/03/2022

**RE: BLCAC TRADITIONAL LANGUAGE REQUEST OUTCOME**

To whom it may concern,

The Bunurong Land Council Aboriginal Corporation (BLCAC) wish to formally support your language request for City of Greater Dandenong, Link Rd renaming.

|                 |         |
|-----------------|---------|
| Red River Gum   | Beal    |
| Torrential Rain | Muderra |
| Eel             | Yoke    |
| Echidna         | Kow-an  |

Please note that any commercial use of these words outside of this project is forbidden without the express written consent of the CEO of the BLCAC. Please also note that while we support the use of the above word/s for this project, all intellectual property remains the legal property of the BLCAC.

Please get in touch if you have further questions.

Kind regards,

A handwritten signature in black ink, appearing to read "David Tutchenor".

**Dr David Tutchenor**  
**Cultural Values and Research Manager**  
[David.tutchenor@bunuronglc.org.au](mailto:David.tutchenor@bunuronglc.org.au)

**4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)**

**OTHER**

**RENAMING OF THE LINK ROAD IN NOBLE PARK TO MUDERRA WAY**

**ATTACHMENT 2**

**NAMING OF LINK ROAD NOBLE PARK  
ADVERTISEMENT – STAR JOURNAL PAPER  
31 MAY 2022**

**PAGES 3 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*



4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)

ENDEAVOUR HILLS | HALLAM | DOVETON

Home > Digital Editions

Digital Editions

EHD Star Journal - 31st May 2022



4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)

DANDENONG | SPRINGVALE | NOBLE PARK

Home > Digital Editions

Digital Editions

Dandenong Star Journal - 31st May 2022



**4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)**

**OTHER**

**RENAMING OF THE LINK ROAD IN NOBLE PARK TO MUDERRA WAY**

**ATTACHMENT 3**

**NAMING OF LINK ROAD NOBLE PARK  
SURVEY RESULTS**

**PAGES 2 (including cover)**

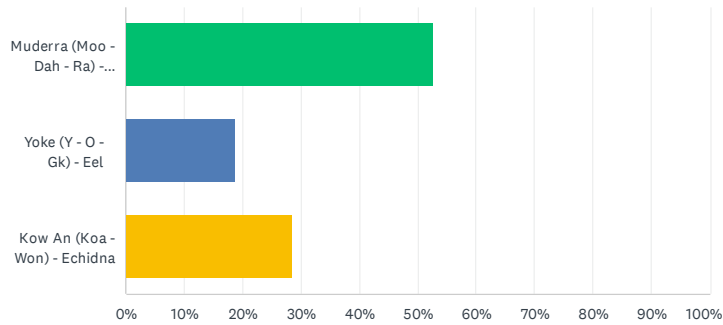
*If the details of the attachment are unclear please contact Governance on 8571 5235.*

#### 4.1.3 Renaming of the Link Road in Noble Park to Muderra Way (Cont.)

Traditional Owner Name for Link Road Poll

Q1 Which Bunurong word do you prefer as the name of the link road in Noble Park?

Answered: 91 Skipped: 0



| ANSWER CHOICES                 | RESPONSES |    |
|--------------------------------|-----------|----|
| Muderra (Moo - Dah - Ra) - Tor | 52.75%    | 48 |
| Yoke (Y - O - Gk) - Eel        | 18.68%    | 17 |
| Kow An (Koa - Won) - Echidna   | 28.57%    | 26 |
| TOTAL                          |           | 91 |

#### **4.1.4 Instrument of Delegation by Council to Members of Council Staff**

|                      |                                                                         |
|----------------------|-------------------------------------------------------------------------|
| File Id:             | A8904217                                                                |
| Responsible Officer: | Manager Governance                                                      |
| Attachments:         | Instrument of Delegation by Council to Members of Council Staff (Draft) |

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### **1. Report Summary**

Council's Planning and Design Department will undergo a restructure which is scheduled to commence on 1 August 2022. Council's Instruments of Delegation must subsequently be amended to reflect the new structure and any changes in role titles that are planned to occur from that time.

### **2. Recommendation Summary**

This report recommends that Council resolves to delegate the powers, duties and functions to Council officers as outlined in the Instrument of Delegation to Members of Council Staff as provided in Attachment 1 to this report.

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#### **4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

### **3. Background**

Council, as a statutory body, is responsible for carrying out various powers, duties and functions under a range of state legislation and Council's Local Laws.

Council, and also the Chief Executive Officer (CEO), may delegate many powers, duties and functions to Council officers, particularly those of an administrative or operational nature, those that require officers with certain qualifications to undertake them and those which generally do not require formal Council consideration. Delegation is an important tool which allows for the efficient and effective function of the organisation.

Council has several Instruments of Delegation that provide authority to Council officers to perform certain powers, duties and functions. These are:

1. Instrument of Delegation by Council to the CEO;
2. Instrument of Delegation by Council to Members of Council Staff (the topic of this report);
3. Instrument of Delegation of CEO Powers, Duties and Functions to Members of Council Staff;
4. Instrument of Delegation by the CEO for VicSmart Applications made under the Planning and Environment Act 1987;
5. Instrument of Sub-Delegation by the CEO to Members of Council Staff; and
6. Instrument of Financial Delegation by the CEO.

This report specifically deals with the item above under Point 2 titled Instrument of Delegation by Council to Members of Council Staff. While the Local Government Act 2020 does not provide a specific section for Council to delegate a power, duty or function to a member of Council staff (like the Local Government Act 1989 did), it also does not prohibit it.

Council's solicitors have advised that Council should continue with the practice of direct delegation to members of Council staff for certain pieces of legislation (other than the Local Government Act 2020) that have specific provisions for Council to act and/or delegate powers, duties and functions.

It is therefore proposed that Council continues to maintain this Instrument of Delegation to Members of Council Staff.

The following Acts and Regulations which contain powers, duties and functions that can still be directly delegated by Council to members of Council staff are:

#### **Acts**

- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987

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#### **4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

- Residential Tenancies Act 1997
- Road Management Act 2004

#### **Regulations**

- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

#### **The Changes Made to this Instrument of Delegation**

This Instrument of Delegation was last updated in April 2022. The changes made in the document provided in Attachment 1 to this report are reflective of those that are required to effect the restructure of Council's current Planning and Design Department from 1 August 2022. These changes are as follows:

- The Manager Planning & Design (MPD) role has been deleted and replaced with two new roles – Manager Statutory Planning (MSP) and Manager Strategic & Environmental Planning (MSEP). Powers, duties and functions have been allocated as required under the new structure.
- The Coordinator Strategic Design & Sustainability role (CStratP) has been changed to Coordinator Open Space Planning & Sustainability (COSPS). Powers, duties and functions have been directly transferred from the old role to the new role.
- The date for the Instrument of Delegation to come into effect has been changed to 1 August 2022 as opposed to immediately upon the seal of Council being affixed to the Instrument.

There are no legislative updates relevant to this Instrument since it was last reviewed in April 2022 and therefore no other changes have been made.

#### **Other Instruments of Delegation**

Amendments will be made to Council's Instruments of Delegation described under Points 3, 4, 5 and 6 in line with the restructure as they are required.

A full review of all Council Instruments of Delegation will also be undertaken in late 2022 to comply with Council's Legislative Compliance Policy.

#### **4. Financial Implications**

There are no financial implications associated with this report. The proposed restructure has been managed as a cost-neutral project.

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#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

### 5. Consultation

The review of the Instrument of Delegation from Council to Members of Council Staff as provided in Attachment 1 to this report has had direct input from Council's current Manager Planning & Design and the Director City Planning, Design & Amenity.

### 6. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

#### **6.1 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following strategic objectives:

- A Council that demonstrates leadership and a commitment to investing in the community.

### 7. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* states that a Council must, in the performance of its role, give effect to the overarching governance principles. This report complies with the requirements of the overarching governance principles by satisfying the following:

- Council decisions are made and actions taken in accordance with the relevant law;
- innovation and continuous improvement are pursued;
- collaboration with other Councils and Governments and statutory bodies is sought;
- the ongoing financial viability of the Council is ensured; and
- the transparency of Council decisions, actions and information is ensured.

### 8. Victorian Charter of Human Rights and Responsibilities

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

The *Charter of Human Rights and Responsibilities Act 2006* has been considered in the preparation of this report but is not relevant to its contents.



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**4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

**9. The *Gender Equality Act 2020***

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires Councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents.

The content of this report does not have a direct and significant impact on members of the Greater Dandenong community therefore a gender impact assessment is not required. It is purely an administrative tool and does not have the potential to influence broader social norms and gender roles.

**10. Consideration of Climate Change and Sustainability**

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a "Climate and Ecological Emergency" and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report has no impact on Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability. Instruments of Delegation are only shared electronically with Councillors and members of council staff.

**11. Related Council Policies, Strategies or Frameworks**

Council's Legislative Compliance Policy incorporates a requirement to regularly review and update Council's Instruments of Delegation and Sub-Delegation. Council's Public Transparency Policy sets out provisions for making various Instruments of Delegation available to the public as required under the *Local Government Act 2020*.

**4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

**12. Recommendation**

**That, in the exercise of powers conferred by the legislation referred to in the Instrument of Delegation provided in Attachment 1, Greater Dandenong City Council resolves that:**

- 1. there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to Members of Council Staff (Attachment 1), the powers, duties and functions set out in the Instrument, subject to the conditions and limitations specified in that Instrument;**
- 2. the common seal of Council is affixed to the Instrument and the Instrument comes into force on 1 August 2022;**
- 3. on the coming into force of the Instrument, all previous delegations to members of Council staff (other than that to or by the Chief Executive Officer) are revoked; and**
- 4. the duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may, from time to time, adopt.**

---

**4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

**MINUTE 524**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Lana Formoso

**That, in the exercise of powers conferred by the legislation referred to in the Instrument of Delegation provided in Attachment 1, Greater Dandenong City Council resolves that:**

- 1. there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to Members of Council Staff (Attachment 1), the powers, duties and functions set out in the Instrument, subject to the conditions and limitations specified in that Instrument;**
- 2. the common seal of Council is affixed to the Instrument and the Instrument comes into force on 1 August 2022;**
- 3. on the coming into force of the Instrument, all previous delegations to members of Council staff (other than that to or by the Chief Executive Officer) are revoked; and**
- 4. the duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may, from time to time, adopt.**

**CARRIED**

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**4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

**OTHER**

**INSTRUMENT OF DELEGATION BY COUNCIL  
TO MEMBERS OF COUNCIL STAFF**

**ATTACHMENT 1**

**INSTRUMENT OF DELEGATION  
BY COUNCIL TO MEMBERS  
OF COUNCIL STAFF (DRAFT)**

**PAGES 50 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**



**Greater Dandenong City Council**

**Instrument of Delegation by Council to  
Members of Council Staff**

**1 August 2022**

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#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

##### 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. records that references in the Schedule are as follows:
  - AME: Asset Management Engineer
  - CAM: Coordinator Asset Management
  - CDE: Civil Development Engineer
  - CE: Construction Engineer
  - CEO: Chief Executive Officer
  - CPC: Coordinator Planning Compliance
  - CPH: Coordinator Public Health
  - CStatP: Coordinator Statutory Planning
  - COSPS: Coordinator Open Space Planning & Sustainability
  - DBEMP: Director Business, Engineering & Major Projects
  - DCPDA: Director City Planning, Design & Amenity
  - EHO: Environmental Health Officer
  - EMCCS: Executive Manager Communications & Customer Service
  - EMFIT: Executive Manager Finance & Information Technology
  - MBR: Manager Business & Revitalisation
  - MBCS: Manager Building & Compliance Services
  - MBS: Municipal Building Surveyor
  - MCIS: Manager City Improvement Services
  - MFS: Manager Financial Services
  - MG: Manager Governance
  - MISP: Manager Infrastructure Services & Planning
  - MRS: Manager Regulatory Services
  - MSP: Manager Statutory Planning
  - MSEP: Manager Strategic & Environmental Planning
  - MTCD: Manager Transport & Civil Development
  - PCO: Planning Compliance Officer
  - PStatP: Principal Statutory Planner
  - PStratP: Principal Strategic Planner
  - RRC: Rates & Revenue Coordinator
  - SAOBCS: Senior Administration Officer Building & Compliance Services
  - SEHO: Senior Environmental Health Officer
  - SPCO: Senior Planning Compliance Officer
  - SStatP: Senior Statutory Planner
  - SStratP: Senior Strategic Planner
  - StatP: Statutory Planner
  - StratP: Strategic Planner
  - SULP: Service Unit Leader Parks
  - SULWF: Service Unit Leader Works & Fleet
  - TLRMOHS: Team Leader Risk Management & OHS
  - TLStatP: Team Leader Statutory Planning
  - TLStratP: Team Leader Strategic Planning
  - WS: Works Supervisor

3. declares that
  - 3.1 this Instrument of Delegation is authorised by a resolution of Greater Dandenong City Council passed on 25 July 2022 and;
  - 3.2 the delegation:
    - 3.2.1 comes into force when the common seal of Council is affixed to this Instrument of Delegation and on 1 August 2022;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
    - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
    - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a:
      - (i) policy adopted by Council; or
      - (ii) strategy adopted by Council;
    - 3.3.3 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
    - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or Delegated Committee.

25 July 2022

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**4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

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| Planning and Environment (Fees) Regulations 2016 .....                                                        | 45 |
| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 ..... | 46 |
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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

S6 Instrument of Delegation – Council to Members of Staff

| Domestic Animals Act 1994 |                                                                                                                                                                                                                                                                       |                             |                                                                                           |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------|
| Column 1                  | Column 2                                                                                                                                                                                                                                                              | Column 3                    | Column 4                                                                                  |
| Provision                 | Powers and Functions Delegated                                                                                                                                                                                                                                        | Delegate                    | Conditions and Limitations                                                                |
| s 41A(1)                  | Power to declare a dog to be a menacing dog                                                                                                                                                                                                                           | DCPD, MRS                   | Council may delegate this power to a Council authorised officer                           |
| Food Act 1984             |                                                                                                                                                                                                                                                                       |                             |                                                                                           |
| Column 1                  | Column 2                                                                                                                                                                                                                                                              | Column 3                    | Column 4                                                                                  |
| Provision                 | Powers and Functions Delegated                                                                                                                                                                                                                                        | Delegate                    | Conditions and Limitations                                                                |
| s 19(2)(a)                | Power to direct by written order that the food premises be put into a clean and sanitary condition                                                                                                                                                                    | CPH, DCPDA, EHO, MBCS, SEHO | 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                                                                                                                                     | CPH, DCPDA, EHO, MBCS, SEHO | If s 19(1) applies                                                                        |
| s 19(3)                   | Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process | CPH, EHO, SEHO              | If s 19(1) applies<br>Only in relation to temporary food premises or mobile food premises |
| s 19(4)(a)                | Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise                                                                          | CPH, DCPDA, EHO, MBCS, SEHO | If s 19(1) applies                                                                        |
| s 19(6)(a)                | Duty to revoke any order under section 19 if satisfied that an order has been complied with                                                                                                                                                                           | CPH, DCPDA, EHO, MBCS, SEHO | If s 19(1) applies                                                                        |
| s 19(6)(b)                | Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with                                                                                                                                                    | CPH, DCPDA, EHO, MBCS, SEHO | If s 19(1) applies                                                                        |
| s 19AA(2)                 | Power to direct, by written order, that a person must take any of the actions described in (a)-(c).                                                                                                                                                                   | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority                                               |

Page 5 of 49

S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                   |                                                                                                                                                                            |                             |                                                                                                                                                             |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 | CPH, DCPDA, EHO, MBCS, SEHO | 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                                        | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority                                                                                                                 |
| s 19CB(4)(b)      | Power to request copy of records                                                                                                                                           | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority                                                                                                                 |
| s 19E(1)(d)       | Power to request a copy of the food safety program                                                                                                                         | CPH, EHO, SEHO              | 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                                      | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                                 |
| s 19IA(1)         | Power to form opinion that the food safety requirements or program are non-compliant.                                                                                      | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                                 |
| s 19IA(2)         | Duty to give written notice to the proprietor of the premises                                                                                                              | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority<br>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                                                                                    | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                                 |
| s 19N(2)          | Function of receiving notice from the auditor                                                                                                                              | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                                 |
| s 19NA(1)         | Power to request food safety audit reports                                                                                                                                 | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority                                                                                                                 |
| s 19U(3)          | Power to waive and vary the costs of a food safety audit if there are special circumstances                                                                                | CPH, DCPDA, EHO, MBCS, SEHO |                                                                                                                                                             |
| s 19UA            | Power to charge fees for conducting a food safety assessment or inspection                                                                                                 | CPH, DCPDA, EHO, MBCS, SEHO | Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.                                                   |

#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|             |                                                                                                                                                                                        |                             |                                                                                                                                                   |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| s 19W       | Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB                                                                                         | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority                                                                                                       |
| s 19W(3)(a) | Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction                                                                        | CPH, DCPDA, EHO, MBCS, SEHO | 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 | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority                                                                                                       |
| -           | Power to register, renew or transfer registration                                                                                                                                      | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority<br>refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2)) |
| s 36A       | Power to accept an application for registration or notification using online portal                                                                                                    | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                       |
| s 36B       | Duty to pay the charge for use of online portal                                                                                                                                        | CPH, EHO, SEHO              | 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                                             | CPH, DCPDA, EHO, MBCS, SEHO | 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)                                                                     | DCPDA, MBCS                 | Where Council is the registration authority                                                                                                       |
| s 38A(4)    | Power to request a copy of a completed food safety program template                                                                                                                    | CPH, DCPDA, EHO, MBCS, SEHO | 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                                                                        | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                       |
| s 38B(1)(b) | Duty to ensure proprietor has complied with requirements of s 38A                                                                                                                      | CPH, DCPDA, EHO, MBCS, SEHO | Where Council is the registration authority                                                                                                       |
| s 38B(2)    | Duty to be satisfied of the matters in s 38B(2)(a)-(b)                                                                                                                                 | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                       |
| s 38D(1)    | Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39                                                                         | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                       |
| s 38D(2)    | Duty to be satisfied of the matters in s 38D(2)(a)-(d)                                                                                                                                 | CPH, EHO, SEHO              | Where Council is the registration authority                                                                                                       |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|             |                                                                                                                                                                    |                             |                                                                                                            |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------|
| s 38D(3)    | Power to request copies of any audit reports                                                                                                                       | CPH, EHO, SEHO              | Where Council is the registration authority                                                                |
| s 38E(2)    | Power to register the food premises on a conditional basis                                                                                                         | CPH, DCPDA, MBCS            | 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                                                                                                   | CPH, DCPDA, MBCS            | Where Council is the registration authority                                                                |
| s 38F(3)(b) | Power to require proprietor to comply with requirements of this Act                                                                                                | CPH, DCPDA, EHO, MBCS, SEHO | 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                                                                 | CPH, EHO, SEHO              | Where Council is the registration authority                                                                |
| s 38G(2)    | Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises                                       | CPH, EHO, SEHO              | 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                                                                     | CPH, EHO, SEHO              | Where Council is the registration authority                                                                |
| s 39(2)     | Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed                          | CPH, EHO, SEHO              | Where Council is the registration authority                                                                |
| s 39A       | Power to register, renew or transfer food premises despite minor defects                                                                                           | CPH, DCPDA, MBCS            | Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)                |
| s 39A (6)   | Duty to comply with a direction of the Secretary                                                                                                                   | CPH, DCPDA, EHO, MBCS, SEHO |                                                                                                            |
| s 40(1)     | Duty to give the person in whose name the premises is to be registered a certificate of registration                                                               | CPH, DCPDA, MBCS            | Where Council is the registration authority                                                                |
| s 40(2)     | Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008 | CPH, DCPDA, EHO, MBCS       |                                                                                                            |
| s 40C(2)    | Power to grant or renew the registration of food premises for a period of less than 1 year                                                                         | CPH, DCPDA, MBCS            | Where Council is the registration authority                                                                |
| s 40D(1)    | Power to suspend or revoke the registration of food premises                                                                                                       | CPH, DCPDA, MBCS            | Where Council is the registration authority                                                                |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                                  |                                                                                                                                                                                                                                                                                   |                                                               |                                                                                                                                                                               |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 40E                            | Duty to comply with direction of the Secretary                                                                                                                                                                                                                                    | CPH, DCPDA, EHO, MBCS, SEHO                                   | Where Council is the registration authority                                                                                                                                   |
| s 40F                            | Power to cancel registration of food premises                                                                                                                                                                                                                                     | CPH, DCPDA, MBCS                                              | Where Council is the registration authority                                                                                                                                   |
| s 43                             | Duty to maintain records of registration                                                                                                                                                                                                                                          | CPH, DCPDA, EHO, MBCS, SEHO                                   | Where Council is the registration authority                                                                                                                                   |
| s 43F(6)                         | Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business                                                                                                  | CPH, DCPDA, EHO, MBCS, SEHO                                   | 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                                                                                                       | CPH, DCPDA, EHO, MBCS, SEHO                                   | Where Council is the registration authority                                                                                                                                   |
| s 45AC                           | Power to bring proceedings                                                                                                                                                                                                                                                        | CPH, DCPDA, EHO, MBCS, SEHO                                   |                                                                                                                                                                               |
| 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 | CPH, DCPDA, EHO, MBCS, SAOBSCS, SEHO                          | Where Council is the registration authority                                                                                                                                   |
| <b>Heritage Act 2017</b>         |                                                                                                                                                                                                                                                                                   |                                                               |                                                                                                                                                                               |
| Column 1                         | Column 2                                                                                                                                                                                                                                                                          | Column 3                                                      | Column 4                                                                                                                                                                      |
| Provision                        | Powers and Functions Delegated                                                                                                                                                                                                                                                    | Delegate                                                      | Conditions and Limitations                                                                                                                                                    |
| s 116                            | Power to sub-delegate Executive Director's functions, duties or powers                                                                                                                                                                                                            | CStatP, COSPS, DBEMP, DCPDA, MBR, MSP, MSEP, TLStatP, TLStatP | Must first obtain Executive Director's written consent<br>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation |
| <b>Local Government Act 1989</b> |                                                                                                                                                                                                                                                                                   |                                                               |                                                                                                                                                                               |
| Column 1                         | Column 2                                                                                                                                                                                                                                                                          | Column 3                                                      | Column 4                                                                                                                                                                      |
| Provision                        | Powers and Functions Delegated                                                                                                                                                                                                                                                    | Delegate                                                      | Conditions and Limitations                                                                                                                                                    |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                                          |                                                                                                                                                 |                                                                 |                                                            |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------------|
| s 185L(4)                                | Power to declare and levy a cladding rectification charge                                                                                       | CEO (the only member of staff who can be a delegate is the CEO) | The only member of staff who can be a delegate is the CEO. |
| <b>Planning and Environment Act 1987</b> |                                                                                                                                                 |                                                                 |                                                            |
| <b>Column 1</b>                          | <b>Column 2</b>                                                                                                                                 | <b>Column 3</b>                                                 | <b>Column 4</b>                                            |
| <b>Provision</b>                         | <b>Powers and Functions Delegated</b>                                                                                                           | <b>Delegate</b>                                                 | <b>Conditions and Limitations</b>                          |
| s 4B                                     | Power to prepare an amendment to the Victorian Planning Provisions                                                                              | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, TLStratP                 | If authorised by the Minister                              |
| s 4G                                     | Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister                                    | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, TLStratP                 |                                                            |
| s 4H                                     | Duty to make amendment to Victoria Planning Provisions available                                                                                | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, TLStratP                 |                                                            |
| s 4I                                     | Duty to keep Victorian Planning Provisions and other documents available                                                                        | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, TLStratP                 |                                                            |
| s 8A(2)                                  | Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A                                               | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, TLStratP                 |                                                            |
| s 8A(3)                                  | Power to apply to Minister to prepare an amendment to the planning scheme                                                                       | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                          |                                                            |
| s 8A(5)                                  | Function of receiving notice of the Minister's decision                                                                                         | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                          |                                                            |
| 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 | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, TLStratP                 |                                                            |
| s 8B(2)                                  | Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district              | CEO, COSPS, DCPDA, MSP, MSEP                                    |                                                            |

## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                                                                         |                                                                                            |                                                                                                                                                                                                                          |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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      | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                                                     |                                                                                                                                                                                                                          |
| s 12B(1) | Duty to review planning scheme                                                                                                                                          | CEO, COSPS, DCPDA, MSP, MSEP                                                               |                                                                                                                                                                                                                          |
| s 12B(2) | Duty to review planning scheme at direction of Minister                                                                                                                 | CEO, COSPS, DCPDA, MSP, MSEP                                                               |                                                                                                                                                                                                                          |
| s 12B(5) | duty to report findings of review of planning scheme to Minister without delay                                                                                          | CEO, COSPS, DCPDA, MSP, MSEP                                                               |                                                                                                                                                                                                                          |
| s 14     | duties of a Responsible Authority as set out in s 14(a) to (d)                                                                                                          | CEO, COSPS, DCPDA, MSP, MSEP                                                               |                                                                                                                                                                                                                          |
| s 17(1)  | Duty of giving copy amendment to the planning scheme                                                                                                                    | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                                                     |                                                                                                                                                                                                                          |
| s 17(2)  | Duty of giving copy s 173 agreement                                                                                                                                     | CEO, CSlatP, COSPS, DCPDA, MSP, MSEP, PSlatP, PStratP, SSlatP, SStratP, TLStratP, TLStratP |                                                                                                                                                                                                                          |
| s 17(3)  | Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days                                                        | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                                                     |                                                                                                                                                                                                                          |
| s 18     | Duty to make amendment etc. available                                                                                                                                   | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                                                     |                                                                                                                                                                                                                          |
| 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 | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                                                     |                                                                                                                                                                                                                          |
| s 19     | Function of receiving notice of preparation of an amendment to a planning scheme                                                                                        | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                                                     | Where Council is not the planning authority and the amendment affects land within Council's municipal district, or<br>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                                                                                                  | CEO, COSPS, DCPDA, MSP, MSEP                                                               |                                                                                                                                                                                                                          |

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|            |                                                                                                                      |                                                                      |                                                                                |
|------------|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------|
| s 21(2)    | Duty to make submissions available                                                                                   | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP             |                                                                                |
| s 21A(4)   | Duty to publish notice                                                                                               | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP             |                                                                                |
| s 22       | Duty to consider all submissions                                                                                     | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP             | Except submissions which request a change to the items in s 22(5)(a) and (b)   |
| s 23(1)(b) | Duty to refer submissions which request a change to the amendment to a panel                                         | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                               |                                                                                |
| s 23(2)    | Power to refer to a panel submissions which do not require a change to the amendment                                 | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                               |                                                                                |
| s 24       | Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D) | CEO, COSPS, DBEMP, DCPDA, MBR, MSP, MSEP, PStratP, SStratP, TLStratP |                                                                                |
| s 26(1)    | Power to make report available for inspection                                                                        | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, StratP, TLStratP     |                                                                                |
| s 26(2)    | Duty to keep report of panel available for inspection                                                                | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP             |                                                                                |
| s 27(2)    | Power to apply for exemption if panel's report not received                                                          | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                               |                                                                                |
| s 28(1)    | Duty to notify the Minister if abandoning an amendment                                                               | CEO, COSPS, DCPDA, MSP, MSEP                                         | Note: the power to make a decision to abandon an amendment cannot be delegated |
| s 28(2)    | Duty to publish notice of the decision on Internet site                                                              | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, StratP, TLStratP     |                                                                                |
| s 28(4)    | Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months           | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, StratP, TLStratP     |                                                                                |
| s 30(4)(e) | Duty to say if amendment has lapsed                                                                                  | CEO, COSPS, DCPDA, MSP, MSEP                                         |                                                                                |
| s 30(4)(b) | Duty to provide information in writing upon request                                                                  | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, StratP, TLStratP     |                                                                                |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022



4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|         |                                                                                                                                                                                                                       |                                                                  |                                                                                                                                                                                                                                                                   |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 32(2) | Duty to give more notice if required                                                                                                                                                                                  | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP         |                                                                                                                                                                                                                                                                   |
| s 33(1) | Duty to give more notice of changes to an amendment                                                                                                                                                                   | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP         |                                                                                                                                                                                                                                                                   |
| s 36(2) | Duty to give notice of approval of amendment                                                                                                                                                                          | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                           |                                                                                                                                                                                                                                                                   |
| s 38(5) | Duty to give notice of revocation of an amendment                                                                                                                                                                     | CEO, COSPS, DCPDA, MSP, MSEP, TLStratP                           |                                                                                                                                                                                                                                                                   |
| s 39    | Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT                                                                                                          | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP         |                                                                                                                                                                                                                                                                   |
| s 40(1) | Function of lodging copy of approved amendment                                                                                                                                                                        | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, TLStratP         |                                                                                                                                                                                                                                                                   |
| s 41(1) | Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period                                                                               | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, StratP, TLStratP |                                                                                                                                                                                                                                                                   |
| 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                   | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, StratP, TLStratP |                                                                                                                                                                                                                                                                   |
| s 42(2) | Duty to make copy of planning scheme available in accordance with the public availability requirements                                                                                                                | CEO, COSPS, DCPDA, MSP, MSEP, PStratP, SStratP, StratP, TLStratP |                                                                                                                                                                                                                                                                   |
| s 46AAA | Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity | CEO, DCPDA, MSP, MSEP                                            | Where Council is a responsible public entity and is a planning authority<br><br>Note: this provision is not yet in force and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils |
| s 46AW  | Function of being consulted by the Minister                                                                                                                                                                           | CEO, DCPDA, MSP, MSEP                                            | Where Council is a responsible public entity                                                                                                                                                                                                                      |

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

| 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<br>Power to endorse the draft Statement of Planning Policy                 | CEO, DCPDA, MSP, MSEP                           | 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                  | CEO, DCPDA, MSP, MSEP                           | Where Council is a responsible public entity                                                                                                        |
| s 46AZK        | Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area | CEO, CSlatP, DCPDA, MSP, MSEP, PSlatP, TL SlatP | Where Council is a responsible public entity                                                                                                        |
| s 46G(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                                                                            | CEO, DCPDA, MSP, MSEP                           | 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                                                                                          | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               |                                                                                                                                                     |
| s 46GK         | Duty to comply with a Minister's direction that applies to Council as the planning authority                                                                                                                                         | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               |                                                                                                                                                     |
| s 46GN(1)      | Duty to arrange for estimates of values of inner public purpose land                                                                                                                                                                 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               |                                                                                                                                                     |
| s 46GO(1)      | Duty to give notice to owners of certain inner public purpose land                                                                                                                                                                   | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               |                                                                                                                                                     |
| s 46GP         | Function of receiving a notice under s 46GO                                                                                                                                                                                          | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               | 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                                                 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               |                                                                                                                                                     |
| s 46GR(1)      | Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO                                                                                                               | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               |                                                                                                                                                     |
| s 46GR(2)      | Power to consider a late submission<br>Duty to consider a late submission if directed to do so by the Minister                                                                                                                       | CEO, DCPDA, EMFIT, MFS, MSP, MSEP               |                                                                                                                                                     |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|              |                                                                                                                                                                                                                                                                           |                                   |                                         |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------------------------|
| 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                                                                                                                                                    | CEO, DCPDA, EMFIT, MFS, MSP, MSEP |                                         |
| 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              | CEO, DCPDA, EMFIT, MFS, MSP, MSEP |                                         |
| s 46GT(2)    | Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference                                                                                                                                                                        | CEO, DCPDA, EMFIT, MFS, MSP, MSEP |                                         |
| 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                                                  | CEO, DCPDA, EMFIT, MFS, MSP, MSEP |                                         |
| s 46GT(6)    | Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)                                                                                                                                                                         | CEO, DCPDA, EMFIT, MFS, MSP, MSEP |                                         |
| 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 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP |                                         |
| s 46GV(3)    | Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution<br>Power to specify the manner in which the payment is to be made                                                                                        | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency  |
| s 46GV(3)(b) | Power to enter into an agreement with the applicant                                                                                                                                                                                                                       | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency  |
| s 46GV(4)(a) | Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)                                                                                                                                                                                  | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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)                                                                                                                                                                                  | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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                                                                                                            | CEO, DCPDA, EMFIT, MFS, MSP, MSEP |                                         |

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#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|              |                                                                                                                                                                                                                                       |                                   |                                                                                                                                                                                   |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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                                                                 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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                                                                                        | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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      | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency                                                                                                                                            |
| s 46GY(1)    | Duty to keep proper and separate accounts and records                                                                                                                                                                                 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency                                                                                                                                            |
| s 46GY(2)    | Duty to keep the accounts and records in accordance with the Local Government Act 2020                                                                                                                                                | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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                                                                                     | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency under an approved infrastructure contributions plan<br>This duty does not apply where Council is that planning authority                   |
| s 46GZ(2)(a) | Function of receiving the monetary component                                                                                                                                                                                          | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where the Council is the planning authority<br>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 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency under an approved infrastructure contributions plan<br>This provision does not apply where Council is also the relevant development agency |
| s 46GZ(2)(b) | Function of receiving the monetary component                                                                                                                                                                                          | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the development agency under an approved infrastructure contributions plan<br>This provision does not apply where Council is also the collecting agency          |

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#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|            |                                                                                                                                                                                                                                 |                                   |                                                                                                                                                                                                                                                                                                                                                             |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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)                                         | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency under an approved infrastructure contributions plan<br>This provision does not apply where Council is also the relevant development agency                                                                                                                                                                           |
| s 46GZ(5)  | Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land                                                                                                          | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the development agency specified in the approved infrastructure contributions plan<br>This provision does not apply where Council is also the collecting agency                                                                                                                                                                            |
| s 46GZ(7)  | Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW                             | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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                             | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)<br>Where Council is the collecting agency under an approved infrastructure contributions plan<br>This duty does not apply where Council is also the development agency |
| s 46GZ(9)  | Function of receiving the fee simple in the land                                                                                                                                                                                | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the development agency under an approved infrastructure contributions plan<br>This duty does not apply where Council is also the collecting agency                                                                                                                                                                                         |
| s 46GZA(1) | Duty to keep proper and separate accounts and records                                                                                                                                                                           | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the development agency under an approved infrastructure contributions plan                                                                                                                                                                                                                                                                 |

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#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|            |                                                                                                                                                                                                                                                                                                                                                                                               |                                   |                                                                                                                                                                                      |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 46GZA(2) | Duty to keep the accounts and records in accordance with the Local Government Act 2020                                                                                                                                                                                                                                                                                                        | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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)                                                                                                                                                                                                                                                                                                                                       | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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                                                                                                                                                              | CEO, DCPDA                        | If the VPA is the collecting agency under an approved infrastructure contributions plan<br>Where Council is a development agency under an approved infrastructure contributions plan |
| 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)                                                                                                                                                                                                                                    | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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)                                                                                                                                                                                                                                                                                                                                     | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency under an approved infrastructure contributions plan                                                                                           |
| s 46GZD(5) | Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)                                                                                                                                                                                                                                                                                                      | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the development agency under an approved infrastructure contributions plan<br>This duty does not apply where Council is also the collecting agency                  |
| s 46GZE(2) | Function of receiving the unexpended land equalisation amount                                                                                                                                                                                                                                                                                                                                 | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the collecting agency under an approved infrastructure contributions plan<br>This duty does not apply where Council is also the development agency                  |
| s 46GZE(3) | Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)                                                                                                                                                                                                                                   | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | 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                                                                                                                                                                                                                                                         | CEO, DCPDA, EMFIT, MFS, MSP, MSEP | Where Council is the development agency under an approved infrastructure contributions plan                                                                                          |

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## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|             | for a public purpose approved by the Minister or sell the public purpose land                                                                                                                                  |                                                                                         |                                                                                                                                                                          |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 46GZF(3)  | Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)                                                                                                                        | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       | 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                                                                                                                                                           | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       | Where Council is the collection agency under an approved infrastructure contributions plan<br>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) | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       | 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)                                                                                                                            | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       | 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                                        | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       | 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                                                                                                                        | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       | 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                                                                                                       | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       | Where Council is a collecting agency or development agency                                                                                                               |
| s 46LB(3)   | Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)                     | CEO, DCPDA, EMFIT, MFS, MSP, MSEP                                                       |                                                                                                                                                                          |
| s 46N(1)    | Duty to include condition in permit regarding payment of development infrastructure levy                                                                                                                       | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, PStatP, PStatP, SStatP, SStatP, TLStatP, TLStatP |                                                                                                                                                                          |
| s 46N(2)(c) | Function of determining time and manner for receipt of development contributions levy                                                                                                                          | CEO, COSPS, DCPDA, MSP, MSEP, TLStatP                                                   |                                                                                                                                                                          |

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## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                      |                                                                                                                                                                                                                                                                                                 |                                          |                                                                                                                                                                             |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 46N(2)(d)          | Power to enter into an agreement with the applicant regarding payment of development infrastructure levy                                                                                                                                                                                        | CEO, DCPDA, MSP, MSEP                    |                                                                                                                                                                             |
| 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                                                                                                                                                                          | CEO, DCPDA, EMFIT, MFS, MSP, MSEP        |                                                                                                                                                                             |
| s 46O(1)(d) & (2)(d) | Power to enter into agreement with the applicant regarding payment of community infrastructure levy                                                                                                                                                                                             | CEO, DCPDA, EMFIT, MFS, MSP, MSEP        |                                                                                                                                                                             |
| s 46P(1)             | Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured                                                                                                                                                                                                    | CEO, COSPS, DCPDA, EMFIT, MFS, MSP, MSEP |                                                                                                                                                                             |
| s 46P(2)             | Power to accept provision of land, works, services or facilities in part or full payment of levy payable                                                                                                                                                                                        | CEO, DBEMP, DCPDA, MBR, MSP              |                                                                                                                                                                             |
| s 46Q(1)             | Duty to keep proper accounts of levies paid                                                                                                                                                                                                                                                     | CEO, EMFIT, MFS                          |                                                                                                                                                                             |
| 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 or plan preparation costs incurred by a development agency                                | EMFIT, MFS                               |                                                                                                                                                                             |
| 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                                                                                                                       | CEO, DCPDA, EMFIT, MFS, MSP, MSEP, MTCD  |                                                                                                                                                                             |
| s 46Q(3)             | Power to refund any amount of levy paid if it is satisfied the development is not to proceed                                                                                                                                                                                                    | CEO, DBEMP, DCPDA, EMFIT, MBR, MFS, MSP  | Only applies when levy is paid to Council as a 'development agency'                                                                                                         |
| s 46Q(4)(c)          | Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a) | CEO, DCPDA, EMFIT, MFS, MSP, MSEP        | 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                                                                                                                                                                                                      | CEO, COSPS, DCPDA, MSP, MSEP             | Must be done in accordance with Part 3                                                                                                                                      |
| s 46Q(4)(e)          | Duty to expend that amount on other works etc.                                                                                                                                                                                                                                                  | CEO, DBEMP, DCPDA, MBR, MSP, MSEP, MSEP  | With the consent of, and in the manner approved by, the Minister                                                                                                            |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                                                   |                                                            |                                                            |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------|
| s 46QC   | Power to recover any amount of levy payable under Part 3B                                                                                         | CEO, DBEMP, DCPDA, EMFIT, MBR, MFS, MSP, MSP, MSEP         |                                                            |
| s 46QD   | Duty to prepare report and give a report to the Minister                                                                                          | CEO, DCPDA                                                 | Where Council is a collecting agency or development agency |
| s 46V(3) | Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available | CEO, DCPDA                                                 |                                                            |
| s 46Y    | Duty to carry out works in conformity with the approved strategy plan                                                                             | CEO, DCPDA                                                 |                                                            |
| s 47     | Power to decide that an application for a planning permit does not comply with that Act                                                           | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, TLStatP               |                                                            |
| s 49(1)  | Duty to keep a register of all applications for permits and determinations relating to permits                                                    | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                            |
| s 49(2)  | Duty to make register available for inspection                                                                                                    | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, StatP, TLStatP |                                                            |
| s 50(4)  | Duty to amend application                                                                                                                         | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, TLStatP               |                                                            |
| s 50(5)  | Power to refuse to amend application                                                                                                              | CEO, CSatP, DCPDA, MSP, MSEP                               |                                                            |
| s 50(6)  | Duty to make note of amendment to application in register                                                                                         | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                            |
| s 50A(1) | Power to make amendment to application                                                                                                            | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, TLStatP               |                                                            |
| s 50A(3) | Power to require applicant to notify owner and make a declaration that notice has been given                                                      | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                            |
| s 50A(4) | Duty to note amendment to application in register                                                                                                 | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, StatP, TLStatP |                                                            |
| s 51     | Duty to make copy of application available for inspection                                                                                         | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, StatP, TLStatP |                                                            |

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## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|             |                                                                                                                                                                               |                                                           |  |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--|
| 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 | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 52(1)(b)  | Duty to give notice of the application to other municipal council where appropriate                                                                                           | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 52(1)(c)  | Duty to give notice of the application to all persons required by the planning scheme                                                                                         | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| 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                     | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| 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        | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 52(1)(d)  | Duty to give notice of the application to other persons who may be detrimentally affected                                                                                     | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 52(1AA)   | Duty to give notice of an application to remove or vary a registered restrictive covenant                                                                                     | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 52(3)     | Power to give any further notice of an application where appropriate                                                                                                          | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 53(1)     | Power to require the applicant to give notice under s 52(1) to persons specified by it                                                                                        | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 53(1A)    | Power to require the applicant to give the notice under s 52(1AA)                                                                                                             | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP          |  |
| s 54(1)     | Power to require the applicant to provide more information                                                                                                                    | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP |  |
| s 54(1A)    | Duty to give notice in writing of information required under s 54(1)                                                                                                          | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP |  |
| s 54(1B)    | Duty to specify the lapse date for an application                                                                                                                             | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP |  |

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**4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)**

|          |                                                                                                                                       |                                                                  |  |
|----------|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|--|
| s 54A(3) | Power to decide to extend time or refuse to extend time to give required information                                                  | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                 |  |
| s 54A(4) | Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)                                             | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP        |  |
| s 55(1)  | Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP        |  |
| s 57(2A) | Power to reject objections considered made primarily for commercial advantage for the objector                                        | CEO, CSStatP, DCPDA, MSP, MSEP                                   |  |
| s 57(3)  | Function of receiving name and address of persons to whom notice of decision is to go                                                 | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, StatP, TLStatP |  |
| s 57(5)  | Duty to make available for inspection copy of all objections                                                                          | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, StatP, TLStatP |  |
| s 57A(4) | Duty to amend application in accordance with applicant's request, subject to s 57A(5)                                                 | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                 |  |
| s 57A(5) | Power to refuse to amend application                                                                                                  | CEO, CSStatP, DCPDA, MSP, MSEP                                   |  |
| s 57A(6) | Duty to note amendments to application in register                                                                                    | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP        |  |
| s 57B(1) | Duty to determine whether and to whom notice should be given                                                                          | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                 |  |
| s 57B(2) | Duty to consider certain matters in determining whether notice should be given                                                        | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                 |  |
| s 57C(1) | Duty to give copy of amended application to referral authority                                                                        | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                 |  |
| s 58     | Duty to consider every application for a permit                                                                                       | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP        |  |
| s 58A    | Power to request advice from the Planning Application Committee                                                                       | CEO, CSStatP, DCPDA, MSP, MSEP                                   |  |

#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|            |                                                                                                                                                          |                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 60       | Duty to consider certain matters                                                                                                                         | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 60(1A)   | Duty to consider certain matters                                                                                                                         | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 60(1B)   | Duty to consider number of objectors in considering whether use or development may have significant social effect                                        | CEO, DCPDA, MSP, MSEP                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 61(1)    | Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP | The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006. Limitation - except where:<br><br>* more than three (3) objections have been received; or<br>* an application that deals with matters as detailed by the Planning Scheme relating to electronic gaming machines, licensed premises (except convenience restaurant, restaurant & takeaway food premises), refuse disposal facilities or the sex industry. |
| s 61(2)    | Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit                                       | CEO, CSatP, DCPDA, MSP, MSEP                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 61(2A)   | power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit                                 | CEO, CSatP, DCPDA, MSP, MSEP                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 61(2A)   | Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit                                 | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 61(3)(a) | Duty not to decide to grant a permit to use coastal Crown land without Minister's consent                                                                | CEO, DCPDA                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 61(3)(b) | Duty to refuse to grant the permit without the Minister's consent                                                                                        | CEO, DCPDA                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 61(4)    | Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant                                                | CEO, CSatP, DCPDA, MSP, MSEP                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| s 62(1)    | Duty to include certain conditions in deciding to grant a permit                                                                                         | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|            |                                                                                                                                                                                                |                                                    |                                                                                         |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------|
| s 62(2)    | Power to include other conditions                                                                                                                                                              | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| s 62(4)    | Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)                                                                                                                       | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| s 62(5)(a) | Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan                                                   | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| 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                                                          | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| s 62(5)(c) | Power to include a permit condition that specified works be provided or paid for by the applicant                                                                                              | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| 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 48N(1), 46GV(7) or 62(5)                                          | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| 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) | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| s 63       | Duty to issue the permit where made a decision in favour of the application (if no one has objected)                                                                                           | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP |                                                                                         |
| s 64(1)    | Duty to give notice of decision to grant a permit to applicant and objectors                                                                                                                   | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP | 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                                                                                                                                    | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP | This provision applies also to a decision to grant an amendment to a permit - see s 75  |
| s 64(5)    | Duty to give each objector a copy of an exempt decision                                                                                                                                        | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP | 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                                                     | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLSatP | This provision applies also to a decision to grant an amendment to a permit - see s 75A |

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## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                                                    |                                                             |                                                                                                                                                                                                             |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | application, if a relevant recommending referral authority has objected to the grant of a permit                                                   |                                                             |                                                                                                                                                                                                             |
| s 65(1)  | Duty to give notice of refusal to grant permit to applicant and person who objected under s 57                                                     | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, TLStatP        |                                                                                                                                                                                                             |
| s 66(1)  | Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities                                                | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, TLStatP        |                                                                                                                                                                                                             |
| s 66(2)  | Duty to give a recommending referral authority notice of its decision to grant a permit                                                            | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, TLStatP        | If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority |
| s 66(4)  | Duty to give a recommending referral authority notice of its decision to refuse a permit                                                           | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, TLStatP        | 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 | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, TLStatP        | 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                                                                                  | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, StatP, TLStatP |                                                                                                                                                                                                             |
| s 69(1A) | Function of receiving application for extension of time to complete development                                                                    | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, StatP, TLStatP |                                                                                                                                                                                                             |
| s 69(2)  | Power to extend time                                                                                                                               | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, TLStatP        |                                                                                                                                                                                                             |
| s 70     | Duty to make copy permit available for inspection                                                                                                  | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, StatP, TLStatP |                                                                                                                                                                                                             |
| s 71(1)  | Power to correct certain mistakes                                                                                                                  | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SStatP, TLStatP        |                                                                                                                                                                                                             |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                                                            |                                                            |                                                                                                                                                                                                                         |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 71(2)  | Duty to note corrections in register                                                                                                                       | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                                                                                                                                                                                         |
| s 73     | Power to decide to grant amendment subject to conditions                                                                                                   | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                                                                                                                                                                                         |
| s 74     | Duty to issue amended permit to applicant if no objectors                                                                                                  | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                                                                                                                                                                                         |
| s 76     | Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit                                                             | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                                                                                                                                                                                         |
| s 76A(1) | Duty to give relevant determining referral authorities copy of amended permit and copy of notice                                                           | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                                                                                                                                                                                         |
| s 76A(2) | Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit                                                    | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        | 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                                                                   | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        | 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 | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        | If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit                             |
| s 76D    | Duty to comply with direction of Minister to issue amended permit                                                                                          | CEO, CSatP, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP        |                                                                                                                                                                                                                         |
| s 83     | Function of being respondent to an appeal                                                                                                                  | CEO, CSatP, COSPS, DCPDA, MSP, MSEP, PSatP, SSatP, TLStatP |                                                                                                                                                                                                                         |

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## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                                       |                                                                                             |  |
|----------|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|--|
| s 83B    | Duty to give or publish notice of application for review                                                                              | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, PSStatP, PSStatP, SSStatP, SSStatP, TLStatP, TLStatP |  |
| s 84(1)  | Power to decide on an application at any time after an appeal is lodged against failure to grant a permit                             | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                                            |  |
| 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    | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                                   |  |
| 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 | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                                            |  |
| s 84(6)  | Duty to issue permit on receipt of advice within 3 working days                                                                       | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                                   |  |
| s 84AB   | Power to agree to confining a review by the Tribunal                                                                                  | CEO, DCPDA, MSP, MSEP                                                                       |  |
| s 86     | Duty to issue a permit at order of Tribunal within 3 working days                                                                     | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                                   |  |
| s 87(3)  | Power to apply to VCAT for the cancellation or amendment of a permit                                                                  | CEO, CPC, CSStatP, DCPDA, MBCS, MSP, MSEP, PCO, SAOBOS, SPCO, TLStatP                       |  |
| s 90(1)  | Function of being heard at hearing of request for cancellation or amendment of a permit                                               | CEO, CPC, CSStatP, DCPDA, MBCS, MSP, MSEP, SAOBOS, TLStatP                                  |  |
| s 91(2)  | Duty to comply with the directions of VCAT                                                                                            | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                                   |  |
| s 91(2A) | Duty to issue amended permit to owner if Tribunal so directs                                                                          | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                                   |  |
| s 92     | Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90                            | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                                   |  |
| s 93(2)  | Duty to give notice of VCAT order to stop development                                                                                 | CEO, CPC, CSStatP, DCPDA, MBCS, MSP, MSEP, PSStatP, SSStatP, TLStatP                        |  |
| s 95(3)  | Function of referring certain applications to the Minister                                                                            | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, TLStatP                                            |  |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022



4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                                                                                                                                                                        |                                                                                             |  |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|--|
| s 95(4)  | Duty to comply with an order or direction                                                                                                                                                                                                                              | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                                   |  |
| s 96(1)  | Duty to obtain a permit from the Minister to use and develop its land                                                                                                                                                                                                  | CEO, CSStatP, DCPDA, MSP, MSEP, TLStatP                                                     |  |
| s 96(2)  | Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land                                                                                                                                                      | CEO, CSStatP, DCPDA, MSP, MSEP, TLStatP                                                     |  |
| s 96A(2) | Power to agree to consider an application for permit concurrently with preparation of proposed amendment                                                                                                                                                               | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, TLStatP, TLStatP                                     |  |
| s 96C    | Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C                                                                                                                                                      | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, PSStatP, PSStatP, TLStatP, TLStatP                   |  |
| s 96F    | Duty to consider the panel's report under s 96E                                                                                                                                                                                                                        | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, TLStatP, TLStatP                                     |  |
| 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 Planning and Environment (Planning Schemes) Act 1996) | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, TLStatP, TLStatP                                     |  |
| s 96H(3) | Power to give notice in compliance with Minister's direction                                                                                                                                                                                                           | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, PSStatP, PSStatP, SSStatP, SSStatP, TLStatP, TLStatP |  |
| s 96J    | Power to issue permit as directed by the Minister                                                                                                                                                                                                                      | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, PSStatP, PSStatP, SSStatP, SSStatP, TLStatP, TLStatP |  |
| s 96K    | Duty to comply with direction of the Minister to give notice of refusal                                                                                                                                                                                                | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, PSStatP, TLStatP                                   |  |
| 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                                                                                                                                                 | CEO, DCPDA                                                                                  |  |
| s 97C    | Power to request Minister to decide the application                                                                                                                                                                                                                    | CEO, DCPDA, MSP, MSEP                                                                       |  |
| s 97D(1) | Duty to comply with directions of Minister to supply any document or assistance relating to application                                                                                                                                                                | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, PSStatP, PSStatP, TLStatP, TLStatP                   |  |

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## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|             |                                                                                                                             |                                                                                                |  |
|-------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|--|
| 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 | CSiatP, COSPS, DCPDA, MSP, MSEP, PSiatP, PSiatP, TLStatP, TLStatP                              |  |
| s 97G(6)    | Duty to make a copy of permits issued under s 97F available for inspection                                                  | CEO, CSiatP, COSPS, DCPDA, MSP, MSEP, PSiatP, PSiatP, SSiatP, SSiatP, SSiatP, TLStatP, TLStatP |  |
| s 97L       | Duty to include Ministerial decisions in a register kept under s 49                                                         | CEO, CSiatP, COSPS, DCPDA, MSP, MSEP, PSiatP, PSiatP, SSiatP, SSiatP, SSiatP, TLStatP, TLStatP |  |
| s 97MH      | Duty to provide information or assistance to the Planning Application Committee                                             | CEO, CSiatP, COSPS, DCPDA, MSP, MSEP, PSiatP, PSiatP, TLStatP, TLStatP                         |  |
| s 97MI      | Duty to contribute to the costs of the Planning Application Committee or subcommittee                                       | CEO, DCPDA, MSP, MSEP                                                                          |  |
| s 97O       | Duty to consider application and issue or refuse to issue certificate of compliance                                         | CEO, CSiatP, DCPDA, MSP, MSEP, PSiatP, TLStatP                                                 |  |
| s 97P(3)    | Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate   | CEO, CSiatP, DCPDA, MSP, MSEP, PSiatP, TLStatP                                                 |  |
| s 97Q(2)    | Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate                          | CEO, CSiatP, DCPDA, MSP, MSEP, PSiatP, TLStatP                                                 |  |
| s 97Q(4)    | Duty to comply with directions of VCAT                                                                                      | CEO, CSiatP, DCPDA, MSP, MSEP, PSiatP, TLStatP                                                 |  |
| s 97R       | Duty to keep register of all applications for certificate of compliance and related decisions                               | CEO, CSiatP, DCPDA, MSP, MSEP, PSiatP, TLStatP                                                 |  |
| s 98(1)&(2) | Function of receiving claim for compensation in certain circumstances                                                       | CEO, DCPDA, MSP, MSEP                                                                          |  |
| s 98(4)     | Duty to inform any person of the name of the person from whom compensation can be claimed                                   | CEO, CSiatP, DCPDA, MSP, MSEP, TLStatP                                                         |  |
| s 101       | Function of receiving claim for expenses in conjunction with claim                                                          | CEO, DCPDA, MSP, MSEP                                                                          |  |
| s 103       | Power to reject a claim for compensation in certain circumstances                                                           | CEO, DCPDA, MSP, MSEP                                                                          |  |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|             |                                                                                                                                                                                                                                                                                                                                                                       |                                                                       |                                                  |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------|
| s 107(1)    | function of receiving claim for compensation                                                                                                                                                                                                                                                                                                                          | CEO, DCPDA, MBCS, MSP, MSEP                                           |                                                  |
| s 107(3)    | Power to agree to extend time for making claim                                                                                                                                                                                                                                                                                                                        | CEO, DCPDA, MBCS, MSP, MSEP                                           |                                                  |
| S 113(2)    | Power to request a declaration for land to be proposed to be reserved for public purposes                                                                                                                                                                                                                                                                             | CEO, DCPDA, MSP, MSEP                                                 |                                                  |
| s 114(1)    | Power to apply to the VCAT for an enforcement order                                                                                                                                                                                                                                                                                                                   | CEO, CPC, CStatP, DCPDA, MBCS, MSP, MSEP, PCO, SAOBBCS, SPCO, TLStatP |                                                  |
| s 117(1)(a) | Function of making a submission to the VCAT where objections are received                                                                                                                                                                                                                                                                                             | CEO, CPC, CStatP, DCPDA, MBCS, MSP, MSEP, PCO, SAOBBCS, SPCO, TLStatP |                                                  |
| s 120(1)    | Power to apply for an interim enforcement order where s 114 application has been made                                                                                                                                                                                                                                                                                 | CEO, CPC, CStatP, DCPDA, MBCS, MSP, MSEP, PCO, SAOBBCS, SPCO, TLStatP |                                                  |
| s 123(1)    | Power to carry out work required by enforcement order and recover costs                                                                                                                                                                                                                                                                                               | CEO, CPC, CStatP, DCPDA, MBCS, MSP, MSEP, PCO, SPCO, TLStatP          |                                                  |
| s 123(2)    | Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)                                                                                                                                                                                                                                                                                  | CEO, DCPDA                                                            | Except Crown Land                                |
| s 129       | Function of recovering penalties                                                                                                                                                                                                                                                                                                                                      | CEO, CPC, DCPDA, MBCS, MSP, MSEP, SAOBBCS                             |                                                  |
| s 130(5)    | Power to allow person served with an infringement notice further time                                                                                                                                                                                                                                                                                                 | CEO, CPC, DCPDA, MBCS, MSP, MSEP, SAOBBCS                             |                                                  |
| s 149A(1)   | Power to refer a matter to the VCAT for determination                                                                                                                                                                                                                                                                                                                 | CEO, CPC, CStatP, DCPDA, MBCS, MSP, MSEP, SAOBBCS, TLStatP            |                                                  |
| s 149A(1A)  | power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement                                                                                                                                                                                                                                                          | CEO, CPC, CStatP, DCPDA, MBCS, MSP, MSEP, SAOBBCS, TLStatP            |                                                  |
| 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) | CEO, CStatP, COSPS, DCPDA, MSP, MSEP, TLStatP                         | Where Council is the relevant planning authority |

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## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|             |                                                                                                                                                                                                                                    |                                                                     |                                                                                                    |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| s 171(2)(f) | Power to carry out studies and commission reports                                                                                                                                                                                  | CEO, CStatP, DCPDA, MSP, MSEP                                       |                                                                                                    |
| s 171(2)(g) | Power to grant and reserve easements                                                                                                                                                                                               | CEO, CStatP, DCPDA, MSP, MSEP, TLStatP                              |                                                                                                    |
| s 172C      | Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan                                                                                                    | CEO, DCPDA, MG, MSP, MSEP                                           | Where Council is a development agency specified in an approved infrastructure contributions plan   |
| s 172D(1)   | Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)                                                      | CEO, DCPDA, MG, MSP, MSEP                                           | Where Council is a collecting agency specified in an approved infrastructure contributions plan    |
| 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)      | CEO, DCPDA, MG, MSP, MSEP                                           | Where Council is the development agency specified in an approved infrastructure contributions plan |
| s 173(1)    | Power to enter into agreement covering matters set out in s 174                                                                                                                                                                    | CEO, DBEMP, DCPDA, MBR, MBS, MG, MSP, MSEP, MTCD                    |                                                                                                    |
| 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                                                                                                  | CEO, DBEMP, DCPDA, MBCS, MBR, MBS, MG, MSP, MSEP                    | 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 | CEO, CPC, CStatP, DBEMP, DCPDA, MBCS, MBR, MBS, MG, MSP, MSEP, MTCD |                                                                                                    |
| -           | 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           | CEO, DBEMP, DCPDA, MBCS, MBR, MBS, MG, MSP, MSEP                    |                                                                                                    |
| 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                                                                         | CEO, DBEMP, DCPDA, MBCS, MBR, MBS, MG, MSP, MSEP                    |                                                                                                    |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|              |                                                                                                                                                              |                                                                            |                                                                           |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 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 | CEO, DBEMP, DCPDA, MBCS, MBR, MBS, MG, MSP, MSEP                           |                                                                           |
| s 178A(1)    | Function of receiving application to amend or end an agreement                                                                                               | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, PStatP, SStatP, StatP, TStatP |                                                                           |
| s 178A(3)    | Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)                                                         | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| s 178A(4)    | Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal                                                       | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| s 178A(5)    | Power to propose to amend or end an agreement                                                                                                                | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| s 178B(1)    | Duty to consider certain matters when considering proposal to amend an agreement                                                                             | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| s 178B(2)    | Duty to consider certain matters when considering proposal to end an agreement                                                                               | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| 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          | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| s 178C(4)    | Function of determining how to give notice under s 178C(2)                                                                                                   | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| s 178E(1)    | Duty not to make decision until after 14 days after notice has been given                                                                                    | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TStatP                        |                                                                           |
| s 178E(2)(a) | Power to amend or end the agreement in accordance with the proposal                                                                                          | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                                       | If no objections are made under s 178D<br>Must consider matters in s 178B |
| s 178E(2)(b) | Power to amend or end the agreement in a manner that is not substantively different from the proposal                                                        | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                                       | If no objections are made under s 178D<br>Must consider matters in s 178B |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|              |                                                                                                                                                                                                      |                                                                    |                                                                           |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------------------|
| s 178E(2)(c) | Power to refuse to amend or end the agreement                                                                                                                                                        | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                               | If no objections are made under s 178D<br>Must consider matters in s 178B |
| s 178E(3)(a) | Power to amend or end the agreement in accordance with the proposal                                                                                                                                  | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                               | 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                                                                                                | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                               | 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                                                                                                    | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                               | After considering objections, submissions and matters in s 178B           |
| s 178E(3)(d) | Power to refuse to amend or end the agreement                                                                                                                                                        | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                               | 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)                                                                                                                                        | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TLSatP                |                                                                           |
| s 178F(2)    | Duty to give notice of its decision under s 178E(2)(c) or (3)(d)                                                                                                                                     | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TLSatP                |                                                                           |
| s 178F(4)    | Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TLSatP                |                                                                           |
| s 178G       | Duty to sign amended agreement and give copy to each other party to the agreement                                                                                                                    | CEO, DCPDA, MBCS, MBS, MG, MSP, MSEP                               |                                                                           |
| s 178H       | Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement                                                            | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TLSatP                |                                                                           |
| s 178(3)     | Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land                                                                                        | CEO, CSatP, DCPDA, MBCS, MBS, MG, MSP, MSEP, TLSatP                |                                                                           |
| s 179(2)     | Duty to make available for inspection copy agreement                                                                                                                                                 | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSLatP, PSLatP |                                                                           |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|              |                                                                                                                                                                                                   |  |                                                                                                  |  |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------|--|
|              |                                                                                                                                                                                                   |  | SSatP, SSatP, StatP, StatP, TLStatP, TLStatP                                                     |  |
| s 181        | Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General                                                                                   |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |
| s 181(1A)(a) | Power to apply to the Registrar of Titles to record the agreement                                                                                                                                 |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |
| s 181(1A)(b) | Duty to apply to the Registrar of Titles, without delay, to record the agreement                                                                                                                  |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |
| s 182        | Power to enforce an agreement                                                                                                                                                                     |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |
| s 183        | Duty to tell Registrar of Titles of ending/amendment of agreement                                                                                                                                 |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |
| s 184F(1)    | Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision                                                             |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP                                               |  |
| s 184F(2)    | Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement                                   |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |
| 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 |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |
| 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                                                        |  | CEO, CSatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PSatP, PSatP, SSatP, SSatP, TLStatP, TLStatP |  |

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                                       |                                                                                                                                                      |                                                                                               |  |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|--|
| s 184G(2)                             | Duty to comply with a direction of the Tribunal                                                                                                      | CEO, CStatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PStatP, SStatP, SStatP, TLStatP, TLStatP |  |
| s 184G(3)                             | Duty to give notice as directed by the Tribunal                                                                                                      | CEO, CStatP, COSPS, DCPDA, MBCS, MBS, MG, MSP, MSEP, PStatP, SStatP, SStatP, TLStatP, TLStatP |  |
| s 198(1)                              | Function to receive application for planning certificate                                                                                             | CStatP, DCPDA, MSP, MSEP, PStatP, SStatP, StatP, TLStatP                                      |  |
| s 199(1)                              | Duty to give planning certificate to applicant                                                                                                       | CStatP, DCPDA, MSP, MSEP, PStatP, TLStatP                                                     |  |
| s 201(1)                              | Function of receiving application for declaration of underlying zoning                                                                               | CStatP, DCPDA, MSP, MSEP, PStatP, SStatP, StatP, TLStatP                                      |  |
| s 201(3)                              | Duty to make declaration                                                                                                                             | CStatP, DCPDA, MSP, MSEP, TLStatP                                                             |  |
| -                                     | 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        | CEO, CStatP, DBEMP, DCPDA, MBR, MSP, MSEP, PStatP, TLStatP                                    |  |
| -                                     | 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 | CEO, CStatP, DCPDA, MSP, MSEP, PStatP, TLStatP                                                |  |
| -                                     | 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  | CEO, CStatP, DBEMP, DCPDA, MBR, MSP, MSEP, PStatP, TLStatP                                    |  |
| -                                     | Power to give written authorisation in accordance with a provision of a planning scheme                                                              | CEO, CStatP, DCPDA, MSP, MSEP, PStatP, TLStatP                                                |  |
| s 201UAB(1)                           | Function of providing the Victoria Planning Authority with information relating to any land within municipal district                                | CStatP, DCPDA, MSP, MSEP, PStatP, TLStatP                                                     |  |
| s 201UAB(2)                           | Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible                                     | CStatP, DCPDA, MSP, MSEP, PStatP, TLStatP                                                     |  |
| <b>Residential Tenancies Act 1997</b> |                                                                                                                                                      |                                                                                               |  |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

| Column 1                        | Column 2                                                                                                                                    | Column 3                    | Column 4                                             |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------------|
| Provision                       | Powers and Functions Delegated                                                                                                              | Delegate                    | Conditions and 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 | CPH, DCPDA, MBCS            |                                                      |
| s 522(1)                        | Power to give a compliance notice to a person                                                                                               | CPH, EHO, SEHO              |                                                      |
| s 525(2)                        | Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)                                        | CEO, DCPDA                  |                                                      |
| s 525(4)                        | Duty to issue identity card to authorised officers                                                                                          | CEO, DCPDA                  |                                                      |
| s 526(5)                        | Duty to keep record of entry by authorised officer under s 526                                                                              | CPH, EHO, SEHO              |                                                      |
| s 526A(3)                       | Function of receiving report of inspection                                                                                                  | CPH, DCPDA, EHO, MBCS, SEHO |                                                      |
| s 527                           | Power to authorise a person to institute proceedings (either generally or in a particular case)                                             | DCPDA, MBCS                 |                                                      |
| <b>Road Management Act 2004</b> |                                                                                                                                             |                             |                                                      |
| Column 1                        | Column 2                                                                                                                                    | Column 3                    | Column 4                                             |
| Provision                       | Powers and Functions Delegated                                                                                                              | Delegate                    | Conditions and Limitations                           |
| s 11(1)                         | Power to declare a road by publishing a notice in the Government Gazette                                                                    | DBEMP, MISP, MTCD           | Obtain consent in circumstances specified in s 11(2) |
| s 11(8)                         | Power to name a road or change the name of a road by publishing notice in Government Gazette                                                | DBEMP, MISP, MTCD           |                                                      |
| s 11(9)(b)                      | Duty to advise Registrar                                                                                                                    | DBEMP, MISP, MTCD           |                                                      |
| s 11(10)                        | Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.                                         | DBEMP, MISP, MTCD           | Subject to s 11(10A)                                 |
| s 11(10A)                       | Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person                                         | DBEMP, MISP, MTCD           | Where Council is the coordinating road authority     |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

| s 12(2)  | Power to discontinue road or part of a road                                                                                                                                                                                              | DBEMP, MISP, MTCD | Where Council is the coordinating road authority                                                                                                                     |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| s 12(4)  | Power to publish, and provide copy, notice of proposed discontinuance                                                                                                                                                                    | DBEMP, MISP, MTCD | Power of coordinating road authority where it is the discontinuing body<br>Unless s 12(11) applies                                                                   |
| s 12(5)  | Duty to consider written submissions received within 28 days of notice                                                                                                                                                                   | DBEMP, MISP, MTCD | Duty of coordinating road authority where it is the discontinuing body<br>Unless s 12(11) applies                                                                    |
| s 12(6)  | Function of hearing a person in support of their written submission                                                                                                                                                                      | DBEMP, MISP, MTCD | Function of coordinating road authority where it is the discontinuing body<br>Unless s 12(11) applies                                                                |
| s 12(7)  | Duty to fix day, time and place of meeting under s 12(6) and to give notice                                                                                                                                                              | DBEMP, MISP, MTCD | Duty of coordinating road authority where it is the discontinuing body<br>Unless s 12(11) applies                                                                    |
| s 12(10) | Duty to notify of decision made                                                                                                                                                                                                          | DBEMP, MISP, MTCD | Duty of coordinating road authority where it is the discontinuing body<br>Does not apply where an exemption is specified by the regulations or given by the Minister |
| s 13(1)  | Power to fix a boundary of a road by publishing notice in Government Gazette                                                                                                                                                             | DBEMP, MISP, MTCD | 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                                                                                                                                                                       | DBEMP, MISP, MTCD |                                                                                                                                                                      |
| s 14(7)  | Power to appeal against decision of the Head, Transport for Victoria                                                                                                                                                                     | DBEMP, MISP, MTCD |                                                                                                                                                                      |
| 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 | DBEMP, MISP, MTCD |                                                                                                                                                                      |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                            |                                 |                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------|---------------------------------|------------------------------------------------------------------------------------------------------------|
| s 15(1A) | Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority | DBEMP, MISP, MTCD               |                                                                                                            |
| s 15(2)  | Duty to include details of arrangement in public roads register                                                            | AME, CAM, DBEMP, MISP, MTCD     |                                                                                                            |
| s 16(7)  | Power to enter into an arrangement under s 15                                                                              | DBEMP, MISP, MTCD               |                                                                                                            |
| s 16(8)  | Duty to enter details of determination in public roads register                                                            | AME, CAM, DBEMP, MISP, MTCD     |                                                                                                            |
| s 17(2)  | Duty to register public road in public roads register                                                                      | AME, CAM, DBEMP, MISP, MTCD     | Where Council is the coordinating road authority                                                           |
| s 17(3)  | Power to decide that a road is reasonably required for general public use                                                  | DBEMP, MISP, MTCD               | 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                                | AME, CAM, DBEMP, MISP, MTCD     | 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                                        | AME, CAM, DBEMP, MG, MISP, MTCD | Where Council is the coordinating road authority                                                           |
| s 17(4)  | Duty to remove road no longer reasonably required for general public use from public roads register                        | AME, CAM, DBEMP, MG, MISP, MTCD | Where Council is the coordinating road authority                                                           |
| s 18(1)  | Power to designate ancillary area                                                                                          | DBEMP, MISP, MTCD               | 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                                                                        | AME, CAM, DBEMP, MISP, MTCD     | 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                            | AME, CAM, DBEMP, MISP, MTCD     |                                                                                                            |
| s 19(4)  | Duty to specify details of discontinuance in public roads register                                                         | AME, CAM, DBEMP, MG, MISP, MTCD |                                                                                                            |
| s 19(5)  | Duty to ensure public roads register is available for public inspection                                                    | AME, CAM, DBEMP, MG, MISP, MTCD |                                                                                                            |
| s 21     | Function of replying to request for information or advice                                                                  | DBEMP, MISP, MTCD               | Obtain consent in circumstances specified in s 11(2)                                                       |
| s 22(2)  | Function of commenting on proposed direction                                                                               | DBEMP, MISP, MTCD               |                                                                                                            |

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#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|          |                                                                                                                                                                                        |                          |                                                                                                                                                  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| s 22(4)  | Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.                                                                               | DBEMP, EMCCS, MISP, MTCD |                                                                                                                                                  |
| s 22(5)  | Duty to give effect to a direction under s 22                                                                                                                                          | DBEMP, MISP, MTCD        |                                                                                                                                                  |
| s 40(1)  | Duty to inspect, maintain and repair a public road.                                                                                                                                    | DBEMP, MCIS, MISP, MTCD  |                                                                                                                                                  |
| s 40(5)  | Power to inspect, maintain and repair a road which is not a public road                                                                                                                | DBEMP, MCIS, MISP, MTCD  |                                                                                                                                                  |
| s 41(1)  | Power to determine the standard of construction, inspection, maintenance and repair                                                                                                    | DBEMP, MCIS, MISP, MTCD  |                                                                                                                                                  |
| s 42(1)  | Power to declare a public road as a controlled access road                                                                                                                             | DBEMP, MISP, MTCD        | 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                                                                                                         | DBEMP, MISP, MTCD        | Power of coordinating road authority and sch 2 also applies                                                                                      |
| s 42A(3) | Duty to consult with VicRoads before road is specified                                                                                                                                 | DBEMP, MISP, MTCD        | Where Council is the coordinating road authority<br>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                                                                                                     | DBEMP, MISP, MTCD        | Where Council is the coordinating road authority<br>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) | DBEMP, MCIS, MTCD        | 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                                                                                   | DBEMP, MISP, MTCD        |                                                                                                                                                  |
| s 49     | Power to develop and publish a road management plan                                                                                                                                    | DBEMP, MISP, MTCD        |                                                                                                                                                  |
| s 51     | Power to determine standards by incorporating the standards in a road management plan                                                                                                  | DBEMP, MISP, MTCD        |                                                                                                                                                  |
| s 53(2)  | Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan                                                                       | DBEMP, MISP, MTCD        |                                                                                                                                                  |

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#### 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|            |                                                                                                      |                                                   |                                                              |
|------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------|
| s 54(2)    | Duty to give notice of proposal to make a road management plan                                       | DBEMP, MISP, MTCD                                 |                                                              |
| s 54(5)    | Duty to conduct a review of road management plan at prescribed intervals                             | DBEMP, MISP, MTCD                                 |                                                              |
| s 54(6)    | Power to amend road management plan                                                                  | DBEMP, MISP, MTCD                                 |                                                              |
| s 54(7)    | Duty to incorporate the amendments into the road management plan                                     | DBEMP, MISP, MTCD                                 |                                                              |
| s 55(1)    | Duty to cause notice of road management plan to be published in Government Gazette and newspaper     | DBEMP, MISP, MTCD                                 |                                                              |
| s 63(1)    | Power to consent to conduct of works on road                                                         | CDE, CE, DBEMP, MCIS, MISP, MTCD, Sulp, SULWF, WS | 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   | DBEMP, MISP, MTCD                                 | Where Council is the infrastructure manager                  |
| s 64(1)    | Duty to comply with cl 13 of sch 7                                                                   | DBEMP, MCIS, MISP, MTCD                           | Where Council is the infrastructure manager or works manager |
| s 66(1)    | Power to consent to structure etc                                                                    | DBEMP, MCIS, MISP                                 | 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 | DBEMP, MCIS, MISP                                 | Where Council is the coordinating road authority             |
| s 67(3)    | Power to request information                                                                         | DBEMP, DCPDA, MCIS, MISP, MRS, MTCD               | Where Council is the coordinating road authority             |
| s 68(2)    | Power to request information                                                                         | DBEMP, DCPDA, MCIS, MISP, MRS, MTCD               | Where Council is the coordinating road authority             |
| s 71(3)    | Power to appoint an authorised officer                                                               | CEO                                               |                                                              |
| s 72       | Duty to issue an identity card to each authorised officer                                            | CEO, DBEMP                                        |                                                              |
| s 85       | Function of receiving report from authorised officer                                                 | DBEMP, MISP, MTCD                                 |                                                              |
| s 86       | Duty to keep register re s 85 matters                                                                | DBEMP, MISP, MTCD                                 |                                                              |
| s 87(1)    | Function of receiving complaints                                                                     | DBEMP, MISP, MTCD                                 |                                                              |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|               |                                                                                                                                                    |                               |                                                              |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------------------------|
| s 87(2)       | Duty to investigate complaint and provide report                                                                                                   | DBEMP, MISP, MTCD             |                                                              |
| s 96          | Power to authorise a person for the purpose of instituting legal proceedings                                                                       | DBEMP, DCPDA, MRS, MISP, MTCD |                                                              |
| s 112(2)      | Power to recover damages in court                                                                                                                  | DBEMP, MISP, MTCD             |                                                              |
| s 116         | Power to cause or carry out inspection                                                                                                             | DBEMP, MISP, MTCD             |                                                              |
| S 119(2)      | Function of consulting with the Head, Transport for Victoria                                                                                       | DBEMP, MISP, MTCD             |                                                              |
| s 120(1)      | Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)                             | DBEMP, MISP, MTCD             |                                                              |
| 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)                 | DBEMP, MISP, MTCD             |                                                              |
| s 121(1)      | Power to enter into an agreement in respect of works                                                                                               | DBEMP, MCIS, MISP, MTCD       |                                                              |
| s 122(1)      | Power to charge and recover fees                                                                                                                   | DBEMP, MISP, MTCD             |                                                              |
| s 123(1)      | Power to charge for any service                                                                                                                    | DBEMP, MCIS, MISP, MTCD       |                                                              |
| sch 2 cl 2(1) | Power to make a decision in respect of controlled access roads                                                                                     | DBEMP, MISP, MTCD             |                                                              |
| sch 2 cl 3(1) | Duty to make policy about controlled access roads                                                                                                  | DBEMP, MISP, MTCD             |                                                              |
| sch 2 cl 3(2) | Power to amend, revoke or substitute policy about controlled access roads                                                                          | DBEMP, MISP, MTCD             |                                                              |
| sch 2 cl 4    | Function of receiving details of proposal from the Head, Transport for Victoria                                                                    | DBEMP, MISP, MTCD             |                                                              |
| sch 2 cl 5    | Duty to publish notice of declaration                                                                                                              | DBEMP, MISP, MTCD             |                                                              |
| 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 | DBEMP, MCIS, MISP, MTCD       | 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             | DBEMP, MCIS, MISP, MTCD       | Where Council is the infrastructure manager or works manager |

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4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                |                                                                                                                                                                                                                                                                                                    |                         |                                                                                                      |  |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------------------------|--|
|                | could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road                                                                                                                                                                            |                         |                                                                                                      |  |
| sch 7 cl 9(1)  | Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works | DBEMP, MCIS, MISP, MTCD | 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                                                            | DBEMP, MCIS, MISP, MTCD | 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                                                                                                                                                           | DBEMP, MCIS, MISP, MTCD | Where Council is the infrastructure manager or works manager                                         |  |
| sch 7 cl 12(2) | Power to direct infrastructure manager or works manager to conduct reinstatement works                                                                                                                                                                                                             | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                     |  |
| sch 7 cl 12(3) | Power to take measures to ensure reinstatement works are completed                                                                                                                                                                                                                                 | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                     |  |
| sch 7 cl 12(4) | Duty to ensure that works are conducted by an appropriately qualified person                                                                                                                                                                                                                       | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                     |  |
| sch 7 cl 12(5) | Power to recover costs                                                                                                                                                                                                                                                                             | DBEMP, MCIS, MISP, MTCD | 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)                                                                                                                                                                        | DBEMP, MCIS, MISP, MTCD | Where Council is the works manager                                                                   |  |
| sch 7 cl 13(2) | Power to vary notice period                                                                                                                                                                                                                                                                        | DBEMP, MISP, MTCD       | 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)                                                                                                                                                                                                      | DBEMP, MISP, MTCD       | Where Council is the infrastructure manager                                                          |  |
| sch 7 cl 16(1) | Power to consent to proposed works                                                                                                                                                                                                                                                                 | DBEMP, MISP, MTCD       | Where Council is the coordinating road authority                                                     |  |
| sch 7 cl 16(4) | Duty to consult                                                                                                                                                                                                                                                                                    | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority, responsible authority or infrastructure manager    |  |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                                                  |                                                                                                                                       |                         |                                                                                                                                                                       |
|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| sch 7 cl 16(5)                                   | Power to consent to proposed works                                                                                                    | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                                                                                      |
| sch 7 cl 16(6)                                   | Power to set reasonable conditions on consent                                                                                         | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                                                                                      |
| sch 7 cl 16(8)                                   | Power to include consents and conditions                                                                                              | DBEMP, MCIS, MISP, MTCD | 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                                                                  | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                                                                                      |
| sch 7 cl 18(1)                                   | Power to enter into an agreement                                                                                                      | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                                                                                      |
| sch 7 cl 19(1)                                   | Power to give notice requiring rectification of works                                                                                 | DBEMP, MCIS, MISP, MTCD | 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    | DBEMP, MCIS, MISP, MTCD | 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                                      | DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority                                                                                                                      |
| sch 7A cl 2                                      | Power to cause streetlights to be installed on roads                                                                                  | DBEMP, MISP, MTCD       | Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road                                  |
| sch 7 cl 3(1)(d)                                 | Duty to pay installation and operation costs of street lighting - where road is not an arterial road                                  | DBEMP, MISP, MTCD       | 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 | DBEMP, MISP, MTCD       | 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 ds 3(2) and 4   | DBEMP, MISP, MTCD       | Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs) |
| <b>Planning and Environment Regulations 2015</b> |                                                                                                                                       |                         |                                                                                                                                                                       |
| <b>Column 1</b>                                  | <b>Column 2</b>                                                                                                                       | <b>Column 3</b>         | <b>Column 4</b>                                                                                                                                                       |
| <b>Provision</b>                                 | <b>Powers and Functions Delegated</b>                                                                                                 | <b>Delegate</b>         | <b>Conditions and Limitations</b>                                                                                                                                     |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022



4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                                                         |                                                                                                                                                                                                                                                                                                   |                                                                           |                                                                                                                                                                                                                       |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| r.6                                                     | function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme                                                                                                                                                | CEO, DCPDA, MSP, MSEP, PSStatP, PSStatP, SSStatP, StatP, TLStatP, TLStatP | where Council is not the planning authority and the amendment affects land within Council's municipal district, or where the amendment will amend the planning scheme to designate Council as an acquiring authority. |
| r.21                                                    | power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, TLStatP                 |                                                                                                                                                                                                                       |
| r.25(a)                                                 | duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge                                                                                                                                                                                            | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, StatP, TLStatP          | where Council is the responsible authority                                                                                                                                                                            |
| r.25(b)                                                 | function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge                                                                                                                | CEO, CSStatP, DCPDA, MSP, MSEP, PSStatP, SSStatP, StatP, TLStatP          | where Council is not the responsible authority but the relevant land is within Council's municipal district                                                                                                           |
| r.42                                                    | function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application                                                                                   | CEO, CSStatP, COSPS, DCPDA, MSP, MSEP, PSStatP, PSStatP, TLStatP, TLStatP | 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. |
| <b>Planning and Environment (Fees) Regulations 2016</b> |                                                                                                                                                                                                                                                                                                   |                                                                           |                                                                                                                                                                                                                       |
| <b>Column 1</b>                                         | <b>Column 2</b>                                                                                                                                                                                                                                                                                   | <b>Column 3</b>                                                           | <b>Column 4</b>                                                                                                                                                                                                       |
| <b>Provision</b>                                        | <b>Powers and Functions Delegated</b>                                                                                                                                                                                                                                                             | <b>Delegate</b>                                                           | <b>Conditions and Limitations</b>                                                                                                                                                                                     |
| r 19                                                    | Power to waive or rebate a fee relating to an amendment of a planning scheme                                                                                                                                                                                                                      | CEO, COSPS, DCPDA, MSP, MSEP, TLStatP                                     |                                                                                                                                                                                                                       |
| r 20                                                    | Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme                                                                                                                                                                                                     | CEO, CSStatP, DCPDA, MSP, MSEP                                            |                                                                                                                                                                                                                       |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                                                                                                                |                                                                                                                              |                                                |                                   |
|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------------------|
| 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 | CEO, CSIAIP, COSPS, DCPDA, MSP, MSEP, TLStratP |                                   |
| <b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b> |                                                                                                                              |                                                |                                   |
| Column 1                                                                                                       | Column 2                                                                                                                     | Column 3                                       | Column 4                          |
| <b>Provision</b>                                                                                               | <b>Powers and Functions Delegated</b>                                                                                        | <b>Delegate</b>                                | <b>Conditions and Limitations</b> |
| r 7                                                                                                            | Power to enter into a written agreement with a caravan park owner                                                            | DCPDA, MBCS                                    |                                   |
| r 10                                                                                                           | Function of receiving application for registration                                                                           | CPH, DCPDA, MBCS                               |                                   |
| r 11                                                                                                           | Function of receiving application for renewal of registration                                                                | CPH, DCPDA, MBCS                               |                                   |
| r 12(1)                                                                                                        | Duty to grant the registration if satisfied that the caravan park complies with these regulations                            | CPH, DCPDA, MBCS                               |                                   |
| r 12(1)                                                                                                        | Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations             | CEO, DCPDA                                     |                                   |
| r 12(2)                                                                                                        | Duty to renew the registration if satisfied that the caravan park complies with these regulations                            | CPH, DCPDA, MBCS                               |                                   |
| r 12(2)                                                                                                        | Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations             | CPH, DCPDA, MBCS                               |                                   |
| r 12(3)                                                                                                        | Duty to have regard to matters in determining an application for registration or an application for renewal of registration  | CPH, DCPDA, MBCS                               |                                   |
| r 12(4) & (5)                                                                                                  | Duty to issue certificate of registration                                                                                    | CPH, DCPDA, MBCS                               |                                   |
| r 14(1)                                                                                                        | Function of receiving notice of transfer of ownership                                                                        | CPH, DCPDA, MBCS                               |                                   |
| r 14(3)                                                                                                        | Power to determine where notice of transfer is displayed                                                                     | CPH, DCPDA, MBCS                               |                                   |
| r 15(1)                                                                                                        | Duty to transfer registration to new caravan park owner                                                                      | CPH, DCPDA, MBCS                               |                                   |
| r 15(2)                                                                                                        | Duty to issue a certificate of transfer of registration                                                                      | CPH, DCPDA, MBCS                               |                                   |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

## ORDINARY COUNCIL MEETING - MINUTES

## 4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|         |                                                                                                                                                |                  |  |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--|
| r 15(3) | Power to determine where certificate of transfer of registration is displayed                                                                  | CPH, DCPDA, MBCS |  |
| r 16(1) | Power to determine the fee to accompany applications for registration or applications for renewal of registration                              | DCPDA, MBCS      |  |
| r 17    | Duty to keep register of caravan parks                                                                                                         | CPH, DCPDA, MBCS |  |
| r 18(4) | Power to determine where the emergency contact person's details are displayed                                                                  | CPH, DCPDA, MBCS |  |
| r 18(6) | Power to determine where certain information is displayed                                                                                      | CPH, DCPDA, MBCS |  |
| 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 | CPH, DCPDA, MBCS |  |
| r 22(2) | Duty to consult with relevant emergency services agencies                                                                                      | CPH, DCPDA, MBCS |  |
| r 23    | Power to determine places in which caravan park owner must display a copy of emergency procedures                                              | CPH, DCPDA, MBCS |  |
| r 24    | Power to determine places in which caravan park owner must display copy of public emergency warnings                                           | CPH, DCPDA, MBCS |  |
| r 25(3) | Duty to consult with relevant floodplain management authority                                                                                  | CPH, DCPDA, MBCS |  |
| r 26    | Duty to have regard to any report of the relevant fire authority                                                                               | CPH, DCPDA, MBCS |  |
| r 28(c) | Power to approve system for the collection, removal and disposal of sewage and wastewater from a movable dwelling                              | CPH, DCPDA, MBCS |  |
| r 40    | Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe                                        | CPH, DCPDA, MBCS |  |
| r 40(b) | Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe                                                  | CPH, DCPDA, MBCS |  |
| r 41(4) | Function of receiving installation certificate                                                                                                 | CPH, DCPDA, MBCS |  |
| r 43    | Power to approve use of a non-habitable structure as a dwelling or part of a dwelling                                                          | CPH, DCPDA, MBCS |  |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

| sch 3 cl 4(3)                              | Power to approve the removal of wheels and axles from unregistrable movable dwelling                                                         | CPH, DOPDA, MBCS             |                                                  |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------------------------------|
| Road Management (General) Regulations 2016 |                                                                                                                                              |                              |                                                  |
| Column 1                                   | Column 2                                                                                                                                     | Column 3                     | Column 4                                         |
| Provision                                  | Powers and Functions Delegated                                                                                                               | Delegate                     | Conditions and Limitations                       |
| r 8(1)                                     | Duty to conduct reviews of road management plan                                                                                              | CEO, DBEMP                   |                                                  |
| r 9(2)                                     | Duty to produce written report of review of road management plan and make report available                                                   | CEO, DBEMP                   |                                                  |
| 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) | CEO, DBEMP                   | Where Council is the coordinating road authority |
| r 10                                       | Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act          | DBEMP, MISP, MTCD            |                                                  |
| r 13(1)                                    | Duty to publish notice of amendments to road management plan                                                                                 | CEO, DBEMP                   | 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                                                         | CEO, DBEMP                   |                                                  |
| r 16(3)                                    | Power to issue permit                                                                                                                        | CEO, DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority |
| r 18(1)                                    | Power to give written consent re damage to road                                                                                              | CEO, DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority |
| r 23(2)                                    | Power to make submission to Tribunal                                                                                                         | CEO, DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority |
| r 23(4)                                    | Power to charge a fee for application under s 66(1) Road Management Act                                                                      | CEO, DBEMP, MCIS, MISP, MTCD | Where Council is the coordinating road authority |
| r 25(1)                                    | Power to remove objects, refuse, rubbish or other material deposited or left on road                                                         | CEO, DBEMP, MCIS, MISP, MTCD | 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))                           | CEO, DBEMP, MCIS, MISP, MTCD | Where Council is the responsible road authority  |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

4.1.4 Instrument of Delegation by Council to Members of Council Staff (Cont.)

|                                                                    |                                                                                                                                 |                        |                                                                                                   |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------------------------------------------------------------------------|
| r 25(5)                                                            | Power to recover in the Magistrates' Court, expenses from person responsible                                                    | CEO, DBEMP, MISP, MTCD |                                                                                                   |
| <b>Road Management (Works and Infrastructure) Regulations 2015</b> |                                                                                                                                 |                        |                                                                                                   |
| Column 1                                                           | Column 2                                                                                                                        | Column 3               | Column 4                                                                                          |
| <b>Provision</b>                                                   | <b>Powers and Functions Delegated</b>                                                                                           | <b>Delegate</b>        | <b>Conditions and Limitations</b>                                                                 |
| r 15                                                               | Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works | CEO, DBEMP             | 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                                                                    | CEO, DBEMP             | Where Council is the coordinating road authority                                                  |

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S6 Instrument of Delegation by Council to Members of Council Staff – 1 August 2022

#### **4.1.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings During 14 June – 11 July 2022**

**File Id:** **fA25545**

**Responsible Officer:** **Manager Governance**

---

### **1. Report Summary**

As part of Council's ongoing efforts to improve transparency in Council processes, matters discussed at Councillor Briefing Sessions & Pre-Council Meetings (other than those matters designated to be of a confidential nature) are reported on at Council meetings.

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings between 14 June and 11 July 2022.

### **2. Recommendation Summary**

This report recommends that the information contained within it be received and noted.

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#### 4.1.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings During 14 June – 11 July 2022 (Cont.)

### 3. Background

The Executive Management Team and associated staff at Greater Dandenong City Council host Councillor Briefing Sessions and Pre-Council Meeting on a regular basis (weekly) to inform Councillors about the work officers are undertaking, share information, obtain feedback and discuss strategies and options for current and future work.

To ensure transparency in this process matters discussed at Councillor Briefing Sessions and Pre-Council Meetings (other than those matters designated to be confidential under the *Local Government Act 2020*) are reported on at Council meetings. This report represents matters discussed at the Councillor Briefing Sessions & Pre-Council Meetings between 14 June and 11 July 2022.

### 4. Matters Presented for Discussion

| Item |                                                                                                                                                                                                                                                                                                                                                                                                                                           | Councillor Briefing Session/Pre-Council Meeting        |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1.   | <p><b>General Discussion</b></p> <p>Council and Council officers briefly discussed the following items:</p> <ul style="list-style-type: none"><li>a) the proposed cemetery on Melbourne Water land in Heatherton Road;</li><li>b) Greater Dandenong's rough sleepers;</li><li>c) the collection of Council rates; and</li><li>d) Agenda items for the Council Meeting held on 14 June 2022.</li></ul>                                     | <p><b>Pre-Council Meeting (PCM) - 14 June 2022</b></p> |
| 2.   | <p><b>General Discussion</b></p> <p>Council and Council officers briefly discussed the following items:</p> <ul style="list-style-type: none"><li>a) the transition of Council's major leisure facilities to South East Leisure Pty Ltd on 1 July 2022;</li><li>b) three-year-old kinder arrangements;</li><li>c) Council's Ross Reserve pavilion; and</li><li>d) the impacts of inflation on Council's budget and procurement.</li></ul> | <p><b>PCM - 27 June 2022</b></p>                       |

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**4.1.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings During 14 June – 11 July 2022 (Cont.)**

|           |                                                                                                                                                                                                                                                                                                            |                                                               |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>3.</b> | <b><i>Electric Vehicle Transition Plan</i></b><br><br>Councillors were presented with the findings of a specialist consultant's electronic vehicle transition plan to guide the integration of electric plant, equipment and technologies in Council's fleet over short, medium and long term timeframes.  | <b><i>Councillor Briefing Session (CBS) – 4 July 2022</i></b> |
| <b>4.</b> | <b><i>Storm Response</i></b><br><br>Councillors were presented with Council's storm response after Greater Dandenong experienced three major weather events in October/November 2021 and January 2022 resulting in significant tree damage, localised flooding and required extensive clean-up operations. | <b><i>CBS – 4 July 2022</i></b>                               |

**5. Apologies**

- Councillors Lana Formoso and Sophie Tan submitted apologies for the Pre-Council Meeting held on 14 June 2022.
- Councillors Lana Formoso and Eden Foster submitted apologies for the Pre-Council Meeting held on 27 June 2022.
- Councillors Angela Long and Sophie Tan submitted apologies for Councillor Briefing Session held on 4 July 2022.
- Councillor Loi Truong submitted an apology for the Pre-Council Meeting held on 11 July 2022.
- Councillor Sophie Tan did not attend the Pre-Council Meeting held on 11 July 2022.

**6. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

**6.1 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following strategic objectives:



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#### **4.1.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings During 14 June – 11 July 2022 (Cont.)**

- A city that supports entrepreneurship, quality education and employment outcomes
- A Council that demonstrates leadership and a commitment to investing in the community

### **7. The Overarching Governance Principles of the *Local Government Act 2020***

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles.

Reporting on matters discussed at Councillor Briefing Sessions and Pre-Council Meetings gives effect to the overarching governance principles (in particular, section 9(i) of the *Local Government Act 2020*) in that the transparency of Council actions and information is ensured.

### **8. Victorian Charter of Human Rights and Responsibilities**

All matters relevant to the Victorian Charter of Human Rights and Responsibilities have been considered in the preparation and are consistent with the standards set by the Charter.

### **9. The *Gender Equality Act 2020***

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents because it is a reporting mechanism only. The report does not have the potential to influence broader social norms and gender roles nor does it benefit any one gender group over any other.

### **10. Consideration of Climate Change and Sustainability**

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a "Climate and Ecological Emergency" and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report has no impact on Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability because it is purely administrative in nature and is a reporting mechanism only.

### **11. Recommendation**

**That the information contained in this report be received and noted.**

**4.1.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings During 14 June – 11 July 2022 (Cont.)**

**MINUTE 525**

Moved by: Cr Rhonda Garad

Seconded by: Cr Loi Truong

**That the information contained in this report be received and noted.**

**CARRIED**

#### **4.1.6 List of Registered Correspondence to Mayor and Councillors**

|                      |                                        |
|----------------------|----------------------------------------|
| File Id:             | qA283304                               |
| Responsible Officer: | Manager Governance                     |
| Attachments:         | Correspondence Received 4-15 July 2022 |

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#### **Report Summary**

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 4-15 July 2022.

#### **Recommendation**

**That the listed items provided in Attachment 1 for the period 4-15 July 2022 be received and noted.**

#### **MINUTE 526**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Richard Lim OAM

**That the listed items provided in Attachment 1 for the period 4-15 July 2022 be received and noted.**

**CARRIED**

**4.1.6 List of Registered Correspondence to Mayor and Councillors (Cont.)**

**OTHER**

**LIST OF REGISTERED CORRESPONDENCE TO MAYOR AND  
COUNCILLORS**

**ATTACHMENT 1**

**CORRESPONDENCE RECEIVED  
4-15 JULY 2022**

**PAGES 3 (including cover)**

*If the details of the attachment are unclear, please contact Governance on 8571 5235.*

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#### 4.1.6 List of Registered Correspondence to Mayor and Councillors (Cont.)

### Objective

CONNECTED COLLABORATIVE COMMUNITY

Correspondences addressed to the Mayor and Councillors received between 04/07/22 & 15/07/22 - for officer action - total = 1

| Correspondence Name                                                                                                                        | Correspondence Dated | Date Record Created | Objective ID | User Currently Assigned |
|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------|--------------|-------------------------|
| A formal complaint to the Mayor regarding the management of several aspects of the municipality and a request to withdraw an infringement. | 06-Jul-22            | 06-Jul-22           | fA249674     | CEO/Regulatory Services |

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

#### 4.1.6 List of Registered Correspondence to Mayor and Councillors (Cont.)

### Objective

CONNECTED. COLLABORATIVE. COMMUNITY.

#### Correspondences addressed to the Mayor and Councillors received between 04/07/22 & 15/07/22 - for information only - total = 3

| Correspondence Name                                                                                                                                                                                    | Correspondence Dated | Date Record Created | Objective ID | User Currently Assigned  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------|--------------|--------------------------|
| An introductory letter to the Mayor from the new Minister for Local Government (also Minister for Consumer Affairs, Gaming and Liquor Regulation, Ports and Freights; and Suburban Development).       | 01-Jul-22            | 05-Jul-22           | A8898861     | Mayor and Councillors EA |
| A letter to the Mayor from the Hon Melissa Home MP (Minister for Local Government) advising that the Living Local Fund is now open for grant funding applications (closing date of 14 August 2022).    | 13-Jul-22            | 14-Jul-22           | A8932161     | Mayor and Councillors EA |
| A letter of response from the Department of Environment, Land, Water and Planning to the Mayor's letter regarding the Planning Policy Framework translation for the Greater Dandenong Planning Scheme. | 01-Jul-22            | 15-Jul-22           |              | Mayor and Councillors EA |

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

## **5 NOTICES OF MOTION**

### **5.1 Notice of Motion No. 20 - One Tree Per Child**

File Id:

Responsible Officer:

Director Business, Engineering & Major Projects

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#### **Preamble**

The organisation, One Tree Per Child works with local councils, schools and community groups so that children can plant one tree each before they leave school. One Tree Per Child was founded by Olivia Newton-John and Jon Dee - the original founders of Australia's National Tree Day. The One Tree Per Child initiative is now planting trees in 10 countries. The aim of the initiative is simple, to get children planting at least one tree each before they leave school.

The One Tree Per Child initiative provides expertise, support and celebrity encouragement. The National Landcare Network supports One Tree Per Child and many local Landcare groups have already been involved.

The five benefits of this program to children are:

1. Planting a tree is often the first act of community volunteering that's undertaken by a child. Planting a tree gives children 'a sense of belonging'. In this way, tree planting builds stronger communities.
2. Psychological research shows that childhood contact with nature and trees leads to better mental health. After the COVID lockdowns in many parts of Australia, this mental health benefit is more important than ever.
3. As a child grows, so does their tree. This connection between the child and their tree leads to increased environmental awareness and care.
4. When a child plants a tree, it makes them happy to know they're helping our wildlife, soil and environment. Given all the bad news about the environment, tree planting can empower our kids in a positive way.
5. Planting a tree provides shade and wildlife habitat in schools, parks, gardens and the wider community. As the tree grows, it also decreases pollution which improves respiratory health for children with asthma. Trees also provide a range of other health benefits.

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**5.1 Notice of Motion No. 20 - One Tree Per Child (Cont.)**

**Motion**

**That Council:**

- 1. notes the potential for Council's participation in the 'One Tree Per Child' Initiative;**
- 2. requests that officers present a report on the benefits of the program to the local community and addressing any implications for Council's services, budgets or other resources at the next appropriate Council Meeting; and,**
- 3. further requests that this report, when presented, includes commentary, as a minimum, in relation to:**
  - 3.1 liaising with school principals from all primary schools within the municipality to actively encourage the cooperation and involvement of each school;**
  - 3.2 liaising with these schools in order to plant trees with them in the local community;**
  - 3.3 encouraging these schools to utilise the 'One Tree Per Child' education materials;**
  - 3.4 liaising with community groups, Landcare and Bushcare groups and local businesses to garner their involvement in any local 'One Tree Per Child' planting events;**
  - 3.5 planting the 'One Tree Per Child' trees in areas where ongoing maintenance is able to be provided by Council staff or local community groups, Landcare and/or Bushcare groups; and**
  - 3.6 Council's full operational costs of joining the initiative, if any.**



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**5.1 Notice of Motion No. 20 - One Tree Per Child (Cont.)**

**MINUTE 527**

Moved by: Cr Rhonda Garad  
Seconded by: Cr Loi Truong

- 1. notes the potential for Council's participation in the 'One Tree Per Child' Initiative;**
- 2. requests that officers present a report on the benefits of the program to the local community and addressing any implications for Council's services, budgets or other resources at the next appropriate Council Meeting; and,**
- 3. further requests that this report, when presented, includes commentary, as a minimum, in relation to:**
  - 3.1 liaising with school principals from all primary schools within the municipality to actively encourage the cooperation and involvement of each school;**
  - 3.2 liaising with these schools in order to plant trees with them in the local community;**
  - 3.3 encouraging these schools to utilise the 'One Tree Per Child' education materials;**
  - 3.4 liaising with community groups, Landcare and Bushcare groups and local businesses to garner their involvement in any local 'One Tree Per Child' planting events;**
  - 3.5 planting the 'One Tree Per Child' trees in areas where ongoing maintenance is able to be provided by Council staff or local community groups, Landcare and/or Bushcare groups; and**
  - 3.6 Council's full operational costs of joining the initiative, if any.**

**CARRIED**

## **6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS**

### **Comment**

#### **Cr Rhonda Garad**

The International Tree Day is on this Sunday. Please join us at Tatterson Park, Keysborough at 10.00 am if you are feeling inclined to help us plant some trees. After you do tree planting, you can head up the road to SnowFest which is in Springvale.

I would like to take this moment to acknowledge the Greater Dandenong City Council and the significant work that members of this Council have done towards a significant moment in the Planning Scheme in Victoria. Greater Dandenong City Council and all member councils who are part of the Council Alliance for a Sustainable Built Environment (CASBE), have successfully imbedded an important amendment into the Victorian Planning Scheme. The current planning scheme is one of the biggest barriers to creating a sustainable environment. The amendment is extremely significant as it includes consideration of climate change in the purpose of the Victoria provisions and all planning schemes. This amendment will have tremendous impact by creating a much more sustainable, less polluting, energy efficient, cost-efficient, built environment. I sincerely want to acknowledge the work of the Councillors and officers, particularly Mr Jody Bosman, who has been a significant part of this finally happening. It has been several years that this has been in the works. It will now allow for a consideration of the environment in the planning scheme which is a significant game changer. I think we should take the time to really thank Mr Jody Bosman and his team and acknowledge what this means for the environment.

### **Question**

#### **Cr Rhonda Garad**

The United Nations international campaign '16 Days of Activism against Gender-based Violence' takes place every year from 25 November until 10 December. What are Council's plans for the 16 days of activism in 2022?

### **Response**

#### **Jim Davine, Acting Director of Community Services**

In late November 2022, Council will once again be organising the White Ribbon Day walk for Councillors, staff and community members to participate in. As always, media and communications will also be running socials throughout the 16 days, both externally and internally. The Drum Theatre will also be lit up during this time. Opportunities may also arise for Council to partner with community organisations to increase awareness around gender-based violence. Further information will come to Councillors in the coming months.

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Question**

**Cr Rhonda Garad**

Greater Dandenong City Council's litter and waste strategy expired two years ago in 2020. With many other councils currently completing their Circular Economy Strategies, what is the status and timeframe of ours, including what is the plan to our consultation approach? In particular, is a two-step consultation approach planned to be used, which has been used in other Greater Dandenong strategies to get meaningful community feedback?

**Response**

**Kevin Van Boxtel, Acting Director of Business, Engineering & Major Projects**

The waste and litter strategy adopted in 2015 was scheduled for review in 2020. The mid-point of the 10-year operational plan aligns with this strategy. The COVID-19 pandemic and several changes within the waste sector delayed this review. A preliminary review was recently undertaken by internal staff and updates were made to the document to reflect changes within the waste sector. Following recent feedback from Council's executive, an updated waste and litter strategy is planned for presentation to Councillors at a Councillor Briefing Session in the coming months and will include a discussion on community consultation.

**Question**

**Cr Rhonda Garad**

Recent lighting additions to the section of the Dandenong Bypass section of Chapel Road in Keysborough South, do not appear to have improved the lighting in this area. Can we run a luminosity test and compare the test done prior to the installation of the new lights?

**Response**

**Kevin Van Boxtel, Acting Director of Business, Engineering & Major Projects**

We assume you are referring to the section of Chapel Road between Church Road and Keylana Drive, Keysborough. Previous readings for this section of road were undertaken in August 2021 and resulted in the subsequent installation of three additional streetlights in early 2022. The lighting separation distance should now meet Council standards. However, luminosity readings post-installation have not been conducted. We will arrange for these to be undertaken as part of our next audit which is planned for August 2022.

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Question**

**Cr Rhonda Garad**

With the recently gazetted State Planning Scheme Amendment VC216, does this override the Greater Dandenong C201 Planning Scheme Amendment, and if so, does that lead to stronger provisions in our planning scheme?

**Response**

**Jody Bosman, Director City Planning, Design & Amenity**

No, it does not. As you correctly said, we now have within the Victoria Planning Provisions, a strong body of philosophical, if not technical, body of policy that supports local policy in the area of Environmentally Sustainable Design (ESD). In this Council we already have within our planning scheme a local policy of ESD so we now have the book ends. We have got the State planning side of it sorted out through this recently approved amendment VC216 and we already have for a few years of our own local policy of ESD.

We have put an application to the Minister together with the CASBE councils. We are seeking authorisation to amend the planning scheme in each of these councils, including ourselves. We will be seeking to go to the next level of ESD policy where the thresholds of requiring ESD compliance and the rigor of ESD will be ramped up, the threshold will come down, the technical requirements will be improved. That is currently with the Minister.

To answer the question, does it in any way water it down? No, it does not. In my view, it in fact creates a strong philosophical basis not only for our existing policy, but for the CASBE councils, that have now put before the Minister a request for further changes to local policy within their own individual planning schemes. I think that is where you will see the impact. The ultimate impact will be through the executive side of the planning scheme through its local policies.

**Question**

**Cr Rhonda Garad**

It has been almost five years since Martin Pakula MP for Keysborough, promised a 20-year lease of the majority of the Chandler Road Reserve to Council. If it has not been already, when will the lease be finalised and resolved?

**Response**

**Lisa Roberts, Manager Governance**

I can advise today, that we received a fully executed copy of the lease for a 20-year term, plus two further 10-year terms at the good grace of the Minister.

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Comment**

**Cr Richard Lim OAM**

On Thursday 14 July 2022, I attended South East Business Award breakfast hosted by the Greater Dandenong Chamber of Commerce. That morning I had a chance to talk with the president of the Greater Dandenong Chamber of Commerce. My intention is to form a Springvale Chamber of Commerce under the umbrella of Greater Dandenong Chamber of Commerce. She was very pleased and supported my idea. At the moment I am trying to recruit some business owners that are keen to support me on this idea.

That afternoon, I had a chance to meet Councillor Nicky Luo from City of Monash and Mr Anson Hong president of National Liaison Chairman of National Liaison Council of Chinese Australians, that has been serving the Chinese community for over 20 years. The two of them came to see me because they want to celebrate multicultural Lunar Festival. The idea is to join our City and City of Monash. They want to include all the Asian cultures, Cambodian, Vietnamese, Japanese, Korean and many others that are in the South-East and East.

In the evening I had a chance to attend the Sandown Committee Support Fun event hosted by the Sandown Greyhound Racing Club. It was a great event with a large turn up. Councillor Loi Truong and Councillor O'Reilly also attended another event there on the night. I had a chance to give a speech and hand out the certificates to all the volunteers.

On Saturday 16 July 2022, we had a good discussion with Mr Scot Walker from our Council and Mr Rob Koch from Monash Health. We discussed how to help vaccinate more people in our City, especially the Springvale Ward. Rob Koch from Monash Health gave me some statistics that on that day he had given 74 Pfizer and 14 flu vaccinations, which is a great outcome.

He asked me about my statistics as well which I provided. He was surprised that we were very busy for vaccinations. My intention is to organise vaccinations at the Springvale Multicultural Place as there is a large traffic flow. Our residents tend to forget about COVID but COVID has not forgotten us. By organising vaccination at Springvale Multicultural Place, residents can walk in very easily and get vaccinated.

On Sunday 17 July 2022, I attended Quan Thanh birthday celebrations. It was hosted by Teo Chew Chinese Association of Victoria and I had a chance to give a speech where I acknowledged their services for over 40 years. We presented a certificate of appreciation to the president of the Teo Chew Association and we also presented a certificate of recognition to the Teo Chew Association. I also had a chance to present a certificate of appreciation from the Federal Member of Hotham and Minister of Home Affairs, Claire O'Neil. They were very pleased that our City acknowledges their service to the community.

**Question**

**Cr Richard Lim OAM**

Can the relevant officer organise for a leaflet to be made that we can distribute to traders and residents regarding the future installation of sensor parking in our Ward?

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Response**

**Kevin Van Boxtel, Acting Director of Business, Engineering & Major Projects**

Yes, that is something that we can publicise and we will address that.

**Question**

**Cr Bob Milkovic**

What is the number of the current waitlist of people waiting to be allocated to a citizenship ceremony?

**Response**

**Lisa Roberts, Manager Governance**

I do not know that number off the top of my head. I know the number is not extremely large because we have two large citizenship ceremonies coming up in the next three weeks. I will get that number to you tomorrow.

**Question**

**Cr Bob Milkovic**

I would also like to get an update regarding the installation and redoing of the lights at the cricket field at Lois Twohig Reserve, Dandenong North. There were some issues there before and I think it had to be re-dug and reinstalled, so when will that be finished?

**Response**

**Jim Davine, Acting Director Community Services**

Council has engaged a contractor to do those works. I do not have a definitive update in terms of where it is but I will follow that up and get you a response tomorrow.

**Comment**

**Cr Bob Milkovic**

I would like to wish Verne Krastins a happy retirement. He has decided to call it quits with the Council after years of service. He was involved in many projects. I had the pleasure of meeting Verne in Dandenong North on Brady Road when he delivered what was probably one of his last projects. I wish him all the best, enjoy retirement. Hopefully it is not as stressful as Council.

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Question**

**Cr Bob Milkovic**

I would like to get an update on the status of installation of sensory parking on Lonsdale Street. I understand there was a topic of conversation that they were going to be a part of the bigger picture. There are going to be lights that will illuminate and show how many parking spots are available. Can we get an update as to when they will be put to use and how we will monitor those?

**Response**

**Kevin Van Boxtel, Acting Director of Business, Engineering & Major Projects**

There is a number of phases in terms of their introduction. The first phase is to install the hardware which has happened in Dandenong and happening in Springvale. One thing that it helps us do, is to assist with enforcement of time limits in the relative parking locations. The second thing it allows us to do is to collect data on patterns of parking occupancy which we can then use as part of our forward planning to better manage parking supply to match the demand of the abutting businesses.

A third opportunity in the future with the parking technology, is then to look at add-ons such as applications that can be used to find a vacant parking space or to pay for your parking. As part of that opportunity, it is possible to then look at digital signage, that could be interactive as part of a smart cities type approach where that signage could guide people to available and vacant parking spaces.

We are sort of at that in-between step currently. We do not have any immediate plans to introduce that third tier of investment. However, that is something through the transport and the regulatory services teams that we can take on board and investigate. There are no immediate plans for Council's parking areas. But you may be aware, the Armada Dandenong Plaza shopping centre, not linked to Council, have just introduced some of that technology that you are referencing. The multi-deck carpark on Foster Street has the red and the green lights to tell you whether a car space is occupied or not. They are the types of things that, through time and investment, we can potentially extend to other Council assets within central Dandenong and our other activity centres.

**Comment**

**Cr Bob Milkovic**

On Saturday 23 July 2022, Deputy Mayor Foster and myself attended the Masala Dandenong Football Club, Ladies High Tea at Lois Twohig Reserve. It was a fabulous event. It was organised and hosted by Matt's wife Stella and her mum Mary who prepared all the food and it was absolutely delicious, bless her hands.

What I would like to mention really is that, this particular club is really a pride and joy of Dandenong North and has gone from strength to strength. This high tea event was coinciding with the launch of their women's team. They have gone from four members some years ago to 109 full-time members. It is great to see kids from all our community participate. I know that that these people that run this club, they should be given a medal because they travel all the way from Kensington every single training session. It is no small feat and a massive investment in local community.



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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Question**

**Cr Bob Milkovic**

I was wondering whether we could write a letter of thank you to the club and everyone involved in the running of it, to say that Council thanks you for your efforts and for all the hard work you put in for the local community. It is great to see the kids kicking the footy. We should not forget the cricket club that operates from there as well, Dandenong North Cricket Club. Both fantastic clubs, both the pride and joy of Dandenong North. It would be great if we could say thank you and acknowledge their hard work and efforts in keeping the community together.

**Comment**

**Cr Eden Foster, Deputy Mayor**

Yes, I am sure we can do that.

**Comment**

**Cr Tim Dark**

I wish to congratulate White Star Dandenong Soccer Club for their promotion to the National Premier Leagues Victoria 2 which is one of the premier grades to be able to hit that league, given the amount of soccer clubs we have.

On Saturday 16 July 2022, I attended the Springvale Districts Soccer Club 60th anniversary dinner held at the Freccia Azzurra Club in Springvale. It was a phenomenal turnout in excess of 100 people.

The clubs in that area from Cheltenham all the way to Caulfield are very large, very powerful. To have Springvale running over the last few years is a phenomenal achievement. To have so many people come out to celebrate is a big achievement as well. The Springvale Districts Football Club started off by the local priest and local church and then quickly escalated up to become a Young Christian Workers club and has rebranded several times to the Springvale Districts Football Club and Netball Club, as it is now known.

On Saturday 23 July 2022, I had the opportunity to attend the opening of the Alan Corrigan Reserve upgrades with Deputy Mayor Eden Foster, the Minister Lily D'Ambrosia and a few others. This was something that myself and Councillor Sophie Tan had put a lot of work into securing funding for and had put a lot of emphasis on the upgrades to the park. We were successful in having a grant of \$160,000 and we matched that with in-kind contributions and a budget bid to have the park upgraded for our residents and it looks phenomenal. We took a photo on the logs and it ended up being a very good photo.



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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

**Question**

**Cr Tim Dark**

My first question this evening is from the Keysborough Bowls Club. I have had a couple of phone calls from a couple of members, and from a member on the executive as well, to do with the Master Plan of the Rowley Allan Reserve upgrades. The Master Plan has been finalised but the lawn bowls club have said that they have not had many conversations about what that means for their club or about the time frames for delivery and projects and they have asked whether it is possible to organise a meeting with Council officers and the members because they want to have their members involved in the future as well. It is a very important club, given it is next door to the Parkglen Retirement Village and the issues around social isolation.

**Response**

**Jim Davine, Acting Director Community Services**

Council officers would welcome the opportunity to meet with the club and give them an update.

**Question**

**Cr Tim Dark**

My question is from the owner of the Dandenong Laundry and Drycleaners in Langhorne Street, Dandenong. He has raised a question to do with the car parking out the front of his shop. There is a gap where he has a driveway going into his shop and there has been some signage on the side of the shop which says that there is room for customer parking. However, it is very grey as to where customers can park. He has requested whether there may be provisions for just one car park space to be limited to a two or five-minute drop-off, just so people have the ability to drop off their dry-cleaning, collect what they need to, without them having to go find a parking machine, put money in, go back and forth just for a quick two-minute job.

**Response**

**Jody Bosman, Director City Planning, Design & Amenity**

Together with my colleagues and traffic engineering we will have a look at that. If you could pass onto me the details of who I can contact, we will get onto that and see if we can arrange for some short-term parking in that area.

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Question**

**Cr Tim Dark**

My next question is with regards to the Noble Park Tennis Club. I know Mr Davine has replied to an email back to me today. The tennis club has asked a significant number of questions to do with the future pavilion on site. I have had some questions from both Parkville District Cricket Club and from Noble Park United Football Club, following on from a group chat that occurred in a Facebook group chat, along with some emails as well, particularly to do with what the future plan is for the pavilion and the accommodation of future growth and planning. The director has replied to the questions asked. I just wanted to find out what the upgrade is, if you could just provide a quick summary. The Noble Park Tennis Club has been contacting me quite vigorously regarding this.

**Response**

**Jim Davine, Acting Director Community Services**

The Noble Park Master Plan was adopted several years ago by Council and there has been several meetings between the user groups and Council officers to look at some reconfigurations as part of the plan and I think there is some agreement in terms of the location of additional tennis courts and carparking.

The specific request of recent times relates to the development of the pavilion and the elements that are included in the pavilion. I believe the club is seeking a pickleball court to play pickleball indoor. It is a modified version of tennis. It would be over and above Council's facility standards, but it can be considered as part of the pavilion design which I think at this stage is slated for consideration in the 2023/24 financial year. But we are happy to meet with those clubs as required.

**Question**

**Cr Tim Dark**

My next question is from the Coomoora Cricket Club. I spoke to a representative at the Springvale Districts Football Club anniversary dinner and then I received several issues to do with the Coomoora Cricket Club, particularly around the nets. All other cricket clubs in the area have received upgrades to the nets. Can we please get an update on when Coomoora is proposed to get their updated cricket nets?

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Response**

**Jim Davine, Acting Director Community Services**

Council has upgraded a significant number of cricket nets in recent times and officers did meet with the president of the cricket club recently. The works are scheduled for the 23/24 financial year, but officers will meet with the club on site in the immediate future to look at any short-term rectification works that may be required. It is not far away but it will not be this summer.

**Question**

**Cr Tim Dark**

My next question is from the president of the FC Noble Hurricanes Soccer Club who plays at the Alex Nelson Reserve in Springvale South. There has been an email exchange that I have sent to sports and recreation, particularly around the grass turf wicket in the middle of the soccer ground and the dangers that it is proposing to the soccer club. The club has 11 teams and they have been navigating through as possible. It has now got to a stage where they are having significant issues with the grass wicket, the injuries that have been occurring and the potential to relocate as well. I am aware that they have spoken to the Sport and Recreation Department and the response was insufficient. I am aware that they have brought in Football Victoria to have a look at the ground. I will forward on some correspondence I received from the President. It is quite an extensive email with an attachment as well. If we could please investigate this to see what we can do. We need to see what we can potentially do about dealing with the grass turf wicket on the reserve as the cricket season comes up and then the forthcoming soccer next year.

**Response**

**Jim Davine, Acting Director Community Services**

Council officers are aware of the concerns that the club has. For the information of Councillors, it has a turf cricket wicket table in the centre of the soccer field which, given we have had a wet winter, has caused some issues. We will be meeting with the club to work through their concerns and consider their growth, which is fantastic, and how we might be able to accommodate them into the future.

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

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**Question**

**Cr Tim Dark**

In the previous term of Council, we had some ward meetings which were convened by multiple Councillors. I know myself and former Councillor Roz Blades were quite prominent in hosting ward meetings. We have 11 individual wards and many issues that are posed with 11 different Councillors. However, could we please investigate and see what options there are in terms of having a ward meeting, particularly given so much is going on currently in terms of infrastructure and questions about waste? I know that there are some wards that can be grouped together, so there may be some options that are available. I think many residents are not being informed, given the lack of local media coverage as well, the lack of newspapers that are being delivered. People generally do not have an idea of what Council is doing at the moment.

**Response**

**Lisa Roberts, Manager Governance**

Yes, we will have a look at that. We have some guidelines for ward meetings and for community forums, so we will see how we can group together different areas and come back to you with some proposals.

**Comment**

**Cr Lana Formoso**

Firstly, I agree with Councillor Dark. I would be keen to partake in something like that. I almost feel that we have become non-existent. People do not even realise that we are out there doing work, so it would work in advocating for the community. I was thinking about doing that at a local café and then perhaps changing location to promote local businesses as well, particularly after COVID events. I would be really keen in partaking in that as well.

On Saturday 30 July 2022 there will be a tree planting day at Tirhatuan Park, Dandenong North as well. It is not just happening at Tatterson Park. It will be held at Tirhatuan Park this Saturday at 10.00 am. I am hoping to attend with my children if I can.

I also want to say a big thank you to our team. I drove through the ward last week and I noticed the immense amount of curb and channel work that has taken place. Justin Drive, Noble Park North has been completely resurfaced. I am noticing a lot more work is about to be done at Bakers Road, Noble Park North. I think almost all the hundred-odd merits that I have been putting in over the past 24 months have almost been completed. A huge thank you to our staff, it is really commendable and very noticeable within the ward.

On Wednesday 20 July 2022, I attended the South East Leisure (SEL) board meeting I do monthly. SEL are doing incredibly well with the takeover. They were particularly impressed with how accommodating YMCA was with the handover and the transitioning. They were extremely professional and really went well above assisting SEL with that process, so a big thank you to them.

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

One other thing I would like to mention is a lot of people have been telling me that they put on some winter kilos. I would really encourage our residents and our staff members as well to download the free Get Active Victoria App on their phones because it is an excellent way to track your exercise and movement and there is also some nutrition information as well. Everyone knows that I am a huge advocate for our municipality to become more active in line with our Make Your Move Strategy. I would really, really encourage for everybody to download that App.

**Comment**

**Cr Sean O'Reilly**

I attended the Springvale City Rotary Club dinner at Sandown Greyhounds. It was a fundraiser to support the Athol Road Primary School wellbeing dog. This event was attended by about 40 people, including Councillor Truong and myself. I was pleased to hear from the good people of the Rotary Club of Springvale and hear how they plan to continue to support the community.

**Comment**

**Cr Eden Foster**

On Tuesday 12 July 2022, I attended the Empowering Communities Forum Workshop. It was a great opportunity for the Dandenong West Community to come together and share some great ideas for their community to liven it up. I am looking forward to seeing what comes from those forums.

On Saturday 16 July 2022, I attended the Cambodian Broadcasting Network Community Dinner Concert in celebration of their 12th anniversary. It was a very lively event. I believe they had a well-known Cambodian-Australian singer in attendance and lots of people were having photo opportunities with him as much as they could.

On Thursday 21 July 2022, I attended the Lions Club of Dandenong changeover dinner. They do amazing work in our community and they are hardworking volunteers and it is great to see that it is a lively volunteer group there. They raise a lot of funds for a whole range of purposes.

On Saturday 23 July 2022, I attended with Councillor Dark, the opening of the Alan Corrigan Reserve upgrades with Minister Lily D'Ambrosio and Meng Heang Tak MP. They are fantastic upgrades to the Alan Corrigan Reserve with the nature play and the logs.

I also attend with Councillor Milkovic the Masala Dandenong Football Club Ladies High Tea and, as Councillor Milkovic said, it was a great spread. It was a great event and a great opportunity to promote women in sport. I really encourage any woman who would like to play football to perhaps contact Masala Dandenong Football Club and put their name down.

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**John Bennie PSM, Chief Executive Officer tabled a listing of responses to questions taken on notice/requiring further action at the previous Council meeting. A copy of the responses is provided as an attachment.**

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

COUNCILLOR QUESTIONS TAKEN ON NOTICE/REQUIRING FURTHER ACTION

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Responsible Officer                             | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 11/07/22<br>CQT2        | Cr Sophie Tan     | <b>Information on when works on the NPAC gym will be completed</b><br>Do you have an update on the Noble Park Aquatic Centre (NPAC) Wellbeing Gymnasium?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Director Business, Engineering & Major Projects | 21/07/2022         | <b>Initial response provided 11/07/22:</b><br>I do not have an update on NPAC. I will need to take that question on notice and get back to you.<br><br><b>Further response provided 21/07/22:</b><br>I can advise that no completion date has been set yet while the supply of key construction elements is still being determined.                                                                                                                                                                                                                                                                                                             |
| 11/07/22<br>CQT4        | Cr Lana Formoso   | <b>Overall blood shortages in Victoria and opportunity to work with the Blood Bank for the mobile unit to visit the Civic Centre</b><br>Whilst in hospital Luka had to have several blood transfusions and we discovered that there was a huge shortage of blood, mainly the reason being COVID. A lot of people have stopped donating blood and during this process, I discovered that the closest location for blood donation for Greater Dandenong residents was Glen Waverley. However, we did have a pop-up donor centre here at St Mary's Community Centre in Dandenong, 4 July 2022 to 8 July 2022, which was fantastic. However, it was not well advertised. I do not think many of our residents knew about it. What I would ask is if we could organise perhaps the Australian Red Cross Life Blood Bank to come to Council offices | Director Community Services                     | 19/07/2022         | <b>Initial response provided 11/07/22:</b><br>I was aware it was in Dandenong last week, but we will certainly do some further advocacy in a bid to get them to the Civic Centre.<br><br><b>Further response provided 19/07/22:</b><br>Officers have engaged with Red Cross Lifeblood regarding further pop-up donation sites in CGD. Red Cross has set their yearly schedule and cannot accommodate our request this year.<br>Council is sending a letter to Red Cross requesting additional pop-up donation sites at Dandenong Civic Centre and Springvale for 2023.<br><br>The next scheduled visit this year at St Mary's Dandenong is from |

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Responsible Officer         | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| 11/07/22<br>CQT5        | Cr Lana Formoso   | <p>and for us to donate as a group, not only as Councillors but Council staff and perhaps the general public because, like I said, there is a shortage and a great need for it. A new blood donor is needed every four minutes and at least one in three people will need blood at some stage.</p> <p>These are things that I had never really thought about until I had to and it is a scary thought and it is something that we can all contribute to assist, not only our residents but obviously anybody that is in need of blood within our state. It is all very safe. We have got some of the best facilities and safest methods of doing that. I would highly urge as a Council, if we could possibly organise the Australian Red Cross Life Blood to come to Council?</p> | Director Community Services | 19/07/2022         | <p>Monday 3 October – Friday 7 October 2022 and will be promoted on Council's website, The Source for Council staff, Council social media and The Council News magazine as per previous Lifeblood pop-ups. Further investigations re engagement and opportunities for staff and Councillors to attend an information session hosted by Red Cross followed by group donations, are currently being undertaken.</p> <p>COMPLETED</p>                                                                                                                               |
|                         |                   | <p><b>Sporting pavilions and enforcing no smoking with signage, discussion and attendance of officers – this also highlights that Greater Dandenong has the highest number of smokers and the lowest participation rates in sport and activity</b></p> <p>I went to watch my younger son play his under 9s soccer match. I noticed the amount of smoking that was taking place at the pavilions. The one that I attended happened to be a high school and the most distressing part about that was that I actually had Luka with me. We thought it would be a safe space for us to come and watch and cheer on his younger brother.</p>                                                                                                                                            |                             |                    | <p><b>Initial response provided 11/07/22:</b><br/>We regularly write to our sporting clubs about their conditions of occupancy and smoking but we will again raise that with our clubs and look at the signage issue.</p> <p><b>Further response provided 19/07/22:</b><br/>Sports Club Presidents have been contacted via email stating smoking around Council reserves remains an issue, therefore Council may enforce the 'No Smoking' directive as outlined in club Hire Agreements. This email was accompanied by a follow up letter to the one sent in</p> |

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Responsible Officer | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                         |                   | <p>There were several parents there with their own children smoking at the venue and when I asked them kindly to step away from the premises to have their cigarette, they became quite defensive and aggressive and told me that there were no signs to stipulate the fact that smoking should not occur at these pavilions.</p> <p>My question is if we could please remind the clubs once again the importance of not smoking at our sporting venues at any point. It is a state health issue, it is a law and I was really perplexed at the fact that I needed to stipulate this to a number of parents. It also brings me to a disturbing fact which is that 20 per cent of Greater Dandenong residents are smokers compared to 16 per cent across Victoria. We have not only the highest smokers in our state on top of the fact that we are the least active. These are some really, really scary stats that we need to be addressing immediately. Can the appropriate officer please send letters to sporting clubs once again reminding them of the no smoking rule, not to mention the amount of cigarette butts that I am constantly finding at these locations as well?</p> |                     |                    | <p>March, requesting all clubs to print and erect 'Smoke-Free' signage at their facilities. To assist Lyndale Secondary College, a Council officer will attend and erect the 'no smoking' signs at this facility.</p> <p>In response to these complaints, Council officers will expand our community education program to include our reserves and sporting clubs, with a view to increasing awareness of the requirements of the Tobacco Act and public smoking.</p> <p>Council officers can take enforcement action on those persons found to be smoking in the following situations:</p> <ul style="list-style-type: none"> <li>A person who smokes at or within 10 metres of outdoor children's playground equipment.</li> <li>A person who smokes at or within 10 metres of an outdoor sporting venue during an organised underage sporting event, interval or practice session.</li> <li>A person who smokes at or within 10 metres of an outdoor skate park.</li> </ul> <p>COMPLETED</p> |
| 11/07/22<br>CQT6        | Cr Lana Formoso   | <b>Advertisement of State Hooring Reference Group in Casey</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Director Business,  | 18/07/2022         | <b>Initial response provided 11/07/22:</b><br>We will take that on board. We will                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice



6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Responsible Officer                             | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                         |                   | <p>My third point is in relation to an ongoing issue which is the hooning. I would urge us as a Council to please advertise the fact that there is now a hooning reference group that the State government has organised on behalf of the hooning issues that are occurring in several municipalities, ours being one of them.</p> <p>City of Casey will be hosting one of these reference groups for community members to attend which will be on 27 July 2022 between 6 pm to 8 pm. I will be attending online but I do urge anyone in the municipality that is having issue and concerns about hooning, this will be the platform for them to voice those issues and concerns and I would really urge our Council as well to support this event taking place.</p> | Engineering & Major Projects                    |                    | <p>liaise with our media and communications team regarding promoting that particular opportunity and we will liaise further also with our transport team to ensure that we are engaged in that process.</p> <p><b>Further response provided 18/07/22:</b><br/>I can confirm that Council has shared details of this event on our website and via social media.</p> <p>Our traffic engineers have also shared information with a number of residents that regularly raise hooning matters.</p> <p>COMPLETED</p>                                                          |
| 11/07/22<br>CQT7        | Cr Bob Milkovic   | <p><b>Update on the luminosity testing undertaken at the Carlton Road shops</b></p> <p>Could we get an update on the luminosity test that was done or potential installation of the streetlights regarding Carlton Road community shops which is 105 Carlton Road, Dandenong North. One of the residents complained about the low visibility at night and it was established that it was not sufficient, but there is some sort of issue whether lamp posts could be installed. Could we get an update on that?</p>                                                                                                                                                                                                                                                  | Director Business, Engineering & Major Projects | 21/07/2022         | <p><b>Initial response provided 11/07/22:</b><br/>I will follow that up with the relevant area of Council to see if that test has been completed, what the results were and what action we are taking. I will get back in contact with you.</p> <p><b>Further response provided 21/07/22:</b><br/>As per previous advice, Council recently conducted luminosity level testing at the Carlton Road, Dandenong North shops which confirmed that light levels at this location are below the required Australian Standard. Due to the absence of exiting utility poles</p> |

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question | Responsible Officer | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                         |                   |                               |                     |                    | <p>adjacent to the shops where additional street lighting could be installed, Council's Asset Planning team have investigated other options including installation of new pole(s) and lights in the footpath and/or installation of public lighting on a shop façade or awning.</p> <p>Discussions with our Transport team have confirmed there should be available space (with required setbacks) in the footpath to install new poles rather than having to negotiate with shop owners to install public lights on non-Council buildings. We have also spoken with United Energy who require a suitably qualified lighting consultant to prepare drawings &amp; specifications of the proposed design for their approval and costing (United Energy will install the lights for us at our cost). Council staff are currently working with a lighting consultant to prepare the proposed design for United Energy which may take 4-6 weeks to complete.</p> <p>Once we have received approval from United Energy, Council will then need to conduct a twenty-eight day public consultation process (and resolve any objections from nearby residents) before we can proceed with any works. Due to the complexity of this situation (compared with most requests for additional street lighting) we would</p> |

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                  | Responsible Officer                             | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| 11/07/22<br>CQT8        | Cr Bob Milkovic   | <b>Could we get an update on the installation of signage about the boardwalk at Tirhatuan Park</b><br>Could we also get an update on installation of some signage on the boardwalk at Tirhatuan Park that has been cornered off for almost a year due to some major structural defects that were discovered at a later stage of the preliminary investigation?                                                                                 | Director Business, Engineering & Major Projects | 21/07/2022         | <b>COMPLETED</b><br><b>Initial response provided 11/07/22:</b><br>I will follow up on the signage issue and make sure the appropriate signage is installed at that location.<br><b>Further response provided 21/07/22:</b><br>A project information sign has been designed in conjunction with Council's Media & Comms team and includes a QR code that links back to a dedicated page on the Council website where further information about the project can be updated as required. The signs are currently being fabricated by our signage supplier with delivery and installation anticipated for next week (25 – 29 July 2022). |
| 11/07/22<br>CQT9        | Cr Tim Dark       | <b>Replacement of old light on corner of Chandler Road and Parkmore Street, Keysborough</b><br>My first question this evening has come in from a resident in Keysborough that lives on the corner of Chandler and Parkmore Roads. On the side of Parkmore Road there was an old gas light that overlooked a street. It provided lighting particularly for a very dark spot in the middle of the street. The resident went out and spoke to the | Director Business, Engineering & Major Projects | 21/07/2022         | <b>COMPLETED</b><br><b>Initial response provided 11/07/22:</b><br>If you could forward on the details and we will follow up with United Energy and find out why the light was removed and whether a replacement is proposed and if not what we can do to try get a replacement delivered at that location.<br><b>Further response provided 21/07/22:</b>                                                                                                                                                                                                                                                                             |

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                               | Responsible Officer                    | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                         |                   | team that was taking down the light. They advised them that it was due to issues with the emissions. However, there was no conversation about any replacement lighting in that area. I will pass on some correspondence. Could we please see with the relevant Director what opportunities we have for replacing the light? |                                        |                    | <p>The light was removed by United Energy (UE) who have been systematically working their way across the municipality stripping back all the old 'non-compliant' assets on their poles. The light in question was an old night watchman's light that was lighting up the small roller door at the back of the shop on the other side of the road. It was unmetered and most likely the result of an original agreement between the shop owner and the power supply company at the time (hence no plans by UE to replace it).</p> <p>Council have already conducted luminosity level testing at the intersection and identified that two new additional lights are required on the existing power poles on the south side of Parkmore Road to bring the light levels in the area up to standard. As per our standard process, the Asset Planning team will now conduct a twenty-eight day public consultation process (and resolve any objections from nearby residents) before we request UE to install the additional lights which can then take 4-8 weeks to complete following notification.</p> |
| 11/07/22<br>CQT11       | Cr Tim Dark       | <b>Electronic scoreboard at Rowley Allan Reserve</b><br>I received some correspondence from the Southern Football Netball League                                                                                                                                                                                            | Director Business, Engineering & Major | 18/07/2022         | <p>COMPLETED</p> <p><b>Initial response provided 11/07/22:</b><br/>I am aware of issues with the scoreboard at that reserve in past years. I am not aware of the most</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Responsible Officer                      | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                         |                   | <p>with regards to the electronic scoreboard at the rally on Allan Reserve. I have raised it multiple times in the past. The club had one of their players who was a licenced electrician go up to get the scoreboard working. There was an incident once again this weekend where the scoreboard failed to activate, it caused a lot of issues for the play of the football match.</p> <p>We are receiving correspondence from the umpires and game organisers to see if we could get an external auditor to determine where the issues are. If we could also have a conversation with the clubs to determine exactly what is going on because I know the contractors went out there, but nobody had consulted with the football club and there was confusion about what was being done.</p> | Projects                                 |                    | <p>recent ones, but we will take that up as a priority.</p> <p><b>Further response provided 18/07/22:</b><br/>Our Building Maintenance Unit is in the process of upgrading the scoreboard due to the ongoing reliability issues. An order is with a qualified contractor and the works are planned for this week, the week commencing Monday 18 July 2022. The club has been advised of this progress.</p> <p>COMPLETED</p>                                                                                                      |
| 11/07/22<br>CQT12       | Cr Tim Dark       | <p><b>Northgate Drive &amp; Teddy Crescent residents wanting to know what is planned with the reserve/throughfare in the area now development has commenced</b></p> <p>I am wanting to know what is planned with the reserve/throughfare in the area now development has commenced? I received some correspondence from a couple of residents on Northgate Drive and Teddy Crescent, Springvale South at the old Coomoora High School site with the town house development that has started. The residents on Northgate Drive and Teddy Crescent have been under the assumption that Teddy</p>                                                                                                                                                                                                | Director City Planning, Design & Amenity | 20/07/2022         | <p><b>Initial response provided 11/07/22:</b><br/>We are happy to take that on notice and see what we can do to widely distribute information on the approved development there.</p> <p><b>Further response provided 20/07/22:</b><br/>Council officers have been in contact with the developer of this site, and have requested that they undertake a mail out to the surrounding area to provide residents with an update on the status of the development, along with a site plan showing the overall layout of the site.</p> |

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

## ORDINARY COUNCIL MEETING - MINUTES

## 6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Responsible Officer                                     | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                         |                   | Crescent had been closed off and turned into a reserve.<br>That is not the case with the final design and a lot of residents have been told recently that this is going to become a major thoroughfare for access onto the street. Could we please have a mail out informing residents that the construction has started and potentially providing a drawing of what is planned with the outlined reserve going into Teddy Crescent.                                                                                                                                                                                                                                                                                                                                                                       |                                                         |                    | In terms of Teddy Crescent access, there may be some interim access for construction purposes only, however I can confirm that the approved final layout of the development provides no vehicular access to the site from Teddy Crescent. Rather, this land will become a common property reserve for the use of the residents of the new development.                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 11/07/22<br>CQT13       | Cr Tim Dark       | <b>State Government announcement re Council pursuing outstanding rates debts</b><br>The State Government has announced that they are providing a moratorium on Council pursuing the outstanding debt that we have in relation to people with Council rates. I know that Council for a very long time has a substantial amount of arrears with people's failure to pay. I would like to hear from the relevant officers any potential forecasting on what Council's bottom line and debt levels would look like if the proposed amendments were to go through.<br><br><b>Further question asked 16/07/22:</b><br>With the amount of companies going into administration and liquidation in the South East at the moment, do we have provision or facilities to lodge a claim for outstanding rates with the | Executive Manager<br>Finance and Information Technology | 18/07/2022         | <b>COMPLETED</b><br><br><b>Initial response provided 11/07/22:</b><br>I will take that on notice. We are wrapping up 30 June 2022 results at the moment. We will see what the impact of outstanding debts is. The Local Government Amendment (Rates) Bill will have further impacts on that modelling. I cannot give you a direct answer at this point. That is more a timely thing.<br><br><b>Further response provided 15/07/22:</b><br>This Bill progressed through Parliament on 23 June 2022 and is awaiting final assent. I understand the Rating Reform legislation is currently scheduled to be debated in parliament in early August. The Bill proposes some significant changes to when Council can commence debt recovery, a new interest rate set and how it applies to rate arrears and |

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                          | Responsible Officer | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                         |                   | <p>administrators/liquidators or do we usually write off the outstanding rates?</p> <p>The business in the City of Greater Dandenong that I am aware of in the last week are Murray River Organics, A. Noble &amp; Sons Ltd and Anando Food Group.</p> |                     |                    | <p>payment arrangements.</p> <p>By way of background Councils outstanding rates at 30 June 2021 was \$11.18 million (or 6.81% total outstanding). Councils outstanding rates has generally been steady around 5.5% uncollected pre COVID. Over the past two years of COVID we have seen a shift to around 6-7% total uncollected at 30 June. The current financial year 2021-22 is forecast to be 7.94% or \$12.56 million outstanding at 30 June 2022. The proposed Bill will certainly impact Council's current collection rate/outstanding rates and we will see a reduction in interest income.</p> <p>Ministerial Guidelines will be introduced alongside the Bill relating to payment arrangements, debt recovery and how Councils are to implement these. When this is introduced, I will be in a better position to brief Council on the implications as this relies heavily on the guidelines.</p> <p><b>Further response provided 18/07/22:</b><br/>Council rates and charges are secured in that they attach to the property which means Council can take action to sell the property to pay the debts in extreme cases. We don't write off outstanding rates.</p> |

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By  | Subject & Summary of Question                                                                                                                                                                                                                                                                                                | Responsible Officer                             | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| 11/07/22<br>CQT14       | Cr Richard Lim OAM | <b>Number 8 Carpark – no progress on works since May 2022</b><br>I wish to follow up on a question that I had raised many weeks ago about the multilevel car park number 8. It seems there were some renovations happening from early May and there has not been any progress since. Can I please receive an update on that? | Director Business, Engineering & Major Projects | 21/07/2022         | <p>The businesses you noted could very well likely be tenants so rates are recovered from the property owner. If this is not the case then Council would go through the process and lodge a claim for outstanding rates with the administrators/liquidators – and being a secured creditor, Council will have higher priority to recover any outstanding rates and charges.</p> <p>COMPLETED</p> <p><b>Initial response provided 11/07/22:</b><br/>The multilevel car park at number eight is being done in three stages. My understanding is we have completed stages one and two of the works. The third stage is the actual construction of the new ramp improvements. The concreting contractor was recently appointed to undertake that work. I do not have a program that I can share with you this evening regarding when they will commence and how long it will take but I will get that information to you shortly. We can assure that that final phase is imminent and will be undertaken shortly.</p> <p><b>Further response provided 21/07/22:</b><br/>The next stage of these works, the construction of concrete ramps is just awaiting some final permit approvals before the appointed contractor can commence this final</p> |

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Responsible Officer                             | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                         |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                 |                    | stage.<br><br>COMPLETED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11/07/11<br>CQT16       | Cr Rhonda Garad   | <b>Writing to state MPS for potential funding for pedestrian crossing in Perry Road, Keysborough South</b><br>With a large volume of traffic on Perry Road in Keysborough South, including several trucks travelling to the industrial zone, there becomes a greater risk of pedestrian traffic trying to cross the road. There has been some concerning near incidents in recent weeks. As we do not have the funds for a pedestrian crossing, I have had discussions with State representatives who have indicated there may be funds available. Can we formally write to Members of Parliament, Martin Pakula and Tim Richardson requesting consideration to fund a pedestrian crossing in the Perry Road site providing also our current plans for one. | Director Business, Engineering & Major Projects | 18/07/2022         | <b>Initial response provided 11/07/22:</b><br>We can write a letter under the Mayor's signature to the members of Parliament as requested and make sure that all relevant details regarding this request are provided and therefore considered.<br><br><b>Further response provided 18/07/22:</b><br>Our traffic engineers have sent some information directly to Tim Richardson MP following a request from yourself.<br><br>A formal letter will be sent under the Mayor's signature to Tim Ricardson MP and other relevant MPs requesting funding for this project shortly. |
| 11/07/22<br>CQT17       | Cr Rhonda Garad   | <b>Query regarding removal of light pole on the corner of Church and Perry Roads, Keysborough South</b><br>Can the relevant officer please explain the removal of a light pole on the corner of Perry and Church Roads in Keysborough South?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Director Business, Engineering & Major Projects | 21/07/2022         | <b>Initial response provided 11/07/22:</b><br>We have recently been advised by United Energy that the pole was impacted by an unknown party and removed for safety reasons. I can confirm that United Energy have a request to replace the pole in their system and we have been advised that this should take place around mid-August 2022.<br><br><b>Further response provided</b>                                                                                                                                                                                           |

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Responsible Officer         | Date of Completion | Summary of Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/07/22<br>CQT22       | Cr Sean O'Reilly  | <b>Old long concrete base spectator stand (not the heritage one) at Springvale Reserve has some issues</b><br>An issue has been brought up to be by a resident via Facebook Messenger. Just so everyone knows I take queries via phone, email, website and Facebook. I do not mind where they come from. I will respond and take up their cause to the best of my ability.<br><br>This resident lives adjacent to Springvale Reserve. On Springvale Reserve, there is a long, concrete-based spectator stand. It is not the heritage one, it is the one that runs alongside Harris Street. According to this resident, there are a couple of issues. Firstly, the base of the concrete stand, is broken and crumbling. Secondly, there are instances of public urination at the back of the stand. I understand these things are quite difficult for Council to enforce. But if the | Director Community Services | 25/07/2022         | <b>21/07/22:</b><br>We have been advised by United Energy that the pole was impacted/damaged by an unknown party and removed for safety reasons. I can confirm that United Energy already have a request in their system to replace the pole which has been assigned to their Service Provider (Zinfra) for completion on or before the 16/08/2022.<br><br>COMPLETED<br><br><b>Initial response provided 11/07/22:</b><br>We will arrange for an inspection of the concrete matter at the location as soon as possible and ensure that it is safe. If it is no, we will take corrective action to ensure that the public is not at risk. I will liaise with the relevant parts of Council regarding the second matter that you have raised.<br><br><b>Further response provided 25/07/22:</b><br>Council recently completed maintenance work on the shelters at Springvale Reserve, including attending to the bases of the structures, which was identified as part of a recent Building Condition report. The condition report found that the structures were structurally safe.<br><br>Council officers have spoken to the |

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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**6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)**

| Date of Council Meeting | Question Asked By | Subject & Summary of Question                                                                                   | Responsible Officer | Date of Completion | Summary of Response                                                                                    |
|-------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------|---------------------|--------------------|--------------------------------------------------------------------------------------------------------|
|                         |                   | relevant officer could have the stand's condition inspected and any essential works on the stand be considered. |                     |                    | tenant club about the urination issues who will monitor and educate their spectators.<br><br>COMPLETED |

**At the Ordinary meeting of Council on Monday, 24 March 2014, Council resolved to change the way Councillors and Public questions taken on notice are answered and recorded from 14 April 2014 meeting of Council onwards.**

## **7 URGENT BUSINESS**

No urgent business was considered.

The meeting closed at 8.09 PM.

Confirmed:     /     /

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