

MINUTES



Ordinary Meeting of Council

Held at the
Civic Centre
511 Burwood Highway
Wantirna South
On
Tuesday 29 January 2019

The meeting commenced at 7.00pm.

PRESENT:

Cr J Keogh (Mayor)	Dobson Ward
Cr P Lockwood (Deputy Mayor)	Baird Ward
Cr J Mortimore	Chandler Ward
Cr A Gill	Dinsdale Ward
Cr T Holland	Friberg Ward
Cr L Cooper	Scott Ward
Cr D Pearce	Taylor Ward
Cr N Seymour	Tirhatuan Ward
Mr T Doyle	Chief Executive Officer
Dr I Bell	Director – Engineering & Infrastructure
Mr P Dickie	Acting Director - City Development
Mr M Fromberg	Director – Corporate Services
Ms T Clark	Director – Community Services
Mr P McQue	Manager, Governance and Strategy

THE MEETING OPENED WITH A PRAYER, STATEMENT OF ACKNOWLEDGEMENT AND A STATEMENT OF COMMITMENT

“Knox City Council acknowledges we are on the traditional land of the Wurundjeri and Bunurong people and pay our respects to elders both past and present.”

Order of Business

- 1 Apologies And Requests For Leave Of Absence.....5
- 2 Declarations Of Conflict Of Interest.....5
- 3 Confirmation Of Minutes5
- 4 Petitions And Memorials5
- 5 Reports By Councillors6
 - 5.1 Committees and Delegates6
 - 5.2 Ward Issues.....7
- 6 City Development Officers’ Reports For Consideration.....8
 - 6.1 Planning Applications Decided Under Delegation8
 - 6.2 48 Kathryn Road, Knoxfield.....15
 - 6.3 52 Kathryn Road, Knoxfield.....64
 - 6.4 1-13 Erica Avenue, Boronia.....112
 - 6.5 Amendment C172 – Stamford Park LSIO (Land Subject to Inundation Overlay) removal .150
 - 6.6 Cat Curfew Order161
 - 6.7 Municipal Emergency Management Plan169
- 7 Public Question Time219
- 8 Engineering & Infrastructure Officers’ Reports For Consideration.....221
 - 8.1 Council's Masterplan Status Report.....221
- 9 Community Services Officers’ Reports For Consideration261

Nil.

- 10.1 Proposed Sale of Council Property Part Wellington Road Reserve and Part 899R Wellington Road, Rowville262
- 10.2 Citizenship Ceremonies.....268
- 10.3 Election Period Policy for the Collier Ward By-Election.....271
- 10.4 Minor Grants Program Applications281
- 10.5 Revised Instruments of Delegation to Members of Council Staff.....286
- 10.6 Financial Performance Report for the Quarter Ended 31 December 2018459
- 10.7 Call Up Item - Social Media Engagement483
- 11 Items For Information.....486
 - 11.1 Assemblies of Councillors486
- 12 Motions For Which Notice Has Previously Been Given493
- 13 Supplementary Items.....493
- 14 Urgent Business493
 - 14.1 Urgent Business493
 - 14.2 Call Up Items.....493
- 15 Questions Without Notice493
- 16 Confidential Items.....493

6.5 Amendment C172 – Stamford Park LSIO (Land Subject to Inundation Overlay) removal

SUMMARY: Strategic Planner, City Futures, David Cameron

This report seeks Council's adoption of Amendment C172 to the Knox Planning Scheme and recommends that the Amendment be submitted to the Minister for Planning for approval. The amendment has proceeded through the exhibition period and received no submissions during that time. The amendment proposes to remove the Land Subject to Inundation Overlay (LSIO) from the residential pad of the Stamford Park development located at 980 Stud Road, Rowville. The LSIO located on the amendment site is currently a redundant planning scheme provision within the Knox Planning Scheme, following earthworks which raised the Stamford Park residential pad above the floodplain.

RECOMMENDATION

That Council:

1. **Adopt Amendment C172 to the Knox Planning Scheme in the form attached as Attachment 2;**
2. **Submit the adopted Amendment C172 to the Minister for Planning for approval;**
3. **Authorise the Director – City Development to make any minor changes required to Amendment C172 for approval by the Minister for Planning consistent with the intent of the adopted Amendment.**

1. INTRODUCTION

The land subject to Amendment C172 is described in the Certificate of Title Lot 2 of Volume 9584 Folio 491, Volume 10284 Folio 878, and Volume 11048 Folio 749 Parish of Narre Warren (addressed as 980 Stud Road, Rowville). The amendment site is at the western end of Emmeline Row, Rowville, and consists of the Stamford Park redevelopment site (see Attachment 1).

Amendment C172 only relates to the residential development pad of the Stamford Park redevelopment, which has recently undergone earthworks to raise the pad above the 1 in 100-year flood level in preparation for residential development. The proponent of the amendment, Roberts Day Consultants, continues to act on behalf of Stockland Pty Ltd.

Council resolved at its 24 September 2018 meeting to seek authorisation from the Minister of Planning to prepare and conduct limited exhibition for Amendment C172 to the Knox Planning Scheme. The amendment proposes to remove the Land Subject to Inundation Overlay (LSIO) from the residential development pad of the Stamford Park redevelopment site.

Amendment C172 was exhibited from 15 November 2018 to 17 December 2018. No submissions were made regarding the amendment. This report recommends that Council adopt Amendment C172 in the form attached as Attachment 2 and submit it to the Minister for Planning for approval.

2. DISCUSSION

The earthworks conducted at 980 Stud Road, Rowville (the Stamford Park residential pad), were undertaken in accordance with previously issued planning permits P/2016/6579 & P/2016/6768, for bulk earthworks and residential development respectively. These permits were obtained in preparation for residential development on the Stamford Park redevelopment site.

Following the completion of earthworks to the Stamford Park residential development pad, Melbourne Water provided confirmation that the earthworks were satisfactory and met the Melbourne Water conditions of permit. As the relevant floodplain manager, Melbourne Water provided no objection to the removal of the LSIO (see Attachment 3). Earthworks were completed with corresponding drainage works to the surrounding flood prone area.

The purpose of the LSIO is to identify flood storage and flood fringe areas susceptible to a one in 100-year flood event. It is also to ensure development minimises flood damage and does not cause significant flood level or velocity increase, and to ensure development maintains or improves river and wetland health.

Council has a responsibility to continuously evaluate the Knox Planning Scheme and ensure planning scheme provisions are accurately applied to the land. This is inclusive of removing any provisions that are redundant or no longer have relevance to the land which they apply.

The LSIO over the Stamford Park residential pad is no longer required and would impose redundant planning permit triggers on the developer of the site. Given the LSIO is no longer required over the residential pad, it is recommended that Council adopt Amendment C172 to the Knox Planning Scheme.

3. CONSULTATION

Amendment C172 was exhibited from 15 November 2018 to 17 December 2018. The limited exhibition (subject to section 20(2) of the Planning and Environment Act, 1987) included:

- Public notices in the Knox Leader on 13 November 2018, and Government Gazette on 15 November 2018.
- Letters to prescribed Members of Parliament.

No submissions were received in relation to the amendment during the exhibition period.

4. ENVIRONMENTAL/AMENITY ISSUES

Earthworks and drainage works have preceded this amendment at 980 Stud Road, Rowville, which were completed and are acceptable to the floodplain manager (Melbourne Water). The removal of the LSIO from the site will have no further impact on the surrounding environment or the surrounding amenity of existing residences.

5. FINANCIAL & ECONOMIC IMPLICATIONS

It is not anticipated that any additional financial or economic obligation will result through the removal of the LSIO at 980 Stud Road, Rowville.

The amendment will remove unnecessary planning permit triggers, which will reduce planning permit applications and associated applicant fees.

6. SOCIAL IMPLICATIONS

No further social implications are expected as a result of the removal of the LSIO from the residential pad of the Stamford Park redevelopment.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 2 – We have housing to meet our changing needs.

Strategy 2.1 - Plan for a diversity of housing in appropriate locations.

8. CONFLICT OF INTEREST

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

Author – Strategic Planner, City Futures, David Cameron - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director, City Development, Paul Dickie - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The removal of the LSIO from the residential development pad at 980 Stud Road, Rowville will remove a redundant planning control from the Knox Planning Scheme and reduce unnecessary planning permit applications. The changes are also supported by the floodplain manager (Melbourne Water) who has no objection to the removal of the LSIO.

In light of the information contained within this report, it is recommended that Council adopt Amendment C172 in the form attached as Attachment 2 and submit it to the Minister for Planning for approval.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Strategic Planner, City Futures – David Cameron

Report Authorised By: Acting Director, City Development – Paul Dickie

Attachments

1. Attachment 1 - Site map Knox C172 **[6.5.1]**
2. Attachment 2 - Knox C172 Amendment Documentation **[6.5.2]**
3. Attachment 3 - Knox C172 - Melbourne Water Response **[6.5.3]**

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Pearce

That Council:

1. **Adopt Amendment C172 to the Knox Planning Scheme in the form attached as Attachment 2;**
2. **Submit the adopted Amendment C172 to the Minister for Planning for approval;**
3. **Authorise the Director – City Development to make any minor changes required to Amendment C172 for approval by the Minister for Planning consistent with the intent of the adopted Amendment.**

CARRIED

Attachment 1 - Subject site



Figure 1: 980 Stud Road, Rowville (Stamford Park development residential pad)

Planning and Environment Act 1987

KNOX PLANNING SCHEME

AMENDMENT C172

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Knox City Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Roberts Day Consultants acting on behalf of Stockland Development Pty Ltd.

Land affected by the Amendment

The Amendment applies to the land at 980 Stud Road, Rowville (the residential pad of the Stamford Park development).

What the amendment does

The Amendment proposes to delete the Land Subject to Inundation Overlay (LSIO) from the Stamford Park residential development area. The proposed deletion reflects recent earthworks and drainage works to the site at 980 Stud Road, Rowville to elevate the residential pad in relation to the surrounding flood plain.

Strategic assessment of the Amendment

Why is the Amendment required?

The recent completion of earthworks at Stamford Park has elevated the residential development pad. Melbourne Water has confirmed that the fill applied to the site meets its requirements, and has no objection to the removal of the LSIO.

Given the height of the fill applied to the residential development pad and the surrounding drainage works, the LSIO has become a redundant planning scheme provision over the site at 980 Stud Road, Rowville. The application of the LSIO to land above the applicable 1 in 100-year flood level has no further merit. If retained, the LSIO will result in unnecessary planning applications for a variety of works and this, in turn, will impose costs on residents through the lodgement of planning applications. Retention of a redundant planning scheme provision is not considered good planning practice.

How does the Amendment implement the objectives of planning in Victoria?

The amendment is consistent with the objectives of section 4(1) of the Planning and Environment Act (1987) by allowing for the fair, orderly, economic and sustainable use, and development of land. The amendment is also supported under section 12(1) of the Act, in that Council regularly review the provisions of the planning scheme for which it is a planning authority. Additionally, a planning authority may under section 12(2)(c) the Act do all things necessary to encourage and promote the orderly and proper use, development and protection of land in the area for which it is a planning authority.

How does the Amendment address any environmental, social and economic effects?

The purpose of the LSIO is to identify flood storage and flood fringe areas susceptible to a 1 in 100-year flood event, to ensure development minimises flood damage and does not cause significant flood level or velocity increase, and to ensure development maintains or improves river and wetland health. The LSIO is proposed to be removed from the elevated residential pad, and retained on the

surrounding land within the site at 980 Stud Road, Rowville. The removal of the LSIO will not impact on surrounding residential properties, as additional drainage works have also been undertaken.

It is not considered that there will be any detrimental social or economic implications as a result of the amendment. The amendment will, however, remove unnecessary planning permit triggers, and reduce planning permit applications and the associated fees.

Does the Amendment address relevant bushfire risk?

The subject site is not within a Bushfire Management Overlay (BMO), and the removal of the LSIO will not have any impact any existing bushfire risk.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is compliant with the Ministerial Direction on the form and content of the planning schemes under section 7(5) of the Planning and Environment Act (1987). The Amendment is also consistent with Ministerial direction No. 9 – Metropolitan Planning Strategy (as amended 30 July 2018) pursuant to section 12 of the Planning and Environment Act 1987 which requires planning authorities to have regard to the Metropolitan Planning Strategy.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The State Planning Policy Framework (SPPF) seeks to ensure the objectives of planning in Victoria, as set out in the Planning and Environment Act 1987, are fostered through appropriate planning policies and practices that integrate relevant environmental, social and economic factors in the interest of net community benefit and sustainable development.

The amendment is supported by the following strategies:

- 11.03-6S: Regional and local places
 Planning considerations specific to the Stamford Park redevelopment site can be better integrated.
- 12.03-1S: Water bodies and wetlands
 Development on the residential pad of the Stamford Park redevelopment will be sited to consider waterways and ensure it does not impact a waterbody's capability to manage flood flow.
- 13.03-1S: Floodplain management
 Land affected by potential flooding has been accurately identified.
- 15.01-1S: Urban design
 Development will have a minimal impact on the surrounding natural environment in line with the existing residential development permit.
- 19.03-3S: Water supply, sewerage and drainage
 As part of the recent earthworks, surrounding drainage measures were also provided to assist peak flows and treatment of stormwater.
- 19.03-4S: Stormwater
 On-site stormwater measures at the Stamford Park estate will be undertaken.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment is consistent with, and supports the direction of, Knox's Local Planning Policy Framework, and specifically the following aspects of the Municipal Strategic Statement.

- 21.06: Housing
The removal of the LSIO will remove unnecessary planning permit triggers for residential development and allow for an increased supply of housing.
- 21.09: Transport and infrastructure
This Amendment will ensure integrated water management and effective floodplain management for the site.
- 22.07: Development in residential areas and neighbourhood character
This Amendment will result in appropriate planning scheme controls by which to properly assess future residential development.

Does the Amendment make proper use of the Victoria Planning Provisions?

The proposed removal of the LSIO reflected its redundant placement at 980 Stud Road, Rowville. As it no longer serves a purpose (confirmed through correspondence with Melbourne Water), with the site placed above the relevant floodplain, retention of the overlay would serve no purpose.

How does the Amendment address the views of any relevant agency?

Melbourne Water, as the relevant floodplain management authority, has confirmed that following the completion of earthworks and additional surveys being undertaken on site, it has no objection to the removal of the LSIO from the residential development pad.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will not have a significant impact on the transport system.

Resource and administrative costs

The removal of the LSIO from the land will not have significant impact on the resource and administration costs of Knox City Council.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Council's Customer Service Building and Planning counter at the Knox Council Civic Centre, 511 Burwood Highway, Wantirna South, on weekdays from 8:30am to 5:00pm.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Planning and Environment Act 1987

KNOX PLANNING SCHEME

AMENDMENT C172

INSTRUCTION SHEET

The planning authority for this amendment is the Knox City Council.

The Knox Planning Scheme is amended as follows:

Planning Scheme Maps

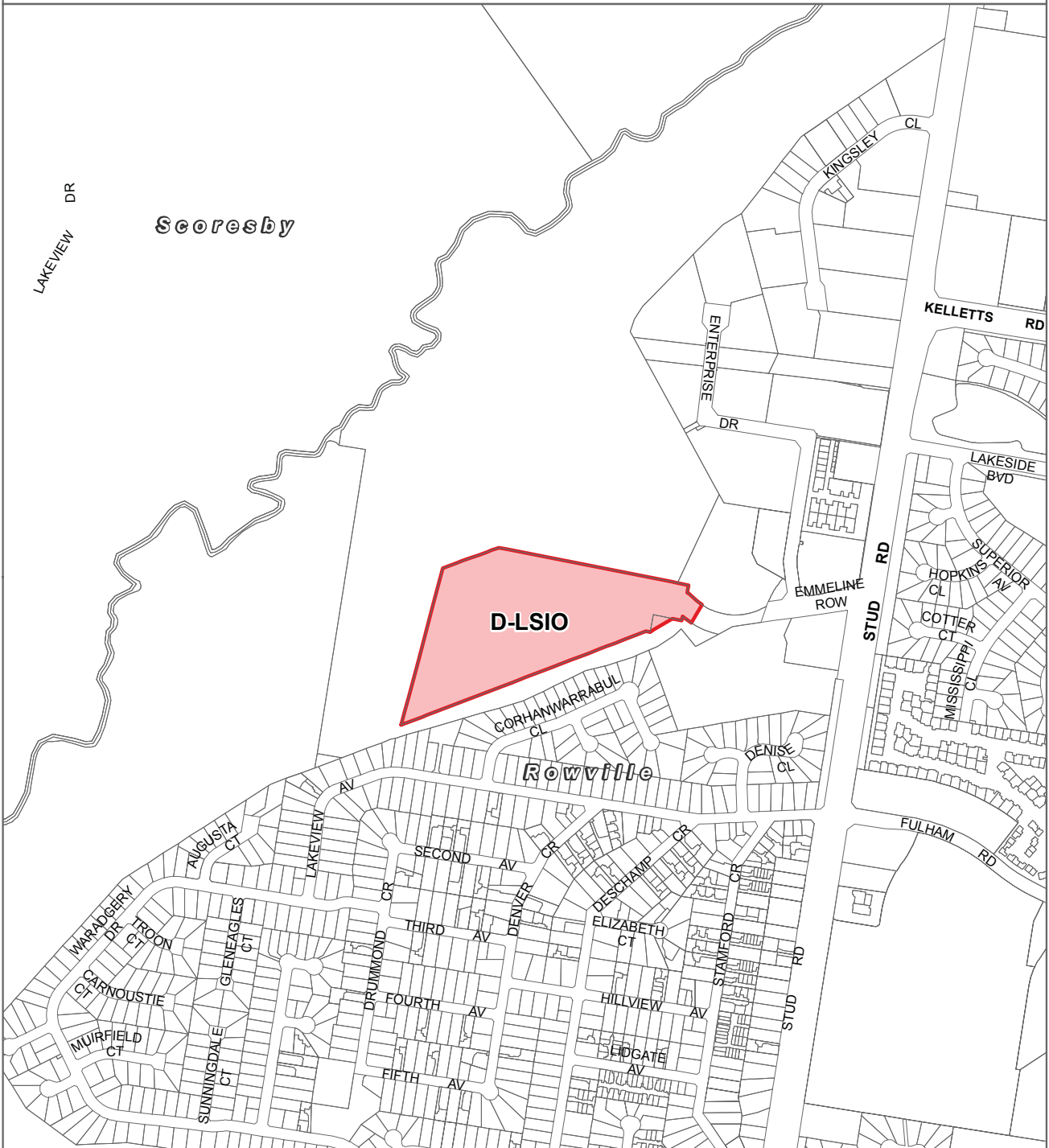
The Planning Scheme Maps are amended by a total of 1 attached map sheet.

Overlay Maps



1. Amend Planning Scheme Map No 5LSIO in the manner shown on the attached map marked "Knox Planning Scheme, Amendment C172".

End of document

KNOX PLANNING SCHEME - LOCAL PROVISION AMENDMENT C172



LEGEND

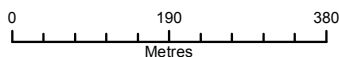
-  D- Delete Zone or Overlay
-  Local Government Area



Part of Planning Scheme Map 5LSIO

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 This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Planning Group
 Print Date: 15/08/2018



Environment,
 Land, Water
 and Planning



13 April 2018

Anthony Msonda-Johnson
Roberts Day
Level 5, 411 Collins Street
Melbourne VIC 3000

Dear Anthony,

RE: Review of feature and level survey plan

Site location: 980 Stud Road, Rowville

Plan reference: Job Number: 14339-108-06, Sheet: 1, Version: 1, Date: 16/11/2017

Melbourne Water reference: MWA-1014508

Date referred: 09/04/2018

Thank you for your email and submission of a feature and level survey plan for the Stamford Park development, as referenced above and attached to this letter.

The submitted feature and level survey plan indicates that the land has been filled in accordance with Melbourne Water's requirements relating to the approved development at 980 Stud Road, Rowville. Melbourne Water would therefore have no objection to the removal of the Land Subject to Inundation Overlay from the area that has been filled.

For further enquiries, please contact me on 9679 7410.

Regards,

A handwritten signature in black ink, appearing to be "Con Gantonas".

Con Gantonas
Customer and Planning Services

6.6 Cat Curfew Order

**SUMMARY: Coordinator, Projects and Improvement – Janet Simmonds
Coordinator, Community Laws - Paul Anastasi**

Council at its meeting on 22 January 2018 adopted the 2017-2021 Domestic Animal Management Plan. A key new initiative in this Plan is to address nuisance cats through the introduction of a sunset to sunrise cat curfew across the municipality. This report, and the attached proposed Order under Section 25(2) of the *Domestic Animals Act 1994*, seeks Council's approval to make it an offence if a cat is found at large outside the premises of the owner between sunset and sunrise, effective from 1 September 2019.

RECOMMENDATION

That Council:

- 1. Make an Order as provided in Attachment A, to impose a sunset to sunrise curfew for cats to be confined to their owner's premises, effective 1 September 2019.**
- 2. Note the proposed community education and information campaign, to inform the community of the new cat containment curfew requirements.**

1. INTRODUCTION

Council's 2017-2021 Domestic Animal Management Plan was approved and adopted by Council at the 22 January 2018 Ordinary meeting of Council. To address the issue of nuisance cat problems the plan proposes the introduction of a cat curfew in 2018/2019. A cat curfew would require that all cats be confined within the cat owners' premises between the hours of sunset and sunrise each day. The introduction of a cat curfew aims to prevent cats wandering at night, therefore reducing nuisances such as spraying and fighting, as well as protecting native wildlife.

In accordance with Section 25 of the *Domestic Animals Act 1994* (the Act), a Council may by resolution make an Order to make it an offence if a cat is found at large outside the premises of the owner or not securely confined to the owner's premises. The Order requires Council to specify the hours under which the order applies. This report seeks Council resolution to make an order to legally enforce the introduction of a cat curfew during the hours of sunset to sunrise, commencing 1 September 2019. Sunset and sunrise are determined as the times for a specified suburb and date, in accordance with the Australian Government *Geoscience Australia* website or its successor.

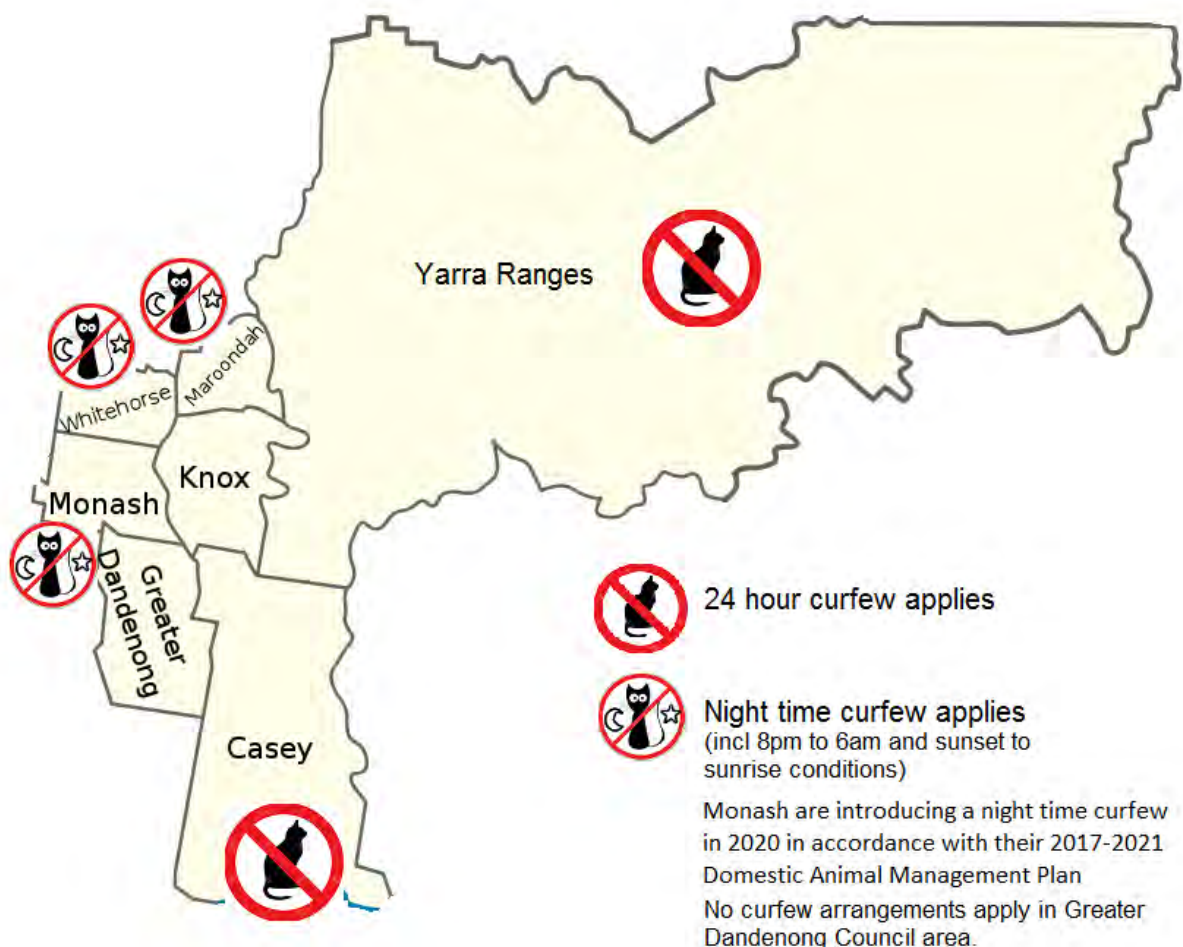
2. DISCUSSION

In the development of Council's 2017-2021 Domestic Animal Management Plan, Council proposed the introduction of a cat curfew for Knox - which was put to the public for consultation and comment.

Community consultation in developing the Plan found that 85% of survey respondents supported the introduction of a cat curfew. A detailed paper regarding the draft 2017-2021 Domestic Animal

Management Plan was put to the Issues Briefing meeting on 14 August 2017, and later adopted at the Ordinary Council Meeting on 22 January 2018, where Council supported the introduction of a sunset to sunrise curfew, as opposed to a 24 hour curfew.

Neighbouring municipal Councils, other than the City of Greater Dandenong, have adopted the following cat curfew arrangements:



Council's approach to implementing a cat curfew within our municipality will be through a comprehensive education and information campaign, to promote the additional containment requirements for cat owners. Council's 2017-2021 Domestic Animal Management Plan also outlines the following promotional activities to inform and educate the public on the introduction of the cat curfew:

- The development of communications plan to promote the introduction of the curfew, including the use of social media.
- Amend pet registration forms to advise of curfew requirements.
- Update new animal letters advising of curfew requirements; and
- Provide information on DIY cat enclosures and proof fencing on Council's website and in hard-copy on request.

Following the Council resolution of the cat curfew, the Order as recommended in this report will be published in the Victorian Government Gazette as well as the Knox Leader newspaper, in accordance with the legislative requirements under the Act. Council will also promote the use of cat enclosures and cat proof fencing as effective cat containment measures, which will refer residents to the range of options as promoted on the Victorian Department of Agriculture website.

It is intended that the proposed effective date of 1 September 2019 will provide sufficient time to inform the Knox community of the new curfew arrangements both through the information campaign measures discussed above, as well as at the upcoming Knox Pets in the Park event being held on the 31 March 2019.

From 1 September 2019, where a breach of the cat curfew has occurred and the offence can be established, an authorised Council officer may issue an infringement to the value of 0.5 of a penalty unit, or the Court could impose up to 1 penalty unit fine for a first offence. A maximum penalty of 3 penalty units applies under the Act for a second or subsequent offence. Penalty units are set by the State Government and indexed by the Treasurer annually on 1 July. The current value of a penalty unit is \$161.19 for 2018-19. The offending cat may also be impounded if not registered with Council.

If Council was to enforce and issue fines or prosecute offenders for breach of the curfew, the legal burden of proof Council would need to establish an offence has occurred would be:

- The exact identification and ownership of the offending cat (microchip identification and registration).
- Location, time and date of the offence – ensuring it occurred during the curfew times.
- Evidence from the resident impacted by the cat (i.e. Statement and potentially Council's witness in Court) to sufficiently meet the legal burden of proof that the offence has occurred.

A sunset to sunrise curfew provides additional complexities, compared to a 24 hour curfew, due to the burden of proof required to establish an offence has occurred during a specific time period that changes each day throughout the year. Due to these complexities, it is anticipated that Council's enforcement actions will be taken under limited circumstances. Whilst Council will respond to any reported complaints, it is anticipated that through community education, general compliance with the curfew will be achieved.

The operation of the sunset to sunrise cat curfew will be monitored as to its effectiveness over the life of the 2017-2021 Domestic Animal Management Plan.

3. CONSULTATION

Community consultation in developing the 2017-2021 Domestic Animal Management Plan found that 85% of survey respondents supported the introduction of a cat curfew. Council received 782 responses to a community survey, where respondents were asked to rank¹ their preference for three options relating to cat confinement, being (i) 24 hour cat confinement; (ii) dusk to dawn

¹ Knox Domestic Animal Management Plan Community Survey – Respondents were 'forced' to rank their preference, even if they did not agree with an option. The purpose of the question was to rate the most to least acceptable option.

confinement; and (iii) no confinement requirements. The community support for a dusk to dawn curfew was very high, with 96% and 71% of respondents respectively supporting a dusk to dawn curfew as their first or second option. The terms dusk to dawn/ sunset to sunrise have become interchangeable, however the term sunset to sunrise can be formally confirmed from planetary cycles. 15% of respondents did not support any confinement requirements for cats. Sixty-five percent of survey respondents also indicated that cats not being confined at night is an issue for them now or has been in the past.

In addition to the community survey, Council received 21 submissions relating to the Plan content, with most of the community feedback relating to concerns about cats not being subject to some type of confinement. The reasons given relate to the safety of cats, cat-fights and cat yowling (nuisance), protection of wildlife, and not wanting cats defecating or urinating in other people's properties (nuisance).

4. ENVIRONMENTAL/AMENITY ISSUES

Council's 2017-2021 Domestic Animal Management Plan acknowledges that many cat owners recognise the health and wellbeing associated with confining their cat at night. In addition, an increasing number of cat owners are taking it upon themselves to confine cats to their property or indoors 24/7 without any requirements via legislation.

'Providing their basic needs are met, cats can enjoy longer and healthier lives when safely contained to the property. Serious problems can occur if cats are allowed to roam outdoors, particularly at night (around 80% of accidents involving cats happen at night). Roaming cats can get hit by cars, injured in fights, catch fatal diseases (eg. Feline AIDS) or become lost. Roaming cats can also kill native wildlife – even well fed cats will hunt. Roaming cats can annoy neighbours too, by spraying, fighting, yowling and digging in gardens.'² A sunset to sunrise curfew is expected to provide improved protection for both Knox's native wildlife and the cats themselves.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The implementation of the cat curfew will be delivered within existing budget allocations. Council currently manages nuisance cat complaints by providing effected residents a two-week loan of a cat trap, where a Community Laws officer will attend the effected property to either impound (unregistered) or return to the owner trapped cats. This process is required to establish the legislative requirement to prove that a cat has wandered onto another person's property without permission on more than one occasion³. In 2017-18, Council received 164 cat trap requests from the public. It is anticipated the introduction of a cat curfew will result in an increased demand for Council's free cat-trap hire service, managed by staff in Councils' City Safety and Health department.

While there is an expectation that the intervention may be absorbed with existing City Safety and Health staffing resources, experience from other Council's in introducing a cat curfew, has found an initial increase in activity impacting upon staff resources early in the introduction period.

² Victorian Department of Agriculture: agriculture.vic.gov.au/pets/cats/cat-confinement-enclosures-and-fencing

³ Section 23 of the *Domestic Animals Act 1994*.

Whilst a 24 hour curfew could result in additional cost burdens on cat owners' property through the voluntary installation of fencing modifications or cat enclosures and runs, the introduction of the sunset to sunrise curfew may not require increased financial burdens on cat owners. Owners can comply with the requirements of the curfew by keeping their cat confined within their house, garage or similar during the hours of sunset to sunrise – provided that the animal has a warm dry sleeping area, a litter tray and plenty of water.

6. SOCIAL IMPLICATIONS

Whilst Councils generally put cat confinement requirements in place in order to address wider community concerns related to the protection of wildlife and cat welfare, the community has an expectation that Council will actively enforce legislated requirements relating to pet trespass. The introduction of the cat curfew is expected to result in an increase in demand for this service, managed by Council's City Safety and Health Department.

Due to the burden of proof required from the resident trapping or reporting a cat in breach of the sunset to sunrise curfew, it is not anticipated that Council's Community Laws authorised officers will have many breaches where enforcement action can be taken by Council.

Council's approach to managing and rolling-out the cat curfew in Knox will be through a comprehensive education and information campaign, to promote the additional containment requirements for cat owners. Council promotes the use of cat enclosures and cat proof fencing as effective cat containment measures, which will refer residents to the range of options as promoted on the Victorian Department of Agriculture website.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The introduction of a cat curfew in Knox supports the achievement of the following goals of Council's Community and Council Plan 2017-2021, through managing nuisance cats to minimise the impact on our native wildlife, while promoting and ensuring the humane care and treatment of all pets.

Goal 1 - We value our natural and built environment

Strategy 1.2 - Create a greener city with more large trees, indigenous flora and fauna.

Goal 4 - We are safe and secure

Strategy 4.4 - Protect and promote public health, safety and amenity.

8. CONFLICT OF INTEREST

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

Co-Author – Coordinator Projects and Improvement, Janet Simmonds - In providing this advice as the Co-Author, I have no disclosable interests in this report.

Co-Author – Coordinator Community Laws, Paul Anastasi - In providing this advice as the Co-Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director, City Development, Paul Dickie - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Council's approval of the order in Attachment A will provide the resolution required under Section 25 of the *Domestic Animals Act 1994* to make it an offence if a cat is found at large outside the premises of the owner during sunset to sunrise, effective from 1 September 2019. This will operationalise the introduction of the sunset to sunrise cat curfew, being a key initiative to address nuisance issues as adopted by Council in the 2017-2021 Domestic Animal Management Plan. The cat curfew, along with other provisions within the four year Plan, will be reviewed during the life of the plan as required.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Coordinator Projects and Improvement, Janet Simmonds
Coordinator Community Laws, Paul Anastasi

Report Authorised By: Acting Director City Development, Paul Dickie

Attachments

1. Council Order for Cat Curfew [6.6.1]

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Mortimore

That Council:

1. **Make an Order as provided in Attachment A to the minutes to pilot a sunset to sunrise curfew for cats to be confined to their owner's premises, effective 1 January 2020 to 31 December 2020 to be reviewed based on the number of traps issued in the period, the number of cat related neighbourhood disputes reported to Council and any other evidence based criteria identified by officers.**
2. **Note the proposed community education and information campaign, to inform the community of the new cat containment curfew requirements.**

CARRIED

Attachment A



**ORDER 1/2019
of
KNOX CITY COUNCIL**

Section 25(2) of the *Domestic Animals Act 1994*

At its meeting on 29 January 2019, Knox City Council resolved to make the following Order under Section 25(2) of the *Domestic Animals Act 1994*.

This Order is effective from 1 January 2020 to 31 December 2020.

1. All cats within the municipal district of Knox City Council must be securely confined to the owner's premises between the hours of sunset and sunrise each day.

Meaning of words in this Order:

Owner has the same meaning as in the *Domestic Animals Act 1994*

Sunset and **Sunrise** are the times as provided for the specified geographic location and date, in accordance the Australian Government Geoscience Australia website, or its successor.



**ORDER 1/2019
of
KNOX CITY COUNCIL**

Section 25(2) of the *Domestic Animals Act 1994*

At its meeting on 29 January 2019 Knox City Council resolved to make the following Order under Section 25(2) of the *Domestic Animals Act 1994*.

This Order is effective from 1 September 2019.

1. All cats within the municipal district of Knox City Council must be securely confined to the owner's premises between the hours of sunset and sunrise each day.

Meaning of words in this Order:

Owner has the same meaning as in the ***Domestic Animals Act 1994***

Sunset and ***Sunrise*** are the times as provided for the specified suburb and date, in accordance with the Australian Government Geoscience Australia website, or its successor.

6.7 Municipal Emergency Management Plan

SUMMARY: Coordinator Emergency Management, Kim Halse

Under the Emergency Management Act 1986 (the Act) and in line with the Emergency Management Manual of Victoria (EMMV), in partnership with relevant agencies, Council has a legislative responsibility to facilitate the development and maintenance of the Municipal Emergency Management Plan (MEMP) which is subject to Audit under the Act every three years.

The Knox Municipal Emergency Management Plan 2019–2022 (the Plan) has been formally reviewed and endorsed by the Municipal Emergency Management Planning Committee (MEMPC). Adoption of the Plan will enable the Plan to be operationalised, and will meet Council’s legislative requirements.

RECOMMENDATION

That Council:

- 1. Adopt the Knox Municipal Emergency Management Plan 2019-2022 (refer Attachment 1).**
- 2. Authorise the Director, City Development to make minor changes to the Plan that may be identified through the audit of the Plan, and where the changes do not affect the purpose or intent of the Plan.**

1. INTRODUCTION

The Municipal Emergency Management Plan, (the Plan) has been developed pursuant to Section 20(1) of the *Emergency Management Act 1986*⁴, which requires all municipal Councils to prepare and maintain a Municipal Emergency Management Plan. Section 21A of the Act requires the Plan to be audited by Victoria State Emergency Service (VICSES) every three 3 years.

The Emergency Management Manual Victoria (EMMV) contains policy and planning documents for emergency management in Victoria, and provides details about the roles different organisations play in the emergency management arrangements.

The proposed Plan has been updated to ensure compliance with *the Act* and EMMV. It is due for audit by VICSES on 8 March 2019 and adoption by Council of this Plan is required prior to audit.

2. DISCUSSION

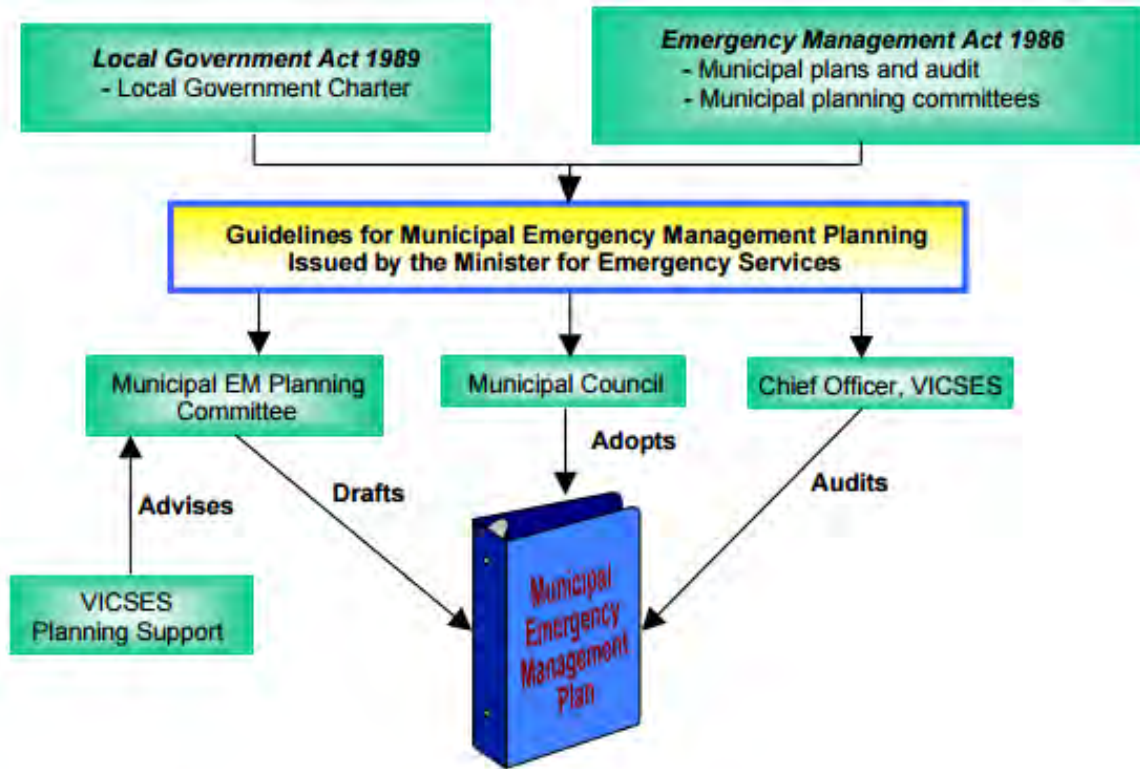
Municipal emergency management planning involves the identification and documentation of the overall multi-agency arrangements in place for the prevention of, response to and recovery from emergencies that affect the municipal district.

Pursuant to the aforementioned legislative requirements this Plan has been reviewed to ensure the adequate management of all aspects of emergency management from response to recovery.

⁴ Both the *Emergency Management Act 1986* and the *Emergency Management Act 2013* are to be read and construed as one Act, until such time as the *1986 Act* is repealed.

The Plan has been formally endorsed by the membership of the Municipal Emergency Management Planning Committee (MEMPC)⁵ in December 2018.

The following diagram outlines the emergency management planning structure, including legislation, Council and audit requirements.



3. CONSULTATION

Stakeholder participation is an integral part of planning for emergencies. Key stakeholders represented on the MEMPC have provided significant input into the review process.

This Plan is consistent with the multi-agency approach taken to manage all hazards across the municipal district and incorporates engagement principles as outlined in the International Association of Public Participation Australasia (IAP2).

4. ENVIRONMENTAL/AMENITY ISSUES

Planning in emergency management is undertaken with regard for environmental and amenity issues to ensure the balance of safety and protection of both the environment and the community.

⁵ Knox City Council, Victoria Police, Country Fire Authority, Forest Fire Management Victoria, Victoria State Emergency Service, St John Ambulance, Red Cross, Metro Trains, Department of Education and Training, VicRoads, Ausnet Services, Department of Health and Human Services, Eastern Health and EACH Community Health Service.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Council currently allocates resources to support Emergency Management programs in the annual Council budget.

The Emergency Management team continue to seek opportunities for external funding and the building of partnerships with other municipalities and agencies to establish efficiencies that work to minimise any financial impacts. Undertaking the planning and works outlined in the Plan assists in reducing the risk of economic impacts associated with emergency events for Council and the community.

6. SOCIAL IMPLICATIONS

The Plan and associated activities aim to reduce the social implications associated with losses from emergency events in the Knox community.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 4 - We are safe and secure

Strategy 4.1 - Encourage and support the community to take responsibility for their own safety, and the safety of others

Strategy 4.2 - Enhance community connectedness opportunities to improve perceptions of safety

Strategy 4.3 - Maintain and manage the safety of the natural and built environment

Strategy 4.4 - Protect and promote public health, safety and amenity

Strategy 4.5 - Support the provision of emergency services

8. CONFLICT OF INTEREST

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

Author – Coordinator Emergency Management, Kim Halse - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director, City Development, Paul Dickie - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The Plan has been reviewed and endorsed by the MEMPC, which comprises a group of emergency services personnel representing their agencies and communities, to ensure a planned approach in the management of emergency events across the municipal area.

This report seeks Council's adoption of the Plan to meet legislative and audit requirements.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Coordinator Emergency Management, Kim Halse

Report Authorised By: Acting Director, City Development, Paul Dickie

Attachments

1. Municipal Emergency Management Plan 2019-2021 **[6.7.1]**

RESOLUTION

MOVED: Councillor Mortimore

SECONDED: Councillor Cooper

That Council:

1. **Adopt the Knox Municipal Emergency Management Plan 2019-2022 (refer Attachment 1).**
2. **Authorise the Director, City Development to make minor changes to the Plan that may be identified through the audit of the Plan, and where the changes do not affect the purpose or intent of the Plan.**

CARRIED

Councillor Holland left the meeting at 8.05pm before the vote on item 6.7.



Municipal Emergency Management Plan

2019-2022



In preparation for audit by VICSES in March 2019, this Plan has been reviewed and endorsed by the MEMPC in December 2018 and adopted by Council on 29 January 2019.

Published January 2019

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Contents

1.	Introduction	6
1.1	Authorisation	6
1.2	Audit report	7
1.3	Acronyms	8
1.4	Aim	10
1.5	Objectives	10
2.	Background	11
2.1	Context	11
2.2	Area characteristics	11
2.2.1	Topography	11
2.2.2	Demography	12
2.2.3	Vulnerable Persons	12
2.2.4	Municipal location map	14
2.2.5	History of emergencies	15
3.	Planning arrangements	17
3.1	Municipal Emergency Management Planning Committee (MEMPC)	17
3.1.1	Terms of Reference	17
3.1.2	Membership of the Committee	17
3.1.3	Municipal Emergency Management Sub Committees	17
3.1.4	Meeting frequency	18
3.1.5	Maintenance of the Plan	18
3.2	Operational management arrangements	18
3.2.1	Sub Plans & Standard Operating Procedures (SOPs)	18
3.2.2	Council's emergency management functions	19
3.2.3	Council emergency management positions - roles and responsibilities	19
	Municipal Emergency Manager (MEM)	19
	Municipal Emergency Response Coordinator (MERC)	19
	Municipal Emergency Resource Officer (MERO)	19
	Municipal Recovery Manager (MRM)	20
	Public Information Officer (PIO)	20
	Emergency Management Liaison Officer (EMLO)	20
	Regional Emergency Management Team (REMT) Representative	20
	Municipal Fire Prevention Officer (MFPO)	20

Contents

3.3	Audit requirements and process	22
4.	Prevention/mitigation arrangements	23
4.1	Background/Introduction	23
4.2	Risk assessment process	23
4.2.1	Community Emergency Risk Assessment (CERA)	23
4.2.2	Victorian Fire Risk Register - Bushfire (VFRR-B)	24
4.2.3	Victorian Built Environment Risk Assessment Process (V-BERAP)	24
4.3	Community awareness and resilience	25
4.4	Emergency support staff	25
4.5	Emergency exercises	25
5.	Response Arrangements	26
5.1	Introduction	26
5.1.1	Definitions of Emergencies	26
5.2	Command, Control, Co-ordination, Consequence, Communication and Community Connection	27
5.2.1	Command	28
5.2.2	Control	28
5.2.3	Coordination	28
5.2.4	Consequence	28
5.2.5	Communication	28
5.2.6	Community Connection	28
5.2.7	Emergency Management Teams	29
5.3	Phases of activation	30
5.4	Local response arrangements and responsible agencies	31
5.5	Process for sourcing additional resources	31
5.6	Municipal Emergency Coordination Centre activation procedure	32
5.6.1	Level 1 - Small scale incidents (less than 24hr impact)	32
5.6.2	Level 2 - Medium scale incidents	32
5.6.3	Level 3 - Large scale incidents	32
5.7	Municipal Emergency Coordination Centre	33
5.7.1	Council resources list	33

5.8	Financial considerations	33
5.9	Evacuation	33
5.10	Public information and warnings	35
5.11	Neighbourhood Safer Places (places of last resort) an fire refuges	35
5.12	Emergency Relief Centres	35
5.13	Planning for cross municipality events	35
5.14	Inter-council resource sharing	36
5.15	Debriefing arrangements	36
5.16	Response to recovery - transition	37
6.	Relief and recovery arrangements	38
6.1	Introduction	38
6.2	Municipal relief arrangements	38
6.2.1	Management structure	38
6.2.2	Summary of relief arrangements, roles and responsibilities	38
6.2.3	Role of Department of Health and Human Services in relief/recovery	39
6.3	Recovery arrangements	39
6.3.1	Objectives of recovery	41
6.3.2	Recovery Centre activation	41
6.3.3	Government funding	41
	APPENDIX A ADMINISTRATION	42
	Amendment history	42
	Distribution list	42
	APPENDIX B CONTACT DIRECTORY	43
	(NOT FOR PUBLIC DISTRIBUTION)	43
	APPENDIX C SPECIAL PLANS AND ARRANGEMENTS	44
	Hazard Sub Plans	44
	Sub Plans	44
	Functional Plans	44
	Arrangements and other documents	44
	APPENDIX D COUNCIL RESOURCES LIST	45
	(NOT FOR PUBLIC DISTRIBUTION)	45

1. Introduction

The Knox Municipal Emergency Management Plan (“Plan”) is a legislated document intended for use by all persons and organisations with emergency management roles in Knox and is available to the general public. The aim of this document is to contribute to the development of a more disaster resilient community in Knox that is better able to prepare for, respond to, and recover from emergency events.

The Plan is consistent with State and regional emergency management objectives. To achieve this, Knox City Council works collaboratively with emergency services, agencies, all levels of government, local industries and businesses, communities and neighbouring Local Government Areas to prevent and minimise the occurrence and impact of emergency events to people, businesses and the environment.

This Plan has been developed by members of the Knox Municipal Emergency Management Planning Committee (MEMPC) pursuant to the requirements of Part Four, Section 21 (3) of the *Emergency Management Act 1986*¹ and 2013 detailed in the Emergency Management Manual Victoria (EMMV).

¹ Both the *Emergency Management Act 1986* and the *Emergency Management Act 2013* are to be read and construed as one Act, until such time as the 1986 Act is repealed.

1.1 Authorisation

This Plan has been produced by and with the authority of Knox City Council pursuant to Section 20(1) of the *Emergency Management Act 1986*¹.

Knox City Council understands and accepts its roles and responsibilities as described in Part 4 of the *Emergency Management Act 1986*.

This Plan addresses the prevention of, response to and recovery from emergencies within Knox. It is the result of the cooperative efforts of the MEMPC and incorporated audit advice from the Victoria State Emergency Service.

This Plan was endorsed by the MEMPC in December 2018 and has been adopted by Council at their ordinary meeting on 29 January 2019.

Tony Doyle
Chief Executive Officer,
Knox City Council

Introduction

1.2 Audit report

Introduction

1.3 Acronyms

BoM	Bureau of Meteorology
CEO	Chief Executive Officer
CERA	Community Emergency Risk Assessment
CFA	Country Fire Authority
DHHS	Department of Health and Human Services
EMC EMP	Eastern Metropolitan Councils Emergency Management Partnership
EMLO	Emergency Management Liaison Officer
EMMV	Emergency Management Manual Victoria
EMV	Emergency Management Victoria
EPA	Environment Protection Authority
ERC	Emergency Relief Centre
FFMVic	Forest Fire Management Victoria
HAZMAT	Hazardous Materials
ICC	Incident Control Centre
IEMT	Incident Emergency Management Team
IERC	Incident Emergency Response Coordinator
MECC	Municipal Emergency Coordination Centre
MEM	Municipal Emergency Manager
MEMP	Municipal Emergency Management Plan
MEMPC	Municipal Emergency Management Planning Committee
MERC	Municipal Emergency Response Coordinator (Victoria Police)

MERO	Municipal Emergency Resource Officer
MFB	Metropolitan Fire Brigade
MFMP	Municipal Fire Management Plan
MFMPCC	Municipal Fire Management Planning Committee
MFPO	Municipal Fire Prevention Officer
MRM	Municipal Recovery Manager
NDRRA	Natural Disaster Relief and Recovery Arrangements
PIO	Public Information Officer
REMT	Regional Emergency Management Team
RERC	Regional Emergency Response Coordinator
RPSC	Recovery Planning Sub Committee
SEMG	Senior Emergency Management Group
SEMT	State Emergency Management Team
SIA	Secondary Impact Assessment
SOP	Standard Operating Procedure
V-BERAP	Victorian Built Environment Risk Assessment Process
VICSES	Victoria State Emergency Service
VicPol	Victoria Police
VFRR	Victorian Fire Risk Register
VPR	Vulnerable Persons Register

Introduction

1.4 Aim

This Plan aims to ensure an effective and coordinated response to Part 4 of the *Emergency Management Act, 1986* and Part 6 of the Emergency Management Manual Victoria in the provision of the agreed arrangements for the prevention of, response to, and recovery from emergencies that may occur in the municipality.

This Plan closely aligns with the State Emergency Management Priorities and the factors that are required to be considered and actioned during response to any emergency. They allow Council to frame how it addresses what is important to individual communities.

The State Emergency Management Priorities are:

- Protection and preservation of life is paramount. This includes:
 - Safety of emergency services personnel; and
 - Safety of community members including vulnerable community members and visitors/ tourists located within the incident area
- Issuing of community information and community warnings detailing incident information that is timely, relevant and tailored to assist community members make informed decisions about their safety
- Protection of critical infrastructure and community assets that support community resilience
- Protection of residential property as a place of primary residence
- Protection of assets supporting individual livelihoods and economic production that supports individual and community financial sustainability
- Protection of environmental and conservation assets that consider the cultural, biodiversity and social values of the environment.

1.5 Objectives

The broad objectives of this Plan are to:

- Implement measures to prevent or reduce the causes or effects of emergencies;
- Manage arrangements for the use and implementation of municipal resources in response to emergencies;
- Manage support that may be provided to or from adjoining municipalities; regional, state and or federal instrumentalities;
- Assist the affected community to recover following an emergency; and
- Complement other local, regional and State planning arrangements.



2. Background

2.1 Context

This Plan, prepared by the Knox Municipal Emergency Management Planning Committee (MEMPC), reflects the shared responsibilities of government, emergency management agencies and communities for the actions they will take to prepare for, respond to and recover from emergencies. It is important for enhancing resilience that community, emergency services and relief and recovery agencies work together.

This Plan is the overarching document for the integrated management of emergencies in the Knox municipal area. It is supported by a range of hazard plans as determined by a risk identification process and a number of response based plans to ensure smooth coordination of service delivery in emergencies.

Emergency management agencies, departments, industries, businesses, schools, groups, families and individuals should have their own plans, procedures and guidelines that support their planning and decision making processes before, during and after emergencies.

This Plan is supported by a variety of information, including:

- Management arrangements that contain general information about emergency planning, response and recovery arrangements; and roles and responsibilities of people and organisations involved in emergency management.
- Sub Plans, including hazard specific Sub Plans and Standard Operating Procedures which are to be used during actual emergency events and are designed to be used as stand-alone operational documents.
- Appendices that contain ancillary information including a contact directory that lists contact details for all persons and organisations that have a role in this plan, administration details and a list of Council resources.

2.2 Area characteristics

The City of Knox is located 25 kilometres east of the Melbourne Central Business District. Knox boasts a green, leafy image extending to the foothills of the picturesque Dandenong Ranges. The City of Knox is one of the most populous and diverse municipalities in Victoria, with more than 160,000 residents living in eleven suburbs.

2.2.1 Topography

The Knox municipal area is located at the foothills of the Dandenong Ranges on the urban rural fringe and includes the geographic area known as the City of Knox. This area is 114 square kilometres and includes predominant land tenures of Parks Victoria, Knox City Council and private land holders.

Surrounded by major parks, with five creeks running through the Knox municipal area, Knox celebrates, and protects its environment. It has a strong and growing business, educational, medical and industrial life, and is located close to growing markets and transport hubs.

The Knox municipal area is a major hub of cultural, commercial, business, medical and innovative activity in the eastern suburbs. It is the gateway to both a major growth area in Melbourne and the urban-rural fringe.

Background

2.2.2 Demography

The population of the Knox municipal area is approximately 160,700 spread over 114 square kilometres and 11 suburbs. Suburbs include Bayswater, Boronia, Ferntree Gully, Knoxfield, Lysterfield, Rowville, Scoresby, The Basin, Upper Ferntree Gully, Wantirna and Wantirna South.

Age structure

The City of Knox population from the 2016 census data shows the age group with the highest number of people living within the city's boundaries in 2016 was the 45 to 49 year age group.

In summary, between 2011 and 2016 census the largest changes in age structure for the City of Knox were:

- An increase in the age group 70 to 74;
- An increase in the age group 65 to 69;
- A decrease in the age group 15 to 19, and
- A decrease in the age group 10 to 14.

Culturally and Linguistically Diverse Communities (CALD)

The Knox municipal area has a diverse population with 46,424 residents born overseas (30% of the total population) and 23% of residents from non-English speaking backgrounds providing the Knox municipal area with a diverse cultural landscape. The top ten listed countries of birth other than Australia includes United Kingdom, China, India, Malaysia, Sri Lanka, New Zealand, Philippines, Hong Kong, Vietnam and Germany.

Find further Knox municipality data:
profile.id.com.au/knox

2.2.3 Vulnerable Persons

Within the Knox municipal area there are several vulnerable groups/facilities:

- **Lower socio economic groups.** There are 14,000 people living in 8,600 low income households in Knox (those households that fall into the bottom 25% of incomes across Australia).
- **Indigenous community.** Knox has an Aboriginal and Torres Strait Islander population of 750 people, the second largest population in the Eastern region of Melbourne, which has greater disadvantage in terms of education, economic capacity, employment and housing security compared with the wider population.
- **Culturally diverse communities.** There is an increasing number of people for whom English is not their first language living in Knox. This increased from 31,500 in 2011 to 38,800 by 2016, with the majority (12,800) speaking a Chinese language. This has implications for communication during a fire event.
- **Senior citizens and residential care facilities.** 15% of the population is aged 65 years and older. There are 25 residential aged care facilities and a further 4 supported residential service facilities within the Knox municipal area, 17 older person independent living complexes and retirement villages. An emerging trend is for older people to remain living in their own homes and have care services delivered in home.

- **Hospitals.** There are four hospitals within the Knox municipal area, two public (the Angliss and Wantirna Health) and two private (Knox Private and Melbourne Eastern Private Hospital).
- **Children and young people.** 18% (27,000) of Knox residents are children under 15 while young people aged 15-24 years account for a further 13% (20,000) of residents. There are 50 schools in the Knox municipal area, both public and private, and one tertiary education institution.
- **Need for assistance.** In 2016 there were approximately 7,400 people with a major disability living in Knox. This is based on need for assistance in regard to self-care, mobility or communication (very young children requiring assistance due to age are filtered out of this figure). This information can assist in continued planning for supporting vulnerable community during an emergency.

Vulnerable Persons Register

The Vulnerable Persons Register is managed by the Department of Health and Human Services and hosted on Council's emergency database Crisisworks.²

During an emergency Victoria Police have access to the Register. Other relevant service agencies that believe they require this register are requested to contact the Municipal Emergency Resource Officer (MERO) on 9298 8000.

Victoria Police, as the agency responsible for managing evacuations, will be required to assist vulnerable persons in community facilities that house vulnerable people.

² Crisisworks is software for emergency managers that provides enhanced coordination, communication, situational awareness and resilience across all phases including - Planning, Preparedness, Response and Recovery.

Vulnerable Facilities List

The Vulnerable Facilities List is maintained by Knox City Council and identifies buildings where vulnerable people are likely to be situated, including aged care facilities, hospitals, schools, disability group homes and child care centres. The list is reviewed and updated as part of the annual MEMP update.

The Vulnerable Facilities List is held within Crisisworks or can be obtained by contacting Council's Coordinator Emergency Management.



Background

2.2.4 Municipal location map



2.2.5 History of emergencies

The Knox municipal area has experienced many emergencies in recent times.

2009 Black Saturday

At about 3:40 pm on 7 February, a fire started in the area along the railway line in Upper Ferntree Gully. Local Country Fire Authority (CFA) units in the process of returning from an earlier call observed the column of smoke and immediately responded to the fire.

To many, this pre-emptive response was key to the fire being brought under control without any life or significant property loss. In addition, the opportune arrival of a fire bombing helicopter that was able to access water from the lake at the residential development at the old Ferntree Gully Quarry site was a vital success factor in preventing a catastrophe.

A number of emergency alerts were issued to the community during this fire, however there was no requirement for evacuation or relief. The Municipal Emergency Co-ordination Centre (MECC) was not activated. The duty Municipal Emergency Resources Officer (MERO) attended during the fire to provide assistance.

Nixon Road, Upwey Fire

On the afternoon of 23 February 2009 a bushfire occurred in the area of Nixon Road in Upwey. In line with arrangements previously put in place between Knox Council and Yarra Ranges Council, the Relief Centre at the Ferntree Gully Netball Centre was activated to accommodate people evacuating areas within Yarra Ranges. The centre operated for a period of 24 hours and housed over 250 people overnight.

While that fire was entirely within Yarra Ranges, it demonstrates the benefits of co-operative arrangements within emergency management.

2010 Hailstorm

In less than 20 minutes on Saturday 6 March 2010, a severe hailstorm impacted Victoria causing widespread damage to much of metropolitan Melbourne. Many properties sustained significant damage from both the hailstorm and the heavy rain that followed.

Being the Labour Day long-weekend, a large number of people were not home at the time and returned to their properties to find them significantly damaged from not just the hail storm but also the significant rain event that followed the hail.

Thousands of residential properties and an unknown number of business properties were damaged - to the extent that some residential properties were required to be demolished.

Countless motor vehicles were damaged and, in some cases, people injured when hit by the hail. The response required the activation of the MECC which was operational for several days.

Many residents suffered trauma. During research conducted three years after the incident in 2013, many people described how their children were still suffering from the storm.

Rapid impact assessments were undertaken to identify displaced residents and to assist with prioritisation of calls to Victoria State Emergency Service (VICSES) for assistance. In addition to a multi-agency response being activated from within Victoria, more than 300 personnel from interstate State Emergency Services were deployed to support Knox VICSES.

By the end of operations on 12 March, VICSES had managed in excess of 3,000 requests for assistance. As part of the longer term recovery effort, more than 4,000 homes were visited by members of the Victorian Red Cross to ensure residents understood the assistance available from Council and the other recovery agencies.

Background

Knox Transfer Station

Knox has experienced a number of large fires at the Knox Transfer Station.

On Australia Day 2012 there was a multi-agency response to a hazardous fire at the Knox Transfer station involving over 80 CFA and emergency service personnel, with support from the MERO and Municipal Emergency Response Coordinator (MERC). Smoke was visible from surrounding suburbs and raised interest among the community and media agencies.

Agencies involved in this incident were CFA, Metropolitan Fire Brigade (MFB), Victoria Police, VICSES, Ambulance Victoria, Environment Protection Authority (EPA), Salvation Army and Council. Given there were a number of similar fires at this site in the months following, Knox participated in a joint agency meeting with CFA, Victoria Police and the management of the Transfer Station to develop procedures and strategies to minimise the potential for these fires in the future.

Similar fires have occurred at this site on 14 June 2016, 13 April 2018 and 6 October 2018, due to the process of shredding old mattresses. The proprietor and staff along with CFA and Council's Waste Management Department have addressed the risks and introduced a range of mitigation strategies based on the learnings from each of the fires. Due to the nature of the shredding process no guarantees can be given these type of fires will not occur in the future.

Incidents in the built environment

Sometimes single incidents, such as house fires, occur which require multiple Council services to attend to coordinate Council's response. These can include Community Laws, the Municipal Building Surveyor and/or Environmental Health. Incidents which occur in major facilities might also require the attendance of Council's MERO to support the lead agency. This sort of cooperation and collaboration is likely to increase in future.



3. Planning arrangements

This section details the planning arrangements for the management of emergencies which affect the community of the City of Knox.

It identifies specific emergency management roles and responsibilities. All emergency positions and arrangements are put in place to meet the needs of an emergency affected community, with some of these positions required under the *Emergency Management Act 1986*.

3.1 Municipal Emergency Management Planning Committee (MEMPC)

The Committee, established under Section 21 (3) and (4) of the Emergency Management Act 1986, is responsible for formulating, maintaining and testing the Plan.

3.1.1 Terms of Reference

The Terms of Reference for the Municipal Emergency Management Planning Committee (MEMPC) were endorsed by the MEMPC in December 2018. The purpose of the Committee is outlined under Section 3.1 of this Plan.

3.1.2 Membership of the Committee

The Committee consists of:

Knox City Council members

- Municipal Emergency Manager (Chairperson)
- Coordinator Emergency Management
- Emergency Management Officer
- Municipal Emergency Resource Officer (MERO)
- Municipal Fire Prevention Officer (MFPO)
- Municipal Recovery Manager (MRM)
- Public Information Officer (PIO)

Response and recovery agency/organisations

- Victoria Police - Municipal Emergency Response Coordinator (MERC)
- Country Fire Authority
- Department of Health & Human Services
- Department of Education and Training
- Ambulance Victoria
- Forest Fire Management Victoria
- EACH
- St John Ambulance
- Victorian Council of Churches Emergencies Ministry
- Red Cross
- Victoria State Emergency Service

Local business/community representatives

- Boronia Centrelink
- Eastern Health
- Westfield Knox

Membership of the Committee can be reviewed at any MEMPC meeting. New members may be invited dependant on changes in legislation, changes of agency contact person, risk identification or interest from a new agency/community group.

3.1.3 Municipal Emergency Management Sub Committees

The MEMPC may form, or contribute to, special sub committees to plan for the management of hazard specific identified risks or functions which require an additional level of planning. Examples of these include: Municipal Fire Management, Municipal Recovery, Pandemic, and Heatwave.

Planning arrangements

3.1.4 Meeting frequency

The Knox MEMPC holds a minimum of four meetings per year.

Should a significant incident occur within the municipality, the Committee will call an extraordinary meeting to discuss, review and evaluate the response to the event. A risk assessment will be undertaken to review key priorities of emergency management planning.

Legislative or policy changes impacting local governments' response to emergency management operations may also generate the need for an extraordinary meeting.

3.1.5 Maintenance of the Plan

The MEMP and each Sub Plan will be reviewed annually or after a significant emergency. A major review will be undertaken every 3 years by the MEMPC. The Coordinator Emergency Management will ensure that the Plan is updated as required.

Organisations with responsibilities within this Plan are required to notify the Coordinator Emergency Management of any changes of details (eg. contact information), as they occur. Review of the Plan will specifically focus on the hazards/risks in the municipal area and the Contact Directory of the plan (Appendix B).

Amendments to the Plan are placed on the MEMPC agenda. Following approval, the amendments are included in the updated MEMP and are distributed to members of the MEMPC.

The current version of the Knox Municipal Emergency Management Plan is available on the Council website.

3.2 Operational management arrangements

3.2.1 Sub Plans & Standard Operating Procedures (SOPs)

A number of Sub Plans have been written to detail specific emergency arrangements. The Sub Plans are hazard based and have been developed based on the risk to the community. Sub Plans are available to the public, via Council's website, where appropriate.

Sub Plans include:

- Knox Municipal Fire Management Plan
- Knox Storm and Flood Emergency Plan
- EMC EMP Eastern Metro Region Local Government Extreme Heat Plan
- EMC EMP Eastern Metro Region Local Government Pandemic Influenza Plan
- Knox Recovery Plan
- Relief Centre Sub Plan (Eastern Metropolitan Councils Emergency Management Partnership)
- Eastern Metropolitan Region Emergency Coordination Sub Plan
 - Part 1 - Arrangements
 - Part 2 - Standard Operating Procedures (SOPs)
 - Part 3 - Role Statements
 - Part 4 - Appendix

The maintenance of the Sub Plans is the responsibility of the MEMPC and is administered by the Coordinator Emergency Management.

3.2.2 Council's emergency management functions

Knox City Council accepts responsibility for management of municipal resources and the facilitation of community support and involvement to mitigate the consequences of an emergency during both the response to and recovery from emergencies.

This includes:

- The provision of supplementary supply (resources) to incident control and relief agencies during response and recovery.
- Municipal assistance to agencies during the response to and recovery from emergencies.
- The provision of emergency relief to affected persons during the response phase.
- The secondary and post impact assessment of community needs following the emergency.
- Recovery activities within the municipality, in consultation with the Department of Health and Human Services.

3.2.3 Council emergency management positions – roles and responsibilities

The *Emergency Management Act 1986*, *County Fire Authority Act 1958* and the Emergency Management Manual Victoria legislate and guide Council in the required emergency management roles to fulfil its emergency management responsibilities.

Role descriptions are detailed in Part 3 of the Eastern Metropolitan Region Emergency Coordination Sub Plan.

A brief overview statement, accountability and authority of the positions are as follows:

Municipal Emergency Manager (MEM)

The MEM provides strategic emergency management advice and oversight during an incident, and ensures Council is responding effectively according to their responsibilities. The MEM is responsible for overall management and coordination of the delivery of Council's emergency management activities when activated.

Municipal Emergency Response Coordinator (MERC)

The MERC is a legislated position under the Emergency Management Act 2013 and is responsible for the effective coordination of emergency response within the municipality. The role is detailed in Part 3 of the Emergency Management Manual Victoria.

Municipal Emergency Resource Officer (MERO)

The MERO is responsible for the coordination of municipal resources including personnel and equipment to be used in emergency response, relief and recovery operations. This position operates with a high level of autonomy. Accountable for the efficient and effective management of Council's resources in relation to community emergencies.

The MERO is responsible for authorising relevant expenditure in accordance with Council delegations.

Planning arrangements

Municipal Recovery Manager (MRM)

The MRM is responsible for ensuring the coordinated allocation of resources and delivery of relief and recovery activities undertaken by Council and relief and recovery agencies in support of impacted individuals and communities.

In situations where recovery activities are likely to extend into the medium to longer term, the MRM may undertake strategic recovery planning to meet the needs of impacted communities in partnership with recovery agencies. This may include representing Council on Regional Recovery Teams convened by DHHS.

This position operates with a high level of autonomy and is accountable for the efficient and effective management of Council's resources in relation to community emergencies.

The MRM is responsible for authorising relevant expenditure in accordance with Council delegations.

Public Information Officer (PIO)

The PIO will gather, assemble and disseminate timely, tailored and relevant information to stakeholders. The PIO is accountable for all emergency public information (internal and external) activity.

Emergency Management Liaison Officer (EMLO)

Council's EMLO is a representative of Council that is typically located at the Incident Control Centre (ICC) as part of the Incident Emergency Management Team (IEMT).

They provide a communication link that enables Council (MERO and/or MRM) and the ICC to exchange information. The EMLO must pro-actively seek situational awareness and intelligence to inform relief and recovery requirements, community information, council operations and secondary impact assessment.

Regional Emergency Management Team (REMT) Representative

The REMT Representative acts on behalf of the Eastern Metropolitan Councils and liaises with the Regional Controller as part of the Regional Emergency Management Team. They play a key role in:

- coordination of local government resource supplementation needs from across the region;
- consolidating local government information for regional reporting (including impact assessment information); and
- supporting regional incident planning.

The REMT Representative represents the interests of councils in another agency's facility.

They have the authority to provide advice and guidance on behalf of councils in the region but must communicate all requests and complex matters back to each Council (MEM/MERO/MRM) to make the decision.

- The REMT Representative has no financial delegation or authority to deploy resources, but is authorised to arrange the commitment of Council owned or controlled resources on behalf of the Council(s) they represent in support of response, relief and recovery efforts.

Municipal Fire Prevention Officer (MFPO)

Knox City Council, under the CFA Act 1958, is required to appoint an MFPO to undertake and regularly review Council's fire prevention program. The role will maintain, update and document Councils Fire Hazard Inspection and Enforcement Program and provide regular reporting to the MEMPC.

The chart at Figure 1 shows the Council Emergency Operations Structure.

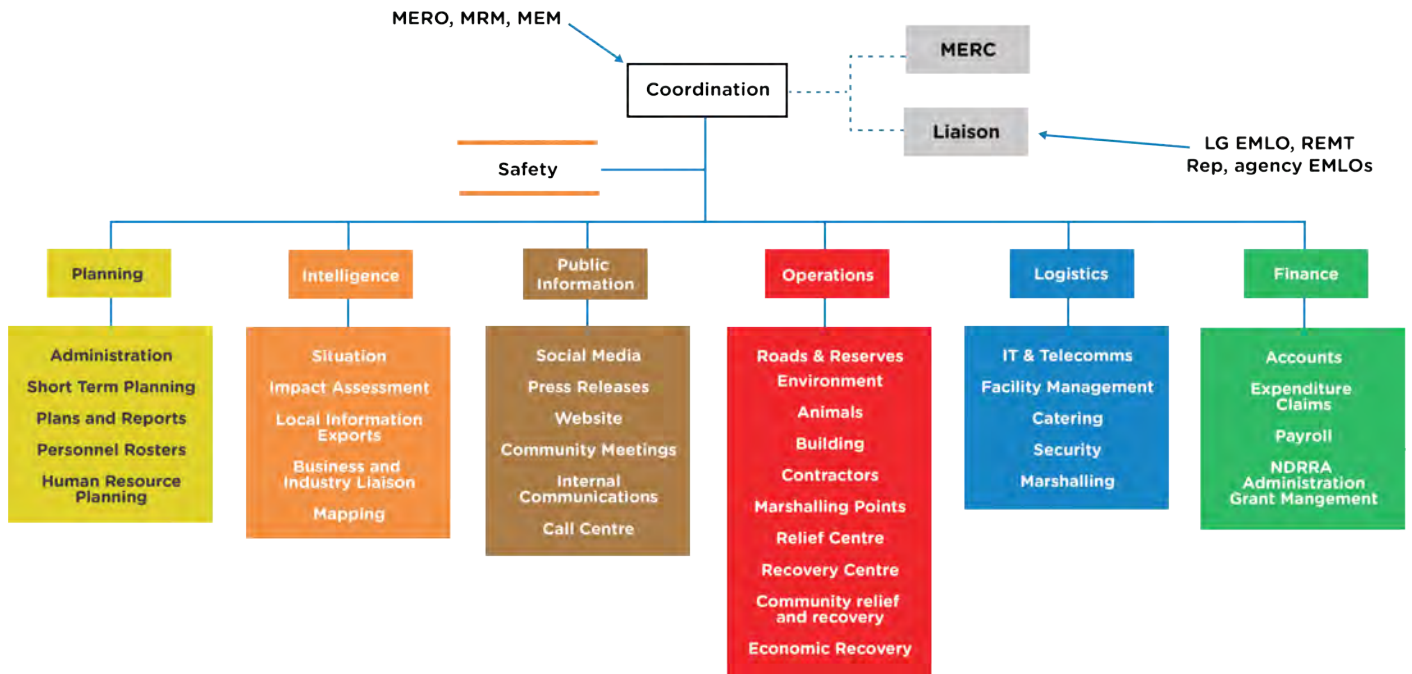


Figure 1. Council Emergency Operations Structure

Planning arrangements

3.3 Audit requirements and process

The ongoing administration and maintenance of this Plan is the responsibility of the Coordinator Emergency Management. Following MEMPC adoption of any amendments the Coordinator Emergency Management will implement the changes in the master plan managed by the Emergency Management team. Crisisworks and internet copies will also be replaced and the amended version emailed to the MEMPC distribution list.

This Plan is subject to audit every three years, or earlier, as determined by the Victoria State Emergency Service (VICSES). As per the arrangements detailed above, the Plan will be maintained on an ongoing basis and endorsed by the MEMPC, to ensure it remains current and reflective of legislative, operational and planning changes and/or amendments during the time between audits.

The following process is implemented at audit to address all specified requirements:

- The Plan is reviewed in line with the audit requirements outlined in Part 6, Appendix 2 of the Emergency Management Manual Victoria (EMMV) - or as otherwise determined by VICSES. This review is undertaken in collaboration with the assigned VICSES Regional Emergency Management Officer.
- All new updates and edits made to the pre-existing Plan will be presented to the MEMPC as per the process outlined above.
- Once endorsed by the MEMPC, the Plan will be presented to Council for adoption.
- The Plan will then be lodged with the State Library on the 'public document register'.
- Following MEMPC endorsement and Council adoption of the Plan, VICSES will convene an Audit Committee Meeting, including representatives from Department of Health and Human Services (DHHS) and Victoria Police. The Plan will be audited and scored against specified criteria at this audit committee meeting.
- VICSES will formally notify Council in writing of the outcome of the audit and issue a Statement of Audit Certification for inclusion in the Plan.

4. Prevention/mitigation arrangements

4.1 Background/Introduction

Knox City Council recognises its key role in prevention and mitigation activities. Council's policies relating to land management and building codes ensure that all measures are addressed to reduce the likelihood and impact of emergencies.

The MEMPC plays a key role in prevention via the identification of potential hazards and their associated risks and consequences. These identified risks and consequence are then considered and specifically planned for during the development and implementation of plans, policies and procedures.

The ability of a community to respond to an emergency situation, and in turn recover from the effects of an emergency will depend greatly on the level of resilience the people affected inherently have. Knox, through its MEMPC, and its Sub Committees, will support appropriate prevention and awareness programs to encourage community resilience.

Prevention is defined as the development and implementation of strategies and associated measures to reduce the occurrence of and mitigate the consequences of identified emergency risks on the community and environment.

Preparedness focuses on ensuring the risks and management strategies identified in prevention planning are utilised. This will assist the local community to be aware of their risks and the potential consequences of a resulting emergency event and to inform and equip them with tools to implement resilience strategies for their own homes and families.

4.2 Risk assessment process

This Plan identifies and prioritises emergency risks that may potentially affect the Knox community and environment. The mitigation and awareness of these risks aims to minimise the effects and consequences of an emergency event on the community.

4.2.1 Community Emergency Risk Assessment (CERA)

The CERA process is designed to systematically identify hazards, determine risks and prioritise actions to reduce the likelihood and effects of an emergency. Over the past three years the MEMPC has reviewed the risks identified in the CERA and have updated and refined the risks and strategies for Knox.

The MEMPC considered emergency risk within the following context using the International Standard ISO 31000:

- Whole of community perspective;
- Responsibility for the whole municipality;
- Consideration of events which require multi agency responses;
- Consideration and acknowledgement of existing controls;
- Mitigation activities and their effectiveness, and
- Subsequent level of risk.

Risks were assessed and rated according to consequence and likelihood scales and risk matrices in the CERA tool kit. Through the CERA process an overall 'risk rating' ranging from medium to high was determined.

Prevention/mitigation arrangements

The updated list of risks in the municipality are:

Risk	Rating confidence	Residual risk rating
Storm	High	High
Fire - Bushfire	High	High
Human Epidemic/ Pandemic	High	High
Heatwave	High	Medium
Flash flood	High	Medium
HAZMAT	High	Medium
Road Traffic Incident	High	Medium
Fire - Structure	High	Medium
Service Disruption - Utilities>2 days	High	Medium

To ensure appropriate planning and mitigation strategies are in place for the risks identified, hazard specific plans have been developed and adopted as Sub Plans to this Plan. Additional plans detailing relief and recovery considerations, arrangements and planning have also been developed as Sub Plans.

The CERA was conducted in a manner that did not intend to exclude any form of emergency, with the document adopting a flexible "all hazards approach".

The MEMPC is responsible for reviewing the CERA process at least once every three years prior to audit. The MEMPC continues to review risks as a standing agenda item for its quarterly meetings. This process will be administered by the Coordinator Emergency Management and, if required, an updated draft plan will be presented to the MEMPC for endorsement. Sub Plans will be reviewed for currency annually or as required. When required this work will be with the relevant sub-committee or working group for that hazard.

4.2.2 Victorian Fire Risk Register - Bushfire (VFRR-B)

The VFRR-B is a systematic process that helps to identify assets at risk from bushfire, assesses the level of risk to these assets and highlights the treatments currently in place along with the responsible agencies for implementing these strategies. Outputs from the VFRR-B inform and support this plan. The assets of the VFRR-B are divided into four classes; human settlement, economic, environmental, and cultural heritage.

The VFRR-B was used to identify and address bushfire risks within the Knox municipal area. The VFRR-B is reviewed as required. Risk identification is ongoing as the municipality changes.

4.2.3 Victorian Built Environment Risk Assessment Process (V-BERAP)

The V-BERAP provides a sound platform for conducting a structure fire risk assessment which is clearly defined by a robust 10 step process. The V-BERAP Guideline uses the methodology recognised in the National Emergency Risk Assessment Guidelines (NERAG) which is underpinned by ISO 31000, the International Standard for Risk Management.

A risk working group of subject matter experts and key Council staff was formed. During the first workshop risks were identified by their building class via the following statement “There is potential that an accidental ignition will result in a fire in a:

- Class 2 building (flats, apartments)
- Class 8 building (factory)
- Class 1(a) building (house)
- Unregistered/illegal Class 1(b) building (boarding house)
- Class 9(c) building (aged care facility)
- Class 3 building (large boarding house)

that in turn will cause serious injury or loss of life, economic loss and/or displacement.”

Using available evidence, the expertise in the room and participant agreement, the group identified the consequence categories for the above building classes to include - ‘People’ and ‘Economy’, with ‘Social Setting’ also identified for Class 2 and Class 1(b) buildings and ‘Environment’ also identified for Class 8 buildings. A risk assessment was then completed for each consequence category.

4.3 Community awareness and resilience

One increasing challenge facing the emergency management sector is balancing community expectation while promoting and building community resilience when dealing with, or preparing for emergencies. Raising awareness within the community about emergency risks and their potential consequences is the responsibility of all agencies including Council. There are a number of strategies used in education, awareness and resilience building programs to ensure a broad spectrum of the community are engaged.

Strategies currently utilised include:

- Hosting information on public websites
- Social media
- Distribution of brochures/print media
- School based disaster resilience education programs
- Mail outs
- Displays at festivals, shopping centres and within the community.

4.4 Emergency support staff

Knox has a comprehensive list of trained staff who do not have a substantive position in emergency management, but who have offered their skills to support Council during emergencies.

4.5 Emergency exercises

Knox identifies the need to be an active member in emergency management within the municipal emergency management and local community environments. Knox is actively involved in a number of areas to test preparedness and to assist in creating community resilience to emergency situations.

Knox is an active member of the Eastern Metro Councils Emergency Management Partnership EMC EMP and has participated in the annual Regional ERC exercise - Exercise East.

Knox has participated in multi-agency events and exercises including:

- Active Armed Offender Management Exercise - November 2016
- Active Armed Offender Relief and Recovery Exercise - June 2017
- Exercise East 2017 - Knox Council - October 2017
- Exercise Connect - EMLO Exercise - North West Region - November 2017
- Active Armed Offender for Crowded Places Guideline - Whitehorse Council December 2017
- Marshalling Point Exercise - Yarra Ranges - February 2018
- Resilient Recovery Workshop - June 2018
- Exercise East 2018 - Whitehorse and Maroondah Council - October 2018

5. Response Arrangements

5.1 Introduction

Emergency response focuses on the control of emergencies and the provision of rescue and immediate relief services for people affected by emergencies. This includes the provision for requests for physical assistance from regional, State and Commonwealth levels of government when municipal resources are exhausted.

Part 3 of the Emergency Management Manual Victoria (EMMV) outlines the State level arrangements for response in Victoria.

Emergency response operations are managed via three operational tiers which include State, regional and incident levels.

The following section outlines the arrangements in place for the activation and implementation of response activities for emergency events impacting the Knox municipality; including regional collaborative arrangements to facilitate effective response to emergency events that impact on an area larger than the municipality.

5.1.1 Definitions of Emergencies

Emergencies are classified into three classes according to the EMMV:

“Class 1 emergency” means a major fire; or any other major emergency for which the Metropolitan Fire and Emergency Services Board, the Country Fire Authority or the Victoria State Emergency Service Authority is the control agency under the State Emergency Response Plan.

“Class 2 emergency” means a major emergency which is not a Class 1 emergency; or a warlike act or act of terrorism, whether directed at Victoria or a part of Victoria or any other state or territory of the Commonwealth; or a hi-jack, siege or riot.

“Class 3 emergency” (also known as security emergencies) are classified as a warlike act or act of terrorism, where directed at Victoria or at any other state or Territory of the Commonwealth or a hi-jack, siege or riot.

Response Arrangements

5.2 Command, Control, Coordination, Consequence, Communication and Community Connection

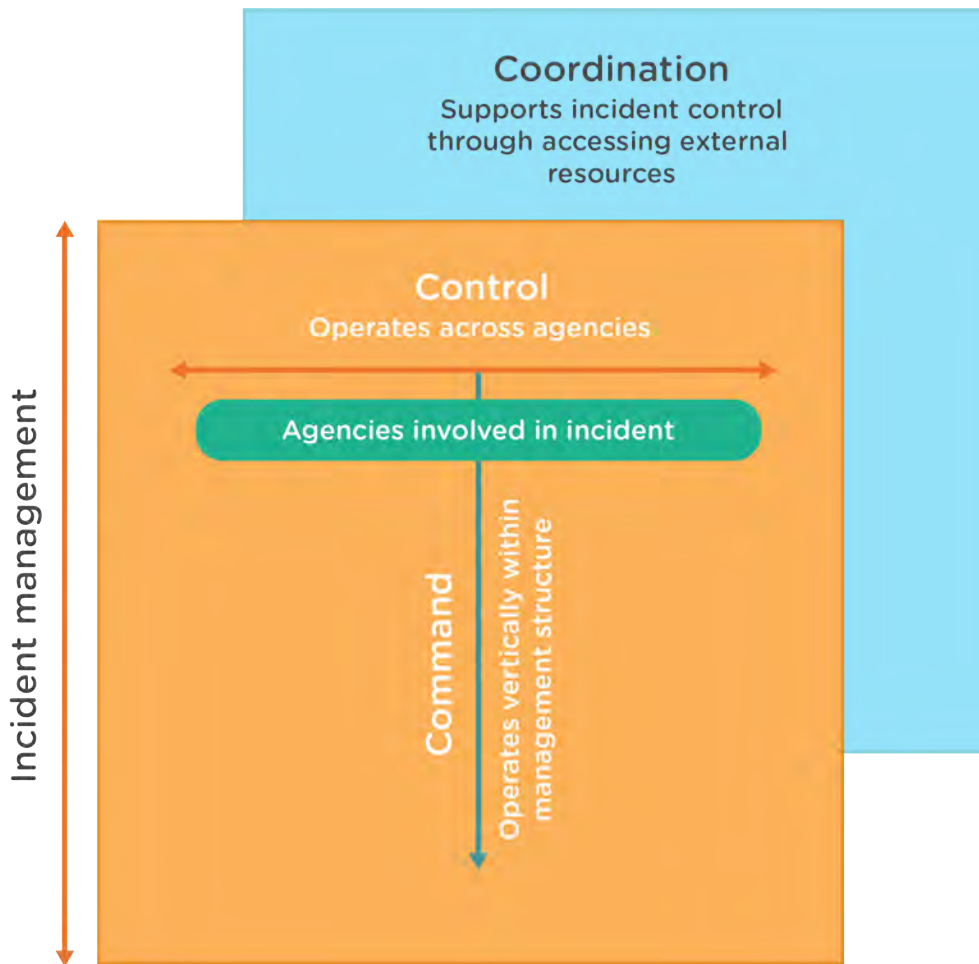


Figure 2: Victoria's Emergency Management Arrangements, demonstrating Command, Control, Coordination and the Emergency Management Team.

Response Arrangements

5.2.1 Command

Command is the internal direction of personnel and resources, operating vertically within an agency. Each agency has a 'chain of command', which is the agency's organisational hierarchy that identifies the link between each individual and their supervisor.

5.2.2 Control

Control is the overall direction of response activities in an emergency, operating horizontally across agencies. In Victoria, authority for control is established in Part 3 of the EMMV (State Emergency Response Plan) with the agency responsible for control of emergency response (known as the 'Control Agency') being specified in Part 7 of the EMMV – Emergency Agency Roles.

5.2.3 Coordination

Coordination is the bringing together of agencies and resources to ensure effective response to and recovery from emergencies.

Emergency response coordinators bring together agencies and resources to support the response to emergencies.

Emergency recovery coordinators/managers bring together agencies and resources to support the provision of relief and recovery from emergencies.

5.2.4 Consequence

Consequence management involves the coordination of the activities of agencies with a role in delivering of services to the community, with the aim of minimising the adverse consequences of emergencies on the community. During a major emergency all agencies may need to activate their business continuity arrangements in order to manage the adverse consequences of the emergency on their area of responsibility.

Consequence management informs and is a precursor to relief and recovery activities. The Emergency Management Commissioner is responsible for consequence management for major emergencies but will be supported by agencies implementing their business continuity arrangements.

5.2.5 Communication

Communications relates to communicating to the public, reporting to government and communicating with stakeholder agencies during emergencies. The Emergency Management Commissioner is responsible for the communication function for major emergencies, but will be supported by the relevant Control Agency.

5.2.6 Community Connection

Safer and more resilient communities is always the aim of any emergency management planning. Community connection is around the understanding of and connecting with trusted networks, trusted leaders and all communities to support resilience and decision making.

5.2.7 Emergency Management Teams

The three tiers of control, scalable as required from incident through regional and on to state, support the six C's of Coordination, Control, Command, Consequence, Communication and Community Connection functions.

Incident Emergency Management Team (IEMT)

The IEMT supports the Incident Controller. Their focus is on managing the effect and consequences of the emergency.

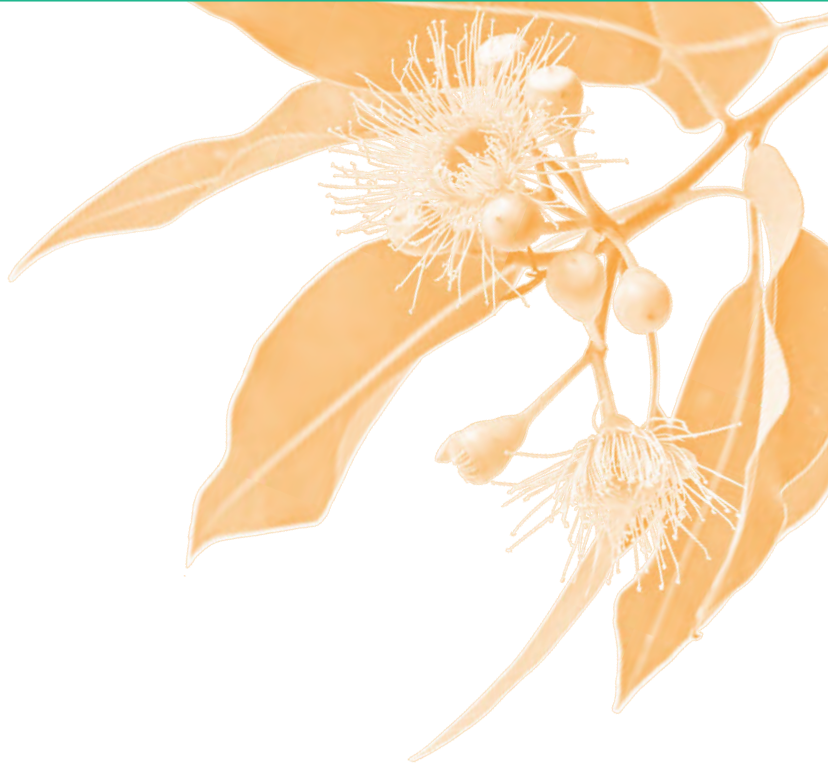
Regional Emergency Management Team (REMT)

The REMT supports the RERC and those exercising control at a regional level (Regional Controllers). Their focus is to raise awareness of the emergency across the whole of government, identify and manage strategic risks and consequences and develop a regional strategic plan outlining high level actions of all agencies.

State Emergency Management Team (SEMT)

The State EMT (SEMT), is usually located at the State Control Centre or other location determined by the control agency.

If an emergency requires activation of a state tier response the SEMT is formed comprising senior representatives from response, recovery, support agencies and relevant departments. The role of the SEMT is to develop consistent situational awareness, identify strategic state risks and consequences and to develop a strategic plan with high level all agency actions.



Response Arrangements

5.3 Phases of activation

Response arrangements should be implemented at the earliest possible opportunity if the effects of emergencies are to be minimised, for this reason several phases of activation have been accepted by Knox City Council for internal activation. These are:



Figure 3 : Phases of activation

5.4 Local response arrangements and responsible agencies

Part 7 of the EMMV details a 'control agency' and 'support agencies' for a range of emergencies. It is the control agency's responsibility to plan for the relevant emergency and ensure that adequate resources are in place. Knox City Council is not a control agency but is a support agency for a range of emergencies.

Where there is any doubt as to who is the control agency, the Emergency Management Commissioner, RERC, MERC or Incident Emergency Response Coordinator (IERC) will determine who will exercise control.

Local incident response is coordinated at a municipal level by the MERO. The request usually comes from the coordinator of the response agency who is at the incident. The MERO attends to the requests received. The MERC/MERO may direct and authorise the use of physical resources in response to the local incident. Following the direction of the Incident Controller, the MERC, in consultation with the MERO, may direct the establishment of a MECC or a municipal relief centre to be placed on standby. The escalation of Council's response is to advise the MRM.

The objective of the response phase of this plan is to minimise the effects of an emergency on affected persons and property within the Knox municipality.

This is achieved by coordinating municipal resources to assist responding agencies, and in providing community support, as requested, or as the situation requires.

The basic functions at a local level can include all or any of the following:

- Provision of resources as available and needed by the community and response agencies;
- Establishment of Municipal Emergency Coordination Centre – facilities and staffing;
- Under the direction of the control agency facilitate the delivery of warnings to the community;
- Guided by the control agency, provision of information to public and media;
- Coordination of the provision and operation of emergency relief centres and emergency shelters;
- Clearance of blocked drains and reinstatement of local roads, including tree removal and other physical works as deemed appropriate and where possible;
- Support to Victoria Police for partial/full road closures and determination of alternative routes; and
- Repairing or replacing damaged public utilities, services and assets.

5.5 Process for sourcing additional resources

Where additional resources are required beyond the original control agency, the Incident Controller should:

- Seek response agency resources directly through the response agency commanders.
- Seek supplementary resources, other than those of the responding agencies, through the IERC or MERC/MERO.
- Seek relief or recovery resources through the MRM/ through the IERC or MERC/MERO.

Response Arrangements

Following a request:

- The IERC or MERC will seek resources within the local area (through the MERO) and the MERC will escalate unfulfilled resource requests to the RERC.
- RERCs will seek resources within their region and escalate unfulfilled resource requests to the Emergency Management Commissioner.
- The Emergency Management Commissioner will seek resources from across the State, interstate or internationally where necessary.

Depending on the scale of the incident a MECC may be established by the IERC or MERC in consultation with the MERO.

Knox City Council is a signatory to the MAV Protocol for Inter-Council Emergency Management Resource Sharing.

5.6 Municipal Emergency Coordination Centre activation procedure

In the first instance, the control agency will notify the MERC that there is a requirement for additional resources. The MERC will then contact the MERO. At the municipal level, resources owned or under the control of Council may be used to supplement those of the control and support agencies.

Knox City Council's 24 hour number 9298 8000 also provides access to the Council MERO to initiate MEMP response arrangements as required. The activation level is dependent upon the scale of the emergency and is determined by the MERC in consultation with the MERO.

5.6.1 Level 1 - Small scale incidents (less than 24hr impact)

A small scale emergency that can be resolved through the use of local or initial response resources. The MECC might not necessarily be activated with the MERC and MERO in close communication at all times. Consequently the MERC and MERO will undertake the planning and logistics functions concurrently and will activate the MRM as required to provide relief and recovery support if required (virtual MECC). They will also monitor the emergency and its impact on the area, the community, the weather, and other elements/variables that might lead to a higher level of activation.

5.6.2 Level 2 - Medium scale incidents

A medium scale emergency is more complex in size, resources or risk. The MECC may be activated. If activated the function will be the deployment of resources beyond initial response, and multi-agency representation in the MECC. The emergency may potentially require forward planning to address response issues, and for recovery during the response phase.

5.6.3 Level 3 - Large scale incidents

A large scale emergency is characterised by levels of complexity that require the activation and establishment of all MECC functions. This level of emergency will require forward planning as the emergency continues and will specifically require recovery planning during the early stages of the response phase of the emergency.

These descriptions are in line with the Australasian Inter Service Incident Management System (AIIMS) Classification of incidents. Further information on accessing supplementary supplies can found in Practice Note - Sourcing Supplementary Emergency Response Resources from Municipal Councils.

5.7 Municipal Emergency Coordination Centre

Knox City Council, through the MERO, is responsible for planning the establishment and operation of primary and alternative MECCs.

The purpose of the MECC is to provide a location for the coordination of Council and community resources in support of the response to emergencies. It is not the control centre for an emergency. An Incident Control Centre may be established by the control agency if the emergency is significant enough to warrant it.

The MECC will be activated only to the level of activity necessary in providing support to the emergency. In minor events this might involve only a few staff, through to a major emergency requiring significant resources over a long period.

The function of emergency coordination for Council can be undertaken easily from a variety of locations which provide flexible options including operating on site or at ICC if required.

5.7.1 Council resources list

A list of resources owned by Council is located in Appendix D – Council resources list. This list also includes a range of contractors where non-Council owned resources can be obtained.

A copy of this list is also included in Crisisworks.

5.8 Financial considerations

Financial accounting for municipal resources utilised in emergencies must be authorised by the MEM, MERO or the MRM and shall be in accordance with the normal financial arrangements of Knox City Council.

Control agencies are responsible for all costs involved in that agency responding to an emergency. Depending on the magnitude of the emergency some government financial assistance may be available for prevention, response and recovery activities. Knox City Council is accountable for any monies donated to it as a result of any emergency event and will implement systems to receive and account for all such donations.

5.9 Evacuation

Evacuation is the planned relocation of persons from dangerous or potentially dangerous areas to safer areas and their eventual return. The decision to evacuate rests with the control agency in conjunction with Police and available expert advice, unless time constraints prevent this consultation.

Evacuation may be undertaken by individuals, families and households on their own volition and independent of any advice, or it may be after an assessment of information provided by a control agency.

Response Arrangements

Examples of events that may require immediate evacuation include fire, floods, hazardous materials accidents/incidents, air crash or earthquake. In some life threatening circumstances, and in an effort to preserve life, this decision to evacuate may be made by any agency representative and in these circumstances, the Incident Controller must be notified of this decision as soon as possible.

Once the decision to evacuate has been made, the MERC and Council representatives (MEM, MERO and MRM) should be contacted.

The MERO/MRM will assist the MERC by:

- Arranging a suitable assembly area if the pre-determined locations are not appropriate.
- Providing transport resources and the determination of the location to which evacuees will be asked to attend.
- Establishing and activating emergency relief centres - including consideration of which location is the most appropriate in the circumstances.
- Providing advice on local area information to assist with the traffic flow of evacuated persons out of the area and emergency services into the area.
- Providing vulnerable person/facility information and advice for relocation and other relief services.

In Victoria, evacuation is largely voluntary. The Incident Controller makes a recommendation to evacuate and it is the choice of individuals as to how they respond to this recommendation.

However in particular circumstances legislation provides some emergency service personnel with authority to remove people from areas or prohibit their entry.

The *Emergency Management Act 1986 Section 36A* makes provision for the declaration by Police of an emergency area if normal community activities and freedom of movement must be restricted because of the size, nature or location of an emergency, and when the extreme powers available under a declared state of disaster are not needed or would take too long to implement. People and vehicles may be prevented from remaining in or entering the emergency area. However this power is limited when a person claims pecuniary interest in a property or goods or valuables in a property within the emergency area. If the person claiming pecuniary interest is not on that property, they can be directed to leave or prevented from entering the emergency area. However if they are located on the property then they cannot be required to leave.

By exception, the *Terrorism (Community Protection) Act 2003* (Sections 16, 18 & 21) provides that a senior officer of Police, if suspecting that an area has, or people in that area may have been exposed to such contamination by a terrorist act, may authorise a member of the force to direct a person or groups of persons to enter, not to enter, or to leave, any particular premises or area. Police may use reasonable and necessary force to ensure compliance with any authorised direction.

When the possibility of an evacuation is being considered, Victoria Police will identify a member to take the role of Evacuation Manager (EMMV: Appendix 9 Evacuation Guidelines). The Evacuation Manager should be co-located with the Incident Controller at the ICC, or if no ICC exists, at the location where control is exercised.

5.10 Public information and warnings

Emergency warning systems have been established to warn individuals and communities in the event of a major emergency. Although these systems aim to improve the ability to warn communities about emergencies, individuals and communities still need to prepare themselves in case of an emergency.

It is important to ensure that public information and warnings are maintained at an optimum level for specific circumstances where community action is necessary, primarily to protect lives, and also for the protection of property and environment.

The localised arrangements for warnings and information come from the State Emergency Response Plan.

The Incident Controller is responsible for issuing warnings and community information.

Where an extreme and imminent threat to life exists and authorisation from the Incident Controller is not practicable in the circumstances, warnings may be issued by any response agency personnel with notification to the Incident Controller as soon as possible.

The Emergency Coordination Sub Plan outlines the roles and accountability in the municipal context.

5.11 Neighbourhood Safer Places (places of last resort) and fire refuges

Neighbourhood safer places and community fire refuges can be provided for community as last resort survival options. They do not replace having a well thought out and practiced survival plan.

Knox does not have any designated Neighbourhood Safer Places or fire refuges, given there are a number of accessible areas such as shopping centres, libraries and other community facilities available.

5.12 Emergency Relief Centres

Knox Council will utilise the most appropriate facility at the time, in consultation with the control agency.

All relief centre information can be found in the Emergency Relief Centre Sub Plan.

5.13 Planning for cross municipality events

Planning for both response and recovery at the regional level is always necessary as emergencies respect no boundaries and will often traverse multiple municipal boundaries.

Further, planning for cross boundary events is necessary as often services provided by State government agencies are administered and delivered at a regional level.

Knox has participated in a number of cross Council, multi agency training exercises to better prepare for emergencies which have the potential to affect numerous Council boundaries.

Response Arrangements

Knox is a member of the Eastern Metropolitan Councils Emergency Management Partnership (EMC EMP) and is represented on a number of regional working groups helping to build regional relationships and support to strengthen Councils' ability to support each other in emergencies.

New and emerging risks are communicated both at regional planning committees and through regional partnerships.

5.14 Inter-council resource sharing

Knox City Council is a signatory to the 'Protocol for Inter-Council Emergency Management Resource Sharing' coordinated by the Municipal Association of Victoria (MAV). The Protocol provides an agreed position between councils for the provision of inter-council assistance for response and recovery activities during an emergency.

A copy of the Protocol is located at mav.asn.au/policy-services/emergency-management/Pages/resource-sharing-protocol.aspx.

This Protocol is most commonly enacted for emergency support staff requests to fulfil MECC and ERC shifts. Requests for resources from another Council should be made through the MERO.

5.15 Debriefing arrangements

For local level emergencies, the MERC is responsible for ensuring the control agency for the emergency organises an operational debrief with participating agencies as soon as practicable after the cessation of response activities.

The aim of a debrief is to assess the adequacy of the response activities and recommend any changes to relevant agency plan(s) and future operational response activities.

The Regional Emergency Response Coordinator (RERC) holds these responsibilities for regional level events, which must include local response agency participation.

Where a MECC has been activated during an emergency, all emergency support staff that undertook their allocated MECC roles will be debriefed by the Coordinator Emergency Management and/or the MERO as soon as practicable following the cessation of MECC operations.

This debrief will be delivered with an aim to assess the adequacy of the MECC operations and to identify and make recommendations for future planning and operations related to the MECC. Psychological debriefing will also be made available as required.

5.16 Response to recovery - transition

Transition requirements to effectively transfer control and coordination responsibilities from response agencies to relief/recovery agencies is required for all major incidents and may also be required for local level incidents that have resulted in significant impacts on the local community requiring continued provision of relief and/or recovery services.

The MERO, MRM and MERC will start planning for the transition from response to relief/recovery, as soon as possible following the initial impact of an emergency.

Relief typically commences at the same time as response activities, and therefore formalised transition from the response (during) phase to relief and recovery (after) is deemed to be at the point when the control activities associated with the emergency have ceased, and the provision for relief and/or early recovery services continue to be required by the affected community.

Issues to be considered for the timing of transition from response and recovery include:

- The nature of the emergency and what ongoing specialist resources are required;
- Whether a recurring threat is likely to occur compounding the impact on the community;
- The extent of the impact on communities, as this may determine the length of the transition period;

- The level of loss/damage and the extent to which this has been validated (the stage of impact assessment reached eg. if phasing into secondary/post impact stages may indicate transition requirements);
- The extent to which the community requires emergency relief services;
- The resources required for the activation of recovery arrangements; and
- The transition agreement will be developed at the appropriate level between the response agency Incident Controller, MERC, MERO, MRM and the recovery agency coordinator (typically DHHS).

The Knox Recovery Sub Plan provides details on how the coordination of activities, resources and information is managed effectively between the response agencies to the recovery organisations to support this changeover or responsibility.

6. Relief and recovery arrangements

6.1 Introduction

Emergency relief is the provision of essential needs to individuals, families and communities in the immediate aftermath of an emergency. Relief services could be provided at the site of an emergency, a dedicated relief centre, places of community gathering, isolated communities, transit sites or other safe locations as appropriate. Relief is the first stage of recovery and must be seamlessly integrated with all other early recovery activities.

Recovery is assisting individuals and communities affected by emergencies to achieve an effective level of functioning. Recovery planning must ensure that there is a clear understanding of the community context (prior to the emergency) and is based on continuing assessment of impacts and needs.

Both relief and recovery begin when an emergency occurs and many response, relief and recovery activities are undertaken concurrently. Typically, relief is provided during and in the immediate aftermath of an emergency. Recovery is generally a longer term process for affected individuals and communities.

6.2 Municipal relief arrangements

Emergency relief is the provision of immediate shelter, life support, and personal needs of people affected by, or responding to an emergency. It includes the establishment, management and provision of services to emergency relief/recovery centres.

Council is responsible for the local relief arrangements such as the establishment and management of emergency relief centres.

6.2.1 Management structure

A request may come from an ICC to open an ERC to support an emergency. In consultation with the Incident Controller the selection of an ERC will be determined by the MERO, in consultation with the MERC and the MRM.

6.2.2 Summary of relief arrangements, roles and responsibilities

Council is responsible for the coordination and provision of relief services for affected community during times of emergency. Knox is an active member of the Eastern Metro Councils Emergency Management Partnership (EMC EMP) and has adopted the Emergency Relief Centre Sub Plan. The Sub Plan details the arrangements that are in place for the activation, management and deactivation of ERCs for municipal and regional scale events.

An ERC is a building or place established to provide (temporary) support and essential needs to persons affected by or involved in the management of an emergency. The Centre will provide for basic needs only including shelter, food and water. Emergency relief agencies may also set up at the centre to provide emergency affected people with grants, material aid, Register Find Reunite, first aid, accommodation, and psychosocial support.

Relief and recovery arrangements

Further details on the roles and responsibilities of government and community organisations involved in the provision of relief services are detailed in the Emergency Relief Centre Sub Plan.

The ERC is managed by a range of trained ERC staff and supported by Council's emergency support staff as required. Knox City Council is a member of the Eastern Metropolitan Councils Emergency Management Partnership (EMC EMP) and has arrangements in place for trained staff to support the operation of ERC services when local resources are overwhelmed. There may be occasions when Knox will set up a relief centre, locally in support of an emergency in another municipality, for example Yarra Ranges Council.

Knox City Council has three regional ERCs. Details of these Centres including roles and responsibilities, standby arrangements, activation, set up and deactivation, copies of Facility Plans including traffic management plans are available in the Emergency Relief Centre Sub Plan.

6.2.3 Role of Department of Health and Human Services in relief/recovery

Emergency Management Victoria (EMV) is responsible for state-level relief and recovery coordination.

Relief and recovery coordination arrangements at the regional levels are the responsibility of DHHS and municipal councils have the responsibility at the local level.

6.3 Recovery arrangements

Section 46 of the *Emergency Management Act 2013* appoints the Emergency Management Commissioner with the responsibility for the coordination of agencies in line with the State Emergency Recovery Plan. Municipal councils take the lead in delivering on the ground relief and recovery services, because they are closest to an affected community. The Victorian government supports municipalities to fulfil these local responsibilities.

Figure 4 shows the relationship between State, regional and local level for relief and recovery coordination.



Relief and recovery arrangements

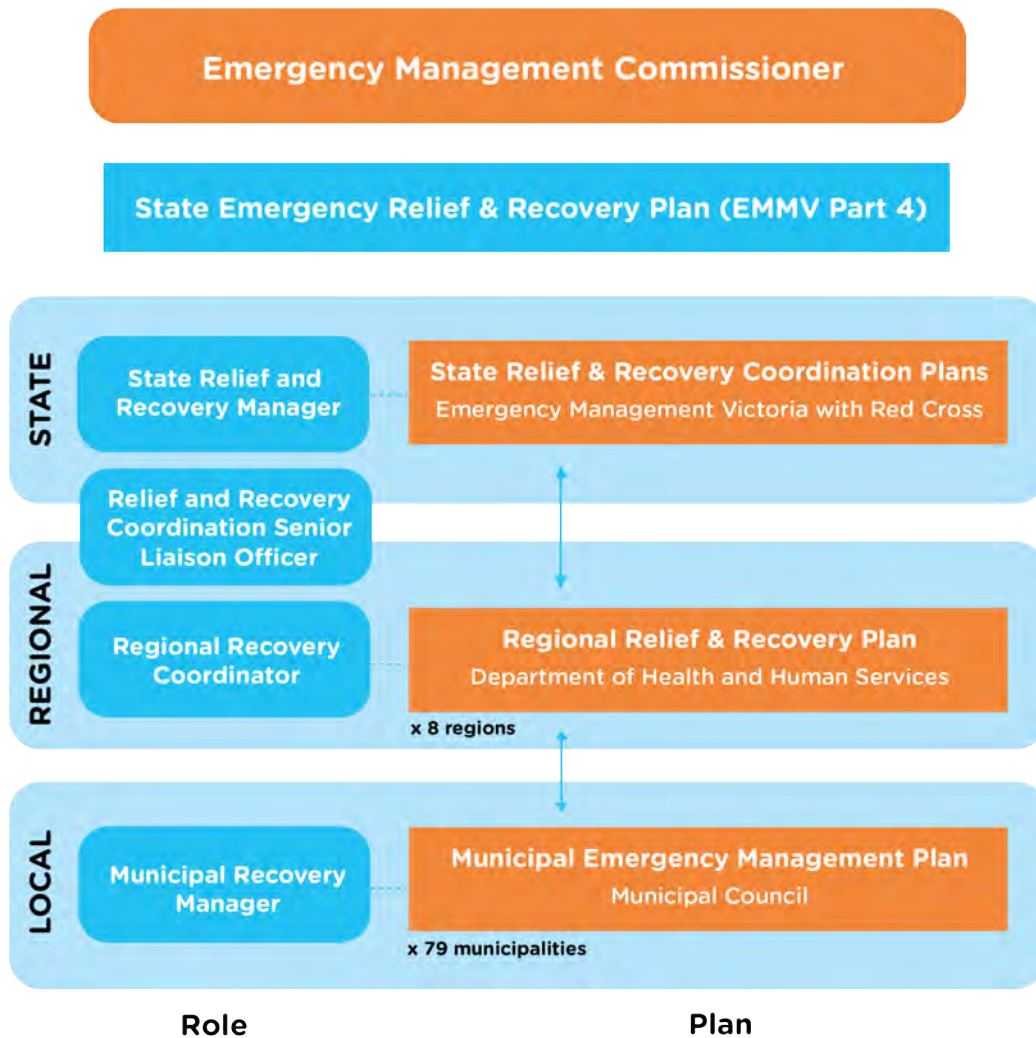


Figure 4: The three levels of relief and recovery coordination in Victoria

Section 4.6 of the Emergency Management Manual Victoria (EMMV) outlines municipal responsibilities for relief and recovery. The requirements include:

- Development and implementation of the MEMP;
- Forming and convening of the MEMPC;
- Appointment of a MRM;
- The aligned responsibilities of the MERO for notification to the MRM for relief and recovery needs during emergencies;
- Leading the provision of local public information to affected individuals in relief and recovery;
- Participation in local relief and recovery impact assessments – sharing any information gathered with Victorian Government agencies, as requested; and
- Development and maintenance of a Relief and Recovery Plan that is aligned with the requirements specified in Appendix 7, Part 4 of the EMMV.

In the City of Knox, planning and preparedness for recovery is undertaken by the Recovery Planning Sub Committee (RPSC). This Committee reports to the MEMPC.

Relief and recovery are responsibilities that require collaboration and coordination shared between individuals and communities, non-government organisations, businesses and government agencies.

A range of Council service units, external agencies and organisations form the RPSC, which is chaired by the Municipal Recovery Manager (MRM). The Deputy Chairs of this committee are the Deputy MRMs. Operational recovery at the municipal level is driven by the four environments of social, economic, built, and natural.

6.3.1 Objectives of recovery

Recovery at all levels of government is implemented in alignment with the nationally recognised disaster recovery principles, to ensure successful recovery is delivered to affected communities. These principles are:

- Understanding the context
- Recognising complexity
- Using community-led approaches
- Coordinating all activities
- Communicating effectively
- Recognising and building capacity

Recovery requires collaboration between individuals, communities, all levels of government, non-government organisations and businesses across four inter-related recovery environments:

- 1. Social environment** – the emotional, social, spiritual, financial and physical wellbeing of affected individuals and communities;
- 2. Built environment** – the restoration of essential and community infrastructure;
- 3. Economic environment** – the revitalisation of the affected economy; and
- 4. Natural environment** – the rehabilitation of the affected environment.

Recovery initiatives may address specific elements of one or multiple aspects of the above recovery environments.

The functional areas of recovery; social, built, economic and natural environments; will lead the recovery planning process at the municipal level. The implementation of recovery requirements in each of the functional environments will be coordinated by the MRM.

The primary responsibility for each of the relevant functional environments will be assigned to the relevant area(s) within Council.

6.3.2 Recovery Centre activation

A Recovery Centre should be a one-stop-shop offering services appropriate to assist the community in recovery. The MRM together with the MERO will identify an appropriate venue for a Recovery Centre. Details of these arrangements are contained in the Recovery Sub Plan.

6.3.3 Government funding

The Victorian Government provides funding through the Natural Disaster Relief and Recovery Arrangements (NDRRA) Fund to assist the Victorian community through natural disaster relief and recovery payments and infrastructure restoration. Details of these arrangements are contained in the Eastern Metropolitan Region Emergency Coordination Sub Plan.

APPENDIX A ADMINISTRATION

Amendment history

No.	Amendment date	Amendment details
1	14 November 2018	Major revision and formatting changes in readiness for 7 March 2019 audit by VICSES.
2	28 November 2018	Draft Plan presented to the MEMPC.
3	1-17 December 2018	Further amendments and comments incorporated from MEMPC consultation. Rewrite of sections in prevention, response, relief and recovery arrangements.

Distribution list

This Plan is made available at knox.vic.gov.au.

Members of the Municipal Emergency Management Planning Committee (MEMPC) may also access this Plan via the Library Tab in Crisisworks.

As required by the EMMV, a hard copy has been sent to the State Library of Victoria, 328 Swanston St, Melbourne VIC 3000.

APPENDIX B CONTACT DIRECTORY

(NOT FOR PUBLIC DISTRIBUTION)

ACTIVATION OF THE PLAN

In the event of an emergency within the Knox municipal area, contact the Knox Police Station on 9881 7000 and ask for the Senior Sergeant/MERC who will activate the Municipal Emergency Management Plan (MEMP).

The Municipal Emergency Resource Officer can also activate the MEMP 24 hours a day on 9298 8000.

APPENDIX C SPECIAL PLANS AND ARRANGEMENTS

Hazard Sub Plans

Knox Municipal Fire Management Plan

Knox Storm and Flood Emergency Plan

Eastern Metro Region Local Government Extreme Heat Plan

Eastern Metro Local Government Pandemic Influenza Plan

Sub Plans

Knox Municipal Recovery Plan

Emergency Relief Centre Sub Plan - Eastern Metropolitan Councils Emergency Management Partnership

Eastern Metropolitan Region Emergency Coordination Sub Plan

Functional Plans

Eastern Metropolitan Councils Emergency Animal Welfare Plan

Knox Public Health Plan

Arrangements and other documents

Knox Municipal Emergency Management Planning Committee Terms of Reference

Disaster Recovery Tool Kit

Emergency Relief Centre Facility Management Plans

Practice Note - Sourcing Supplementary Emergency Response Resources from Municipal Councils



APPENDIX D COUNCIL RESOURCES LIST

(NOT FOR PUBLIC DISTRIBUTION)



Knox City Council
511 Burwood Highway
Wantirna South VIC 3152
knox.vic.gov.au

T +61 3 9298 8000
F +61 3 9800 3096
E knoxcc@knox.vic.gov.au
f [knoxccouncil](https://www.facebook.com/knoxcc)
t [knoxcc](https://twitter.com/knoxcc)
@ [knoxccouncil](https://www.instagram.com/knoxccouncil)

 133 677 (ask for 03 9298 8000)
 Interpreter
131 450

Speak and Listen Users
1300 555 727 (ask for 03 9298 8000)



ABN 24 477 480 661218 of 493

7 Public Question Time

Councillor Holland returned to the meeting at 8.08 pm during Public Question Time.

Councillor Gill left the meeting at 8:09 pm during Public Question Time.

Councillor Gill returned to the meeting at 8:14 pm during Public Question Time.

Following the completion of business relating to Item 6, City Development, the business before the Council Meeting was deferred to consider questions submitted by the public.

Question Time commenced at 8.07pm.

The following questions were raised with Council:

Question 1	Ursula van Dyk: Agenda Item 6.2 - In relation to refusal reason 2, why is Council unsupportive of a proposal which responds to both the "green and leafy" and "bush suburban" character of the area by providing for extensive additional vegetation planting & landscaped areas, in the form of generous setbacks and open space areas
Answer	Acting Director, City Development, Paul Dickie responded that this is a complex planning application where there are various pros and cons. After debate, on balance Council believed it is worthy of support. There was comment on the sustainability of the site. There are rights at VCAT to appeal against the Council Refusal of the application.
Question 2	Ursula van Dyk: Agenda Item 6.3 - In relation to refusal reasons 7.10, what is Councillor's position on requiring a vegetation management plan for the nature reserve area (22% of site) through condition of a permit, which guarantees the future protection & management of significant vegetation on the site?
Answer	Acting Director, City Development, Paul Dickie responded that this planning application was put to the Councillors and Council decided to support it. There are rights at VCAT to appeal against the Council Refusal of the application.
Question 3	Darren Wallace: Could Council please update the community on the current end destination of kerbside recyclable collections and is there anything Council can do to create industries for recyclables locally?
Answer	Director, Engineering and Infrastructure, Dr Ian Bell advised that there is significant work going on across a number of Councils in conjunction with peak bodies focusing on alternative industries and the treatment of waste products. This has largely been due to a halt on the receipt of recyclables by

	<p>China which is impacting on all countries including Australia. Whilst there has been a significant shake up in the industry, this situation is forcing all stakeholders to review and change practices. Council’s recyclables receive contractor – SKM Industries – is looking at different ways of treating and recycling paper, cardboard, plastic and aluminium – particularly in regard to removing contaminants and value adding product for use in manufacturing.</p>
<p>Question 4</p>	<p>Linda Staunton: 1. What steps are Council taking to reduce carbon emissions on Council premises, street lighting and vehicles. 2. What is Council doing to promote awareness of the need to reduce greenhouse emissions to its constituents?</p>
<p>Answer</p>	<p>Acting Director, City Development, Paul Dickie responded that Council is reducing emissions such as the replacement of globes in street lights to ensure they are energy efficient. Council has a comprehensive program surrounding sustainable building designs. There has been action within the Knox Civic Centre including lighting and air-conditioning upgrades. Much of the information regarding our energy efficient plans can be found on our website. The two new Early Years Hubs have been designed with an emphasis on efficiency and sustainability. The Mayor, Cr Jake Keogh added that Council has also purchased its first electric car.</p>

Councillors noted a further question received from one submitter who was not in the gallery would receive a response in writing.

Question Time concluded at 8.22pm.

8 Engineering & Infrastructure Officers' Reports for consideration

8.1 Council's Masterplan Status Report

SUMMARY: Coordinator – Open Space and Landscape Design, Andrea Szymanski

This report has been prepared in response to a Council resolution from the Ordinary Council Meeting 22 September 2015, 'that a status report (for Open Space & Activity Centre Streetscape Masterplans) be updated and reported to Council on an annual basis, to assist Council with the Budget development process'.

This report focuses on masterplans for Council's Open Space and notes Activity Centre Streetscapes.

RECOMMENDATION

That Council receives the current status report of Council's Masterplans for Open Space and Activity Centre Streetscapes.

1. INTRODUCTION

This report incorporates a requirement from Council (Ordinary Council Meeting of 22 September 2015), for the status report to include:

Endorsed masterplans, including:

- Year endorsed by Council;
- Estimated percentage complete;
- Stages completed, where applicable;
- Stages currently funded (within the current financial year);
- Stages yet to be completed, where applicable, including the major components (eg. car parking, pavilion, play facilities, etc.) and the anticipated funding sources; and
- Masterplans currently under development (within the current financial year).

For a detailed masterplan status summary, refer Attachment 1.

2. DISCUSSION

Masterplans are usually prepared as part of Council's Capital Works Program and are intended to:

- Demonstrate a clear and concise intent and vision for a site;
- Reflect Council and community aspirations for a particular location;
- Address, where reasonable, issues and concerns that are present;
- Bring together competing and complementary opportunities to improve the public open space and landscape amenity, for the benefit of the community, stakeholders and the environment; and
- Guide future investment, in a way that ensures improvements undertaken in the short-term are not likely to prohibit long-term improvement opportunities.

Masterplans are prepared for a variety of Council assets or locations including:

- Active and passive public open spaces;

- Activity Centres; and
- Public Buildings.

It is of note that not all reserves require a masterplan.

For the purposes of this report, only masterplans that pertain to public open space and activity centres have been included.

Public Open Space

The development of masterplans for open space is guided by the Knox Open Space Plan 2012-2022 and considered annually, during the capital works budgeting process.

Activity Centres

In the case of activity centres, employment precincts, industrial precincts or other commercial services areas, upgrades requiring a masterplans are identified by broader, overarching and holistic, strategic planning, eg. Structure Plan.

Structure plans provide a strategic overview of the social, economic and environmental improvements that need to be accommodated.

Infrastructure changes, which subsequently require masterplans, advance part of a structure plan's objectives.

2.1 Masterplans for Open Space

Generally, masterplans for open space include a range of improvement opportunities and asset renewal projects, which may include but not be limited to:

- New paths;
- New park furniture;
- Improved play spaces;
- Improved sports pavilions and change rooms;
- Improved car parking;
- Unstructured recreation elements such as, half-court basketball courts;
- Fitness equipment;
- BBQ, picnic and recreation facilities;
- Crime Prevention Through Environmental Design (CEPTED) principles;
- Stormwater retention opportunities;
- Biodiversity enhancements; and
- Sporting facilities such as, cricket nets, lighting and oval fencing.

Open space also considers the need to accommodate other stakeholder groups/users such as seniors' groups, childcare centers and kindergartens.

These facilities present different issues and associated opportunities that may or may not be able to be addressed via the masterplanning process.

However, the masterplanning process is designed to provide a holistic approach to management of the site and identify issues for further consideration by Council.

2.2 Activity Centre Masterplans

Activity Centre masterplans are generally intended to improve the business, customer and community experience in a nominated locality.

Locations are generally local retail centres but may include employment precincts, industrial precincts or other commercial services areas.

Activity Centre masterplans are often prepared following the development of a structure plan. For example, the Upper Ferntree Gully Streetscape Design was prepared in conjunction with the Upper Ferntree Gully Strategic Plan.

The Service Plan – Place Program, October 2016, reviewed the Place Program and its evolution, over seven years, from a place management initiative (ie. streetscape upgrades) to a diverse service, involving longer-term planning and delivery (e.g. structure planning), funded by operational budgets, the capital works budget and grant funding when available.

The Service Plan determined that, the future of the service was to focus on building partnerships to improve key places in Knox while maximising the benefits from Council's limited resources.

Hence, the new service direction is about Council working in a more integrated and cross-sector way to address challenges and maximise opportunities for the benefit of the present and future Knox community. In essence, the former Place Program has ceased and City Futures is developing innovative ways to deliver community outcomes and alternative forms of capital raising options for infrastructure, rather than the design and delivery of capital projects in activity centres, which is now a service provided by Community Infrastructure.

Consequently, with the exception of Upper Ferntree Gully, the Capital Works - Place Program has no projects currently listed.

However, a future program may need to be considered which will integrate Council's capital works renewal programs with opportunities to upgrade its activity centre streetscapes.

2.3 Current Status of Masterplans

Council has twenty-eight (28) current, endorsed masterplans, with a further two (2) due to be considered by Council within the 2018/19 financial year (ie. Lewis Park Masterplan and the Knox Regional Netball Centre Masterplan).

- Three (3) of the endorsed masterplans are complete.
- Eight (8) are substantially complete (approximately 75% to 99%).
- Six (6) have 50% to 74% of the proposed works completed.
- Eighteen (18) masterplans are staged for ongoing delivery and development in the 2018/19 financial year.
- There are four (4) landscape plans scheduled for development in 2020/21, subject to capital works consideration.

Following the recent Boronia Renewal strategic planning works, Boronia Park Masterplan may be scheduled for development in the 2019/20 year, subject to Council approval of a Business Case for the project.

A list of all current masterplans for Open Space and Activity Centres is presented in Attachment 1.

This list includes a summary of:

- Year endorsed by Council;
- Estimated percentage complete;
- Stages completed where applicable;

- Stages currently funded (within current financial year); and
- Stages yet to be completed where applicable, including the major components (eg. car parking, pavilion, play facilities, etc.) and the anticipated funding sources.

2.4 Master Plan Implementation/Funding – Open Space

When Council has adopted a masterplan, it is referred to Council's Capital Works Program (CWP), although funds are allocated, on occasion, prior to formal adoption of a masterplan to enable prompt implementation.

The majority of funding for open space masterplans is allocated from Council's Open Space Reserve – Unstructured Recreation Program, with the majority of works staged over two – three years.

In addition to Open Space Reserve funding, masterplan implementation often includes expenditure on renewing existing assets, eg. footpaths, play spaces, furniture, pavements or other items eligible for Council's renewal programs such as planting and drainage improvements. When this occurs, the intent is to design and deliver capital works assets and infrastructure upgrades with the delivery of masterplan features and open space upgrades in order to achieve the most cost-effective outcome for the community and minimise disruption during construction.

Funding for specific sports facilities such as, pavilions, sports lighting, fencing, etc. is guided by the Leisure, Minor Capital Works Grant Scheme Policy 2017. However, where a masterplan proposes an improvement or change to sporting facilities, it may be some time before implementation, given a requirement for co-funding from the sporting group involved and potential for State and/or Federal funding.

Funding for other items such as carparks has historically been given low priority, unless the existing location is an impediment to other improvements, which will benefit a significant number of community members.

Consequently, when a masterplan is prepared and adopted by Council, it may not be fully implemented, as Council is not always the funding body for all components of the masterplan; some are future opportunities and all proposed works are considered against set criteria and other masterplan projects. In addition, during the staged delivery of various masterplans, their currency and priorities may change, and new needs are identified.

In summary, a Council endorsed masterplan essentially provides a clear vision for the reserve, which assists in the staged delivery of priority works balanced against the competing needs of other reserves and assists in seeking external funding opportunities.

2.5 Master Plan Implementation/Funding – Activity Centres

When Council has endorsed a structure plan, a masterplan or detailed concept plan usually follows.

Funding for this program has generally been from rate revenue or State/Federal government grants.

However, the new Place Program service is expected to find more innovative ways of delivering community outcomes and infrastructure.

2.6 Local Reserves Planning

There are many smaller, local reserves, which are not of enough land size or use, to be considered for a masterplan.

However, where there is a playground located in a reserve it may be subject to a plan prepared under the Playground Renewal Program, which is consistent with the Knox Play Space Plan.

Council has renewed fourteen (14) play spaces as part of the Playground Renewal Program in the past two (2) years and there is currently an additional six (6) play spaces scheduled for renewal by the end of the 2018/19 financial year.

As part of the development of these playgrounds, the local community is consulted to gain an understanding of local aspirations for the reserve as a family play space. In turn, this informs the playground design and associated infrastructure, e.g. natural play spaces, furniture, paths, planting and signage.

When play spaces are identified for renewal, the Open Space and Landscape Design Team works with other internal Council teams such as, Park Maintenance, Assets, Stormwater, Biodiversity and Knox Construction to consider if any other features in the reserve could also benefit from upgrade or renewal. This enables an integrated approach to local reserve upgrades.

2.7 Summary

Council has taken an approach that ensures that areas of identified need are considered for improvements, via a masterplan process.

Adopting a masterplanning approach ensures that investment in new and renewed infrastructure is aligned and optimised in an integrated manner and meets with community aspirations.

Masterplans should also take into account the level of service Council can provide for each reserve.

The development of a masterplan considers the initial implementation cost of new and renewed assets/infrastructure in the short and long term. Design and selection of materials affects ongoing maintenance costs, which are considered to ensure that works delivered can be maintained to a standard considered acceptable by the community.

3. CONSULTATION

Masterplans are developed with community, Council and other external government agency input.

The various strategic plans that guide the prioritisation of masterplans are also subject to community consultation.

In addition, the annual capital budgetary process, which lists the financial requirements for the nominated projects, is subject to community review and comment.

4. ENVIRONMENTAL/AMENITY ISSUES

The development of masterplans to guide capital investment in locations across the municipality ensures that all opportunities are considered in order to maximise environmental, social and economic potential.

5. FINANCIAL & ECONOMIC IMPLICATIONS

A number of Capital Works Sub-Programs contribute to the implementation of masterplans including:

- New and Upgrade Capital Program – incorporating the Unstructured Recreation Program and the Structured Sporting Reserves Program; and
- Asset Renewal Capital Works Programs, including Playgrounds, Drainage, Park Assets and Facilities (buildings).

The balance of funds in Council's Open Space Reserve, as at the end of January 2019, is approximately \$15 million.

The balance of Council's Open Space Reserve funding has increased by 45% over the past four (4) years.

This recent spike in growth to the Open Space Reserve directly correlates with the steady increase of development within the municipality. It is of note that, development and therefore open space contributions will become more limited over time.

Activity Centre Streetscape Masterplans were historically funded through the Place Program, various asset renewal programs and external grants.

Approximately \$7 million has been expended in Activity Centre Streetscapes Masterplans to date.

6. SOCIAL IMPLICATIONS

Considered masterplans help to provide social cohesion, generated through the community engagement processes, in the development of masterplans and an immediate improvement in social amenity, by their implementation.

As part of the previous 2018/19 budget process, Council provided its support to deliver endorsed masterplans in a shorter period ie. two - three years, where possible.

In the 2018/19 year to date, Council has delivered a number of key masterplan features across a range of open spaces (eg. Templeton Reserve, Talaskia Reserve and Marie Wallace) and the local communities have responded by expressing their appreciation for the works.

As part of the masterplan delivery process, Council has a large number of additional open space upgrades and improvements planned across the municipality.

As housing and living typologies change, Knox's open spaces will become critical places for meeting and gathering with family and friends, for relaxation and for respite. These open spaces will need to accommodate a range of passive and active recreation functions and enable stormwater management, biodiversity improvements and equitable access for all ages and all members of the community.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

Strategy 1.2 - Create a greener city with more large trees, indigenous flora and fauna

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

8. CONFLICT OF INTEREST

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

Author – Coordinator - Open Space and Landscape Design, Andrea Szymanski - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Engineering and Infrastructure, Ian Bell

Manager, Community Infrastructure, David Yeouart - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Since the adoption of the Knox Open Space Plan in 2012, Council continues to make significant advances in improving its open space network, by setting priorities.

Council has a significant number of masterplans in progress and this report reflects the works done to date to enable future considerations.

Council has recently reduced the delivery time (ie. staging) of approved projects, which has been well received by the community.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Coordinator - Open Space and Landscape Design - Andrea Szymanski

Report Authorised By: Director, Engineering and Infrastructure, Ian Bell

Manager, Community Infrastructure, David Yeouart

Attachments

1. Masterplan Progress Report Attachment 1 [8.1.1]

RESOLUTION

MOVED: Councillor Pearce

SECONDED: Councillor Mortimore

That Council receives the current status report of Council's Masterplans for Open Space and Activity Centre Streetscapes.

CARRIED

Masterplan progress
2019

Masterplan Progress Summary 2019

Open Space and Landscape Design Team

BAYSWATER

Marie Wallace Bayswater Park

BORONIA

Chandler Park
Tormore Reserve

FERNTREE GULLY

Quarry Reserve
Dobson Street Reserve
Fairpark Reserve
Ferntree Gully Village Square
Mountain Gate Shopping Centre Reserve
Pickett's Reserve
Tim Neville Arboretum
Knox Regional Netball Centre*
HV Jones Reserve

KNOXFIELD

Carrington Park
Gilbert Park
Knox Park
RD Egan Lee Reserve

ROWVILLE

Stud Park Reserve
Arcadia Reserve
Row Reserve
Peregrine Reserve

SCORESBY

Benedikt Reserve
Scoresby Reserve
Scoresby Village

UPPER FERNTREE GULLY

Talaskia Reserve
Upper Ferntree Gully Streetscape

WANTIRNA

Templeton Reserve
Wantirna Reserve

WANTIRNA SOUTH

David Cooper Park
Llewellyn Reserve
Lewis Park*

FUTURE MASTERPLANS

The vision for our open space is one which will be sustainable, attractive and green. It will provide for a diversity of leisure activities, and enable people to enjoy nature, engage with others, learn and play. Our open space network will be well-connected and accessible, and contribute to the natural systems of the city.
Council's Open Space Plan 2012-2022

Note: * subject to Council endorsement

Marie Wallace Bayswater Park

Endorsed by Council 2015

Estimate complete 90%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Performance stage, viewing lawn, picnic facilities, toilet block, concrete walls, decommissioning of power lines and road widening and new car parks completed. • Water park feasibility study completed and presented to Issues Briefing in March 2018, which did not support the development of a water park at this location. • Artwork to walls completed June 2018. • Dog park investigation endorsed by Council in Nov 2018, which did not support a dog park at this site. • Bike training area, natural play and additional BBQ and picnic facilities completed in Dec 2018. 	<ul style="list-style-type: none"> • Bridge design and construction scheduled for Feb 2019. • Reserve signage, spectators viewing area, gym equipment stations currently being designed and scheduled for delivery in 2019/20, subject to budget approval. 	



Photos: Mamma Know East

Chandler Reserve

Endorsed by Council 2003/2004

Estimate complete 95%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Play space, picnic and BBQ facilitates and social activity area completed in 2017. • Netball courts resurfaced with new lighting completed in 2017. 	<ul style="list-style-type: none"> • Tree and garden planting and final path connection scheduled for delivery in 2019/20, subject to budget approval. 	



Photos: Mamma Know East

Tormore Reserve

Endorsed by Council 2015

Estimate complete 50%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Paths connections, furniture, carpark modifications and new cricket nets completed. • Pedestrian solar lighting scheduled for delivery in early 2019. • Detailed design of play space, picnic shelter, viewing terraces and active social space in progress and scheduled for delivery by June 30 2019. 	<ul style="list-style-type: none"> • Design and delivery of carpark upgrades and coaches boxes, subject to budget approval. 	



Quarry Reserve

Endorsed by Council 2009, revised 2015 additional ERMP works 2018

Estimate complete 70%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Quarry Road surfacing, carparking, all ability path connection to water's edge, terraces and boardwalk completed. • Landslip monitoring continues. • Water tests have been commissioned. • Tasks were identified in the recent Environmental and Risk Management Plan (ERMP). These tasks/outcomes were presented and supported by Council in Nov 2018. • Weed eradication and revegetation works (including goats) in progress. 	<ul style="list-style-type: none"> • Detailed design of play space, BBQ and picnic facilities with drinking fountain in progress and scheduled for delivery in 2019/20, subject to budget approval. 	<ul style="list-style-type: none"> • Detailed design and delivery of new water access, fishing pontoons, viewing platform from Lady Talbot Drive, signage and path upgrade, subject to future capital works budget approval.



Dobson Street Reserve

Endorsed by Council 2015

Estimate complete 100%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> New retarding basin, renewal of play space and associated infrastructure and planting complete. 		



Fairpark Reserve

Endorsed by Council 2015

Estimate complete 60%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Toilet block, social space including BBQ and picnic facilities complete. • Playspace scheduled for delivery in Feb 2019. • Currently liaising with Melbourne Water regarding daylighting Blind Creek from Manuka Drive to Scoresby Road, scheduled for delivery in Feb 2019. • AFL football goal netting scheduled for delivery in early 2019. • Detailed design of carpark improvements in progress. 	<ul style="list-style-type: none"> • Carpark improvements upgrades, signage, path links and planting scheduled for delivery in 2019/20, subject to budget approval. 	<ul style="list-style-type: none"> • Widening of Blind Creek Trail, pavilion upgrade and potential oval expansion.



Ferntree Gully Village Square

Endorsed by Council n/a

Estimate complete 0%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> On hold following Council land purchase at 101 Station Street Ferntree Gully. 		

Mountain Gate Shopping Centre Reserve

Endorsed by Council 2016

Estimate complete 100%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> Streetscape footpath and landscape upgrades completed in 2016. Path upgrade and new social space seating completed Oct 2018. Pedestrian lighting scheduled for delivery in March 2019. 		



Pickett's Reserve

Endorsed by Council 2016

Estimate complete 80%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Gravel carpark expansion, sealing of existing carpark, path connections and removal of existing play space completed. • Play space renewal complete. • Installation of nets/fencing to the east of oval scheduled for early 2019. • Detailed design of spectator viewing area in progress. 		<ul style="list-style-type: none"> • Gymnasium carpark upgrade scheduled in 2-3 years. Circuit path and entry signage to be delivered in future budgets, as required.

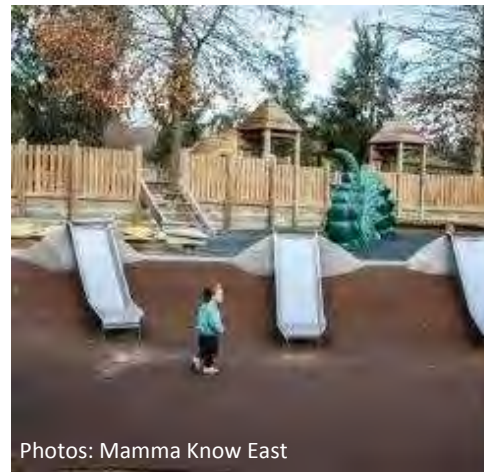


Tim Neville Arboretum – Management Plan

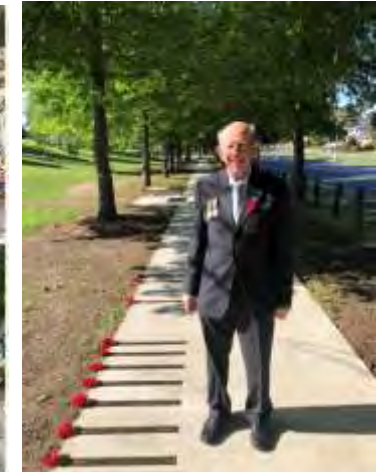
Endorsed by Council 2007

Estimate complete 80%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Playground, boardwalk, carpark, paths, picnic facilities, planting, furniture, war memorial, lake reconstruction complete. • Lake shelter upgrade completed in August 2018. • Feature tree planting and various feature gardens complete. • Centenary of Armistice Commemorative Path Works completed in Oct 2018. 		<ul style="list-style-type: none"> • Amphitheatre refurbishment. • Signage and wayfinding.



Photos: Mamma Know East



Knox Regional Netball Centre

Year expected to be endorsed by Council 2019

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Feasibility Investigation Study Report endorsed by Council in Dec 2019. • Masterplan development to continue in early 2019 and be adopted by June 2019. • Geotechnical site investigations to commence in early 2019. • Desktop Cultural Heritage Management Plan to commence in early 2019. 	<ul style="list-style-type: none"> • Subject to outcomes of and Council's endorsement of the Masterplan, Architectural and detailed design could be completed with delivery in the following year(s) - subject to future budget and grant funding opportunities. 	<ul style="list-style-type: none"> • Subject to outcomes of and Council's endorsement of the Masterplan, proposed works which could include 2 new indoor court stadium, improved carparking arrangements, improved social entry space and associated site/court improvements.



HV Jones Reserve

Endorsed by Council 2018

Estimate complete 5%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> Masterplan endorsed in July 2018. Detailed design of key masterplan features in progress. 	<ul style="list-style-type: none"> New playspace and multi-sports area scheduled for delivery in 2019/20, subject to budget approval. 	<ul style="list-style-type: none"> Stage 2 works scheduled for 20/21 to include delivery of new paths, outdoor gym equipment, park furniture, seating and landscape amenity tree planting. Stage 3 works scheduled for 21/22 to include carparking upgraded, netball court upgrade with lighting.



Carrington Park Reserve

Year expected to be endorsed by Council 2019/20

Estimate complete 15%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> Building feasibility and investigations progressing. 	<ul style="list-style-type: none"> New playspace and multi-sports area scheduled for delivery in 2019/20, subject to budget approval. 	<ul style="list-style-type: none"> Future reserve works subject to outcomes of facility revision feasibility and investigations.



Gilbert Park

Endorsed by Council 2009 and revised in 2018

Estimate complete 50%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Skate Park constructed. • Carpark renewed as part of capital renewal program. • Design for pavilion completed. • Revised Masterplan endorsed in July 2018. • Detailed design of Stage 1 works in progress which includes site investigations and detailed design of Masterplan works. 	<ul style="list-style-type: none"> • Stage 2 works scheduled for 19/20 to include delivery of basketball court, picnic shelter, new paths and park furniture, subject to budget approval. • Ambulance outstands area adjacent to Ferntree Gully Road, subject to budget approval. 	<ul style="list-style-type: none"> • Stage 3 works scheduled for 20/20 to include garden bed improvements, carpark design upgrade and wetland - subject to grant funding and assistance from Melbourne Water. • Stage 4 works in 21/22 to include design and construction of Skate/BMX extension.



Knox Park

Endorsed by Council 2008

Estimate complete 80%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Soccer/cricket pavilion upgrade, lighting and renewal of ovals, Dog Park and enhancements to dog training surface complete. • Relocation of playspace complete in 2016. 		<ul style="list-style-type: none"> • Synthetic playing fields that were proposed not progressed due to the construction of synthetic fields at Knox Regional Sports Park. • Carpark upgrade at soccer pavilion not yet funded.



RD Egan Lee Reserve

Endorsed by Council 2018

Estimate complete 5%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> Masterplan scheduled for Council endorsement in Dec 2018. 	<ul style="list-style-type: none"> Stage 1 works in 2019/20 to include design and delivery of outdoor gym equipment, pathway improvements, drinking fountains and new seats and bins. Subject to budget approval. 	<ul style="list-style-type: none"> Stage 2 works in 20/20 to include design and delivery of new playspace, multipurpose court, fence relocation, swale works and tree and garden beds. Stage 3 works in 21/22 to include design and construction of wetland - subject to grant funding and assistance from Melbourne Water.



Stud Park Reserve

Endorsed by Council 2016

Estimate complete 60%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Path connections between Fulham Rd and Simon Avenue completed in 2016. • Public toilets completed in Oct 2018. • All ability access ramp, basketball courts refurbishment, picnic shelters, active outdoor recreation facilities, drinking fountain and planting scheduled for delivery in early 2019. 	<ul style="list-style-type: none"> • Reserve fencing, additional planting, path links and signage scheduled for delivery in 2019/20, subject to budget approval. 	<ul style="list-style-type: none"> • Sports lighting (sports lighting not funded from Open Space Reserve) to be funded in future stages.



Photos: Mamma Know East

Arcadia Reserve

Endorsed by Council 2015

Estimate complete 90%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Paths and Stage 1 of the play space renewed in 2016. • Stage 2 of play space, 1/2 basketball court, planting and furniture completed in June 2018. • Additional tree planting, skate elements, soccer goals and drainage to be completed by June 2019. 		



Row Reserve

Endorsed by Council 2015

Estimate complete 100%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Playground renewed in 2016. • Paths, gym equipment, shelter and basketball court, planting installed in 2017. 		



Peregrine Reserve

Endorsed by Council 2018

Estimate complete 10%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Masterplan endorsed in July 2018. • Playspace upgrades scheduled for delivery in March 2019. 	<ul style="list-style-type: none"> • Works scheduled for 2019/20 to include detailed design and delivery of social space, basketball court, picnic shelter, BBQ, gym equipment and tree planting. Subject to budget approval. 	<ul style="list-style-type: none"> • Stage 2 works scheduled for 20/20 to include design and delivery of junior BMX pump track and associated landscape amenity. • Stage 3 works in 21/22 to include design and construction of wetland - subject to grant funding and assistance from Melbourne Water.



Rumann and Benedikt Reserve

Endorsed by Council 2014

Estimate complete 85%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • New paths, furniture, relocated carpark new play space including nature play elements completed in 2017. • Tennis court, half-court basketball and hit up wall schedule for delivery by June 2019. 	<ul style="list-style-type: none"> • Picnic shelter, path link and tree planting scheduled for delivery in 2019/20, subject to budget approval. 	



Scoresby Reserve

Endorsed by Council 2015

Estimate complete 50%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Stage 1 carparking improvements completed. • Tennis courts and additional new car parking area completed in Dec 2018. • Detail design for social space and play upgrade completed. 	<ul style="list-style-type: none"> • Delivery of social space scheduled for delivery in 2019/20, subject to budget approval. • Delivery of public toilet. 	<ul style="list-style-type: none"> • Open lawn area, exercise equipment, new paths and pedestrian lighting, scheduled for delivery in 20/20, subject to future budgets.



Scoresby Village

Endorsed by Council 2015

Estimate complete 5%

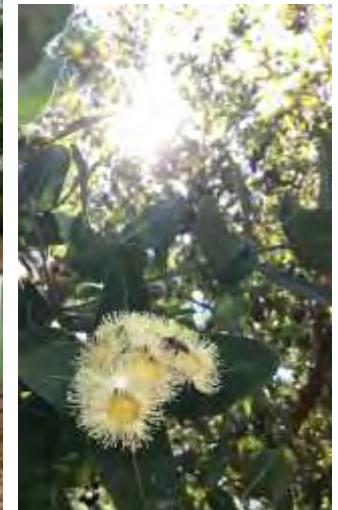
Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> Detail design for village landscape amenity in progress and design to be completed by June 2019. 	<ul style="list-style-type: none"> Delivery of social space scheduled for delivery in 2019/20, subject to budget approval. 	<ul style="list-style-type: none"> Renovate/extend exiting toilet block to be funded in future budgets.

Talaskia Reserve

Endorsed by Council 2016

Estimate complete 50%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Stage 1 works including new basketball court, tennis hot shot court, retaining walls, spectator seating, picnic shelter, BBQ's, and drinking fountain completed in Dec 2018. • Fencing scheduled for delivery in early 2019. • Planting scheduled for delivery in April 2019. • Junior play space design complete. 	<ul style="list-style-type: none"> • Accessible paths, nature play area, sensory walk, adventure play, gym equipment scheduled for delivery in 2019/20, subject to budget approval. 	



Upper Ferntree Gully Streetscape

Endorsed by Council 2017 (Strategic Plan)

Estimate complete 10%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Stage 1 Concept Design Plan scheduled for consultation Dec – Jan 2019. • Detailed design of streetscape scheduled for April 2019. 	<ul style="list-style-type: none"> • Delivery of Stage 1 streetscape works. 	



Templeton Reserve

Endorsed by Council 2016

Estimate complete 75%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Stage 1 works including accessibly paths, improved connection to the pavilion and social space complete. • Playground renewal completed in Oct 2018. • Oval circuit path completed in Dec 2018. • Detailed design of key masterplan features in progress. 	<ul style="list-style-type: none"> • Picnic shelter and BBQ facilities, drinking fountain, multi activity area, gym equipment, path links and connections, terraced spectator seating, open lawn areas, carpark improvements, tree planting in progress and scheduled for delivery in 2019/20, subject to budget approval. 	<ul style="list-style-type: none"> • Lighting and art works yet to be funded.



Wantirna Reserve

Year expected to be endorsed by Council 2019

Estimate complete 10%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> Initial masterplan works commenced but on hold pending outcomes from Rec & Leisure works regarding; of Committee of Management with Parks Victoria arrangements and outcomes of Hockey Study. 	<ul style="list-style-type: none"> Develop of Draft Masterplan and associated consultation phase. Endorsement of Masterplan Commence detailed design of key masterplan elements Delivery of tennis court improvements Liaise with Community Services regarding development of Men’s Shed/Community Hub. Detailed design for dog park, with delivery for the following year. 	<ul style="list-style-type: none"> Endorsed masterplan



David Cooper Park

Endorsed by Council 2008

Estimate complete 90%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> Path works, BBQ facilities, picnic tables and picnic shelter, 1/2 basketball court, memorial seat, tree planting WSUD rain garden works completed. 		<ul style="list-style-type: none"> Feature art entry sculpture, playground upgrade, exercise stations, landscape amenity improvements, feature tree and additional planting to be delivered with future funding



Llewellyn Park

Endorsed by Council 1998, updated 2015

Estimate complete 20%

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Stage 1 path works completed. • Revegetation works completed in July 2018. • Tree planting along Llewellyn Drive completed in July 2018. • Fence upgrade scheduled for March 2019. 	<ul style="list-style-type: none"> • Liaise with Facilities to demolish the existing pavilion and transform to new open shelter with toilet facilities and drinking fountain using existing underground services. • Detailed design for dog park. • Detailed design for play space upgrade. 	<ul style="list-style-type: none"> • Furniture and carpark improvements.



Lewis Park

Year expected to be endorsed by Council 2019

Works complete/ in progress	Proposed 2019/20 works	Yet to be funded
<ul style="list-style-type: none"> • Draft Master Plan in progress, scheduled for Council endorsement in March 2019. 	<ul style="list-style-type: none"> • Site investigations including feature survey, geotechnical, desktop Cultural Heritage Management Plan to inform future detailed design. • Liaise with Melbourne Water regarding daylighting of Blind Creek and retarding basin works. • Detailed design of key masterplan features. 	<ul style="list-style-type: none"> • Endorsed masterplan elements.



FUTURE MASTERPLANS/LANDSCAPE PLANS

Proposed open space	Proposed works	Estimate Year to commence project
Boronia Park, Boronia	Masterplan	2019/20 Subject to approval of 19/20 Business Case
Lakesfield Reserve, Lysterfield	Landscape Plan	2020/21 - Subject to approval
Major Crescent Reserve, Lysterfield	Landscape Plan	2020/21 - Subject to approval
Schultz Reserve, Wantirna	Landscape Plan	2020/21 - Subject to approval
Flamingo Reserve, Wantirna South	Landscape Plan	2020/21 - Subject to approval

9 Community Services Officers' Reports for consideration

Nil.

10 Corporate Services Officers' Reports for consideration

10.1 Proposed Sale of Council Property Part Wellington Road Reserve and Part 899R Wellington Road, Rowville

SUMMARY: Coordinator Property Management, Angela Mitchell

This report is presented following the hearing of submissions for the sale of 2.495 hectares of Council owned land, being Lot A on proposed Plan of Subdivision PS807908W and being part Wellington Road Reserve and part 899R Wellington Road, Rowville (Council land).

Having completed the statutory procedures it is now recommended to sell the Council land to the Pask Group (Pask), or one or more of its nominated entities.

RECOMMENDATION

That Council, having undertaken the statutory procedures in accordance with the Local Government Act 1989 resolves to:

- 1. Sell an area of 2.495 hectares of Council land, being Lot A on proposed Plan of Subdivision PS807908W and comprising part Wellington Road Reserve, being part of the land in Certificate of Title Volume 10284 Folio 966 and part 899R Wellington Road, Rowville, being part of the land in Certificate of Title Volume 11898 Folio 242 to the Pask Group, or one or more of its nominated entities, for \$7.6 million plus GST with the following conditions:
 - a) The sale of the Council land to Pask for \$7.6 million plus GST payable by 10% deposit and the balance due at settlement. Settlement is proposed to occur on the latter of 60 days after gazettal of planning scheme amendment C142, and creation of a separate title for the Council land.**
 - b) Registration of a plan under the Subdivision Act 1988 removing the reserve status from the Council land and creating a separate title for such land.**
 - c) The gazettal of planning scheme amendment C142 by no later than 30 June 2019.****
- 2. Authorise the Chief Executive Officer to sign and seal all necessary documentation associated with the sale of the Council land.**
- 3. Advise the submitter of Council's decision and the reasons for Council's decision.**

1. INTRODUCTION

The Council land is located near Linnel Court, Rowville at the southeast corner of Kingston Links. It currently has no road access but does have pedestrian access via the Council owned lot at 12 Linnel Court. It is also part of the Rowville Main Drain Floodplain. The Council land is not currently used for public recreation.

One of Council's core responsibilities is to manage its assets in order to optimise their value to the community. Part of this responsibility involves evaluating any unused or redundant assets and

releasing the funds tied up in these assets in order to acquire, develop or improve other assets. This Council land is an example of resources tied up in an asset, which Council can better deploy in other areas of priority for the reasons outlined in this report.

2. DISCUSSION

Council at its meeting on 12 November 2018 resolved as follows:

“That Council

1. Confirms that 2.495 hectares of Council land comprised in part Wellington Road Reserve and part 899R Wellington Road, Rowville is surplus to Council’s requirements.
2. In accordance with Section 189 of the Local Government Act 1989, gives public notice in the Knox Leader of its intention to sell an area of 2.495 hectares of Council land, being Lot A on proposed Plan of Subdivision PS807908W and comprising part of Wellington Road Reserve, contained in Certificate of Title Volume 10284 Folio 966 and part 899R Wellington Road, Rowville, contained in Certificate of Title Volume 11898 Folio 242 by private treaty for \$7.6 million plus GST to the Pask Group or one or more of its nominated entities.
3. Proposes the terms of the sale be as follows:
 - a) The Council land will be sold to Pask by private treaty for a sale price of \$7.6 million plus GST, payable by 10% deposit and the balance due at settlement. Settlement is proposed to occur on the latter of 60 days after gazettal of planning scheme amendment C142, and creation of a separate title for the Council land, provided that such settlement is no earlier than 31 January 2019.
 - b) The sale will be conditional upon the following:
 - Registration of a plan under the Subdivision Act 1988 removing the reserve status from the Council land and creating a separate title for such land.
 - The gazettal of planning scheme amendment C142 by no later than 30 June 2019.
4. Hear submissions in accordance with Section 223(1)(b) and appoint the following Committee of Council comprising Cr Seymour, Cr Pearce and Cr Holland to hear submissions on 9 January 2019 at 5.00pm.
5. Receive a further report following the conclusion of the statutory process.

Council undertook the statutory process as indicated above with one submission received from the Friends of the Glenfern Green Wedge, with the submitter requesting to be heard.

The Committee of Council heard this submission at a meeting on 9 January 2019.

The submitter outlined the following:

- The trees along the boundary of the Council land (on private land) should be protected.
- Concern with drainage and flooding issues with the proposed development of the site.
- The Council land to be retained as open space. However, if the sale proceeds, the developer be required to provide a pocket park within this area.
- The site can play an important function in the connection of wetland systems.

- Does not want to see ad hoc development and indicated consideration of planning models that have been undertaken in other municipalities.

In relation to the above, the following information is provided:

- Amendment C142 (Kingston Links Redevelopment) has been approved by the Minister for Planning and now forms part of the Knox Planning Scheme. While the Development Plan Overlay (DPO) that was approved as part of Amendment C142 retained a landscape buffer along the eastern residential interface of the golf course, the trees along the boundary of the Council land were not shown to be retained.
- Flood modelling of the site and surrounding areas was undertaken to the satisfaction of Melbourne Water. The golf course is to be filled above the flood plain and the modelling showed an improvement in potential flooding from the creek into surrounding areas.
- The creek and wetlands under the power lines are to be rehabilitated and enhanced. Land remains open to the south of the Council land connecting the wetlands through to the Rowville main drain.
- The future development allowed for under the DPO was required to take into account a number of variables and tested via an independent panel before approval by the Minister for Planning. This included social and economic implications, interface issues, surrounding neighbourhood character, environmental issues, access to public transport and vehicle access to the surrounding road network. Future development will be in accordance with the DPO and will not be ad hoc.

The Committee of Council considered this submission and information provided and is now recommending the Council do the following:

Resolve to sell an area of 2.495 hectares of Council land, being Lot A on proposed Plan of Subdivision PS807908W and comprising part Wellington Road Reserve, being part of the land contained in Certificate of Title Volume 10284 Folio 966 and part 899R Wellington Road, Rowville, being part of the land contained in Certificate of Title Volume 11898 Folio 242 to the Pask Group, or one or more of its nominated entities, for \$7.6 million plus GST with the following conditions:

3. The sale of the Council land to Pask for \$7.6 million plus GST payable by 10% deposit and the balance due at settlement. Settlement is proposed to occur on the latter of 60 days after gazettal of planning scheme amendment C142, and creation of a separate title for the Council land.
4. Registration of a plan under the Subdivision Act 1988 removing the reserve status from the Council land and creating a separate title for such land.
5. The gazettal of planning scheme amendment C142 by no later than 30 June 2019.

This recommendation is made for the following reasons:

- The Council land is surplus to Council's requirements.
- The proposed sale is consistent with the objectives of the Knox Planning Scheme. Future development allowed for under Amendment C142 was tested through an independent panel process approved by the Minister for Planning and incorporated a full assessment of all relevant considerations.
- All flood modeling associated with the proposed sale has been undertaken to the satisfaction of Melbourne Water.

- The proposed sale will facilitate the achievement of desirable social housing outcomes for the municipality.

3. CONSULTATION

Public notice was given in the Knox Leader on 20 November 2018. At the conclusion of the 28 day submission period, one submission was received requesting to be heard in support of their submission. The submission hearing was held on 9 January 2019.

4. ENVIRONMENTAL/AMENITY ISSUES

There are a few isolated trees at the edge of the Council land but it is mostly grassy vegetation that Council mows a few times each year. It is not currently used for public recreation. Amenity issues, such as impacts on neighbouring properties and landscaping, were considered as part of the amendment process and restrictions placed on any development that might occur there in the future.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed disposal of part of the Council land will meet Council's financial objectives and provide significant proceeds from the sale. A valuation dated 11 October 2018 has been obtained.

6. SOCIAL IMPLICATIONS

The Council land proposed to be sold on its own is not considered suitable for social housing. However, integrated with a broader development as proposed for Kingston Links, social housing outcomes would be achieved. In accordance with Council's Affordable Housing Action Plan and Planning Scheme, provision is made as part of the proposed DCA with Pask for affordable and social housing contributions.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations.

8. CONFLICT OF INTEREST

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

Author – Coordinator Property Management, Angela Mitchell - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Following the hearing of submissions by the Committee of Council and having undertaken the required statutory procedures, it is recommended to sell an area of 2.495 hectares of Council land being Lot A on proposed Plan of Subdivision PS807908W and comprising part Wellington Road Reserve, being part of the land contained in Certificate of Title Volume 10284 Folio 966 and part 899R Wellington Road, Rowville, being part of the land contained in Certificate of Title Volume 11898 Folio 242 to the Pask Group, or one or more of its nominated entities, for \$7.6 million plus GST.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Coordinator Property Management, Angela Mitchell

Report Authorised By: Director, Corporate Services, Michael Fromberg

Attachments

Nil

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Pearce

That Council, having undertaken the statutory procedures in accordance with the Local Government Act 1989 resolves to:

- 1. Sell an area of 2.495 hectares of Council land, being Lot A on proposed Plan of Subdivision PS807908W and comprising part Wellington Road Reserve, being part of the land in Certificate of Title Volume 10284 Folio 966 and part 899R Wellington Road, Rowville, being part of the land in Certificate of Title Volume 11898 Folio 242 to the Pask Group, or one or more of its nominated entities, for \$7.6 million plus GST with the following conditions:**
 - a) The sale of the Council land to Pask for \$7.6 million plus GST payable by 10% deposit and the balance due at settlement. Settlement is proposed to occur on the latter of 60 days after gazettal of planning scheme amendment C142, and creation of a separate title for the Council land.**
 - b) Registration of a plan under the Subdivision Act 1988 removing the reserve status from the Council land and creating a separate title for such land.**
 - c) The gazettal of planning scheme amendment C142 by no later than 30 June 2019.**
- 2. Authorise the Chief Executive Officer to sign and seal all necessary documentation associated with the sale of the Council land.**

3. Advise the submitter of Council’s decision and the reasons for Council's decision.

CARRIED

10.2 Citizenship Ceremonies

SUMMARY: Manager Governance and Strategy, Phil McQue

Local government throughout Australia has a proud history of contributing to the Australian citizenship program through the voluntary conduct of citizenship ceremonies. Whilst an important symbolic and legal ceremony, there are substantial resources committed and expenses incurred by local government in managing these citizenship ceremonies.

This report recommends that Council request the Municipal Association of Victoria and Australia Local Government Association to advocate to the Federal Government to provide an ongoing financial contribution to local government in recognition of its role in the administration of the Australian citizenship program.

RECOMMENDATION

That Council request the Municipal Association of Victoria and Australia Local Government Association to advocate to the Federal Government requesting that it provide a financial contribution to local government in recognition of its role in the administration of the Australian citizenship program.

1. INTRODUCTION

The Federal Government has accorded local government, as the arm of government closest to the community, a significant role in the Australian citizenship program, through the conferral of Australian citizenship at citizenship ceremonies. However, there is no legislative obligation or binding agreement on local government to conduct citizenship ceremonies.

2. DISCUSSION

Local governments throughout Australia voluntarily conduct several hundred citizenship ceremonies each year, welcoming new citizens as formal members of the Australian community, and in particular members of their own local community. These citizenship ceremonies have significant personal and legal implications, conferring on each person a number of reciprocal rights, privileges and responsibilities as an Australian citizen.

All three levels of government are required to be represented at each ceremony via their elected representatives, with the objective of introducing new citizens to Australia's three-tiered democratic system of government.

The Department of Immigration, Citizenship and Multicultural Affairs administer citizenship ceremonies, whilst local governments that conduct ceremonies are responsible for ensuring that the citizenship ceremonies are conducted as prescribed by the *Australia Citizenship Act 2007*, *Australian Citizenship Regulations 2007* and the *Australian Citizenship Ceremony Code*.

The Department of Home Affairs states that it has a cost recovery arrangement in place for processing citizenship applications (80,562 conferrals in 2017/18). The 2017/18 Annual Report states that it received \$61,986 million for fees associated with citizenship applications with expenses totalling \$58,757 million.

There are significant administrative requirements, protocols, rules and responsibilities to be met to ensure legislative compliance when organising and conducting a citizenship ceremony. The administrative resources required are continuing to increase due to an increase in the number of candidates each year. This requires a significant resource commitment for a local government, with this expenditure as well as the actual ceremony expense incurred directly by that local government.

3. CONSULTATION

Nil.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Actual costs for citizenship ceremonies incurred by individual local governments vary according to the individual preference, capacity and standard of each local government, as well as the number of candidates involved and ceremonies conducted each year.

Knox City Council spends approximately \$66,000 per annum conducting six citizenship ceremonies, with approximately 840 candidates.

6. SOCIAL IMPLICATIONS

Citizenship ceremonies play an important symbolic and legal role in the Australian citizenship program. The citizenship ceremonies build social capital and assist in creating a harmonious and inclusive community that celebrates diversity.

The involvement of local government in this context is important as it is renowned for making citizenship ceremonies a very memorable and special occasion for candidates being formally welcomed as Australia citizens.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

8. CONFLICT OF INTEREST

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

Author - Manager Governance and Strategy, Phil McQue - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Local governments throughout Australia commit substantial resourcing to ensure that citizenship ceremonies are a very symbolic, memorable and special occasion for candidates being formally welcomed as Australian citizens.

Given the resourcing and costs incurred directly by local government, this report recommends that Council request the Municipal Association of Victoria and Australia Local Government Association to advocate to the Federal Minister for Immigration, Citizenship and Multicultural Affairs requesting that the Federal Government provide a financial contribution to local government in recognition of their ongoing voluntary role in the administration of the Australian citizenship program.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Manager Governance and Strategy, Phil McQue

Report Authorised By: Director Corporate Services, Michael Fromberg

Attachments

Nil

RESOLUTION

MOVED: Councillor Lockwood

SECONDED: Councillor Mortimore

That Council request the Municipal Association of Victoria and Australia Local Government Association to advocate to the Federal Government requesting that it provide a financial contribution to local government in recognition of its role in the administration of the Australian citizenship program.

CARRIED

10.3 Election Period Policy for the Collier Ward By-Election

SUMMARY: Co-ordinator Governance, Andrew Dowling

On Thursday 20 December 2018, the Minister for Local Government, The Hon. Adem Somyurek MP, gazetted 30 March 2019 as the date of the by-election to fill the extraordinary vacancy in the Collier Ward.

The election period for the by-election will commence at 12.00am Wednesday 27 February 2019 and conclude at 6:00pm, Saturday 30 March 2019.

The Election Period Policy for the Collier Ward By-Election has been prepared to guide the conduct of the by-election.

RECOMMENDATION

That Council resolve to adopt the Election Period Policy for the Collier Ward By-Election as set out in Attachment 1 to the officers' report.

1. INTRODUCTION

There are a number of provisions of the Local Government Act 1989 (the Act) that apply to the conduct of general elections, however not all provisions apply to by-elections.

One provision that does not apply is the requirement to adopt an election period policy for the by-election, however it is considered best practice governance to do so to encourage confidence in the integrity, transparency, and propriety of Council's conduct during the Collier Ward by-election.

It also provides an opportunity to provide guidance to Councillors, staff and candidates regarding the compliance obligations in the Act, and other matters appropriate to the conduct of the by-election.

2. DISCUSSION

The Election Period Policy for the Collier Ward By-Election (refer Attachment 1) has been prepared having regard to the Election Period Policy adopted by Council for the 2016 General Elections, with appropriate modifications to suit the regulatory landscape that applies to a by-election.

The draft policy provides guidance to:

- Council Staff and members of Council Advisory or other committees who may be considering nominating as candidates in the by-election.
- The Chief Executive Officer and staff to identify decisions that it may be appropriate to defer until after the election period.
- Councillors and the community regarding the conduct of Council and Special Committee meetings during the election period, including impacts upon public question time.
- Councillors, staff and candidates regarding the appropriate use of Council resources and access to Council information during the election period.
- Councillors and staff regarding Council functions, events and public consultation during the election period.

- Councillors and staff regarding Media Relations, Social Media and restrictions on publications during the election period.

Key differences to the Election Period Policy for the 2016 general elections are:

- The policy has fewer direct impacts on the conduct of sitting Councillors, as they will not be contesting the by-election.
- While the policy anticipates potentially deferring some decision-making during the election period, the limitations are not as extensive as those regarding “Major Policy Decisions” and “innappropriate decisions” as the respective provisions of the Act do not apply to a by-election.
- The policy imposes less stringent limitations on public consultation during the election period, where consultation does not have direct implications on the Collier Ward or the by-election.

3. CONSULTATION

Due to limited time available between the creation of an extraordinary vacancy and the date for the by-election, there has been limited consultation with Councillors on the development of the Policy.

The policy is however, based upon the Election Period Policy for the 2016 general elections which was developed with reference to industry-based forums and best practice guidelines as well as consultation with Councillors.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with the adoption of an election period policy for the Collier Ward by-election.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications anticipated as a direct consequence of the adoption of the election period policy for the Collier Ward by-election.

Where financial or economic implications are a consequence of deferring Council decisions during the election period, these would be sufficiently ‘extraordinary circumstances’ under the Policy to warrant the presentation of a report to Council for consideration.

6. SOCIAL IMPLICATIONS

This policy supports Council’s commitment to being open, fair, equitable and transparent in the conduct of Council elections and will further enhance good governance practices in the lead up to the Collier Ward by-election.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

Strategy 8.2 - Enable the community to participate in a wide range of engagement activities

8. CONFLICT OF INTEREST

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

Author - Co-ordinator Governance, Andrew Dowling - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Whilst not a requirement of the Act, officers consider it best practice to adopt an election period policy for the purposes of the forthcoming Collier Ward by-election.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Co-ordinator Governance, Andrew Dowling

Report Authorised By: Director Corporate Services, Michael Fromberg

Attachments

1. Attachment 1 - Election Period Policy - Collier Ward By-Election 2019 [**10.3.1**]

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Lockwood

That Council resolve to adopt the Election Period Policy for the Collier Ward By-Election as set out in Attachment 1 to the officers' report.

CARRIED

Collier Ward By-Election 2019

Policy Number:	Issued by Governance	Directorate:	Corporate Services
Approval by:	Council	Responsible Officer:	Manager Governance & Strategy
Approval Date:	29 January 2019	Version Number:	1
Sunset Date:	30 April 2019		

1. Purpose

This policy is to assist Councillors and staff in the lead up to the Collier Ward by-Election on 30 March 2019 to ensure Council complies with the provisions of the Local Government Act 1989.

The Policy will also provide the community with assurance that the conduct of Council during the Collier Ward by-election is proper, fair, equitable and transparent.

2. Context

The Local Government Act 1989 does not require Council to adopt an election period policy for the purposes of a by-election and a number of other regulations regarding elections similarly do not apply to a by-election.

Notwithstanding, it is considered best practice governance that Council adopt a position on a range of matters to ensure appropriate decision making in the context of issues or matters that:

- relate particularly to the Collier Ward and so warrant an elected representative for Collier Ward residents; or
- are before the electorate or are likely to, or be perceived to, influence voters or affect voting.

3. Scope

This policy applies to or affects:

- Council staff
- Councillors of the Knox City Council
- Members of Knox Advisory or other Committees
- Candidates or potential candidates in the Collier by-election.

The Policy shall have effect, once adopted until the conclusion of the Collier Ward by-election.

4. References

- 4.1 Community & Council Plan 2017-2021
 - Goal 8, We have confidence in decision making
- 4.2 Relevant Legislation
 - Local Government Act 1989



4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 Related Council Policies

- Councillor Code of Conduct

4.5 Related Council Procedures

- Nil

5. Definitions

In these Guidelines:

Council	Means Knox City Council, whether constituted before or after the commencement of this Policy.
Election Period	Means the period from 26 February 2019 to 30 March 2019
By-Election	Means the By-Election in the Collier Ward to be held on 30 March 2019
Electoral Matter	<p>Has the same meaning as in the Local Government Act 1989, namely, matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election.</p> <p>Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on—</p> <ol style="list-style-type: none"> the election; or a candidate in the election; or an issue submitted to, or otherwise before, the voters in connection with the election.
Candidate	<p>Means a person who has:</p> <ul style="list-style-type: none"> • publicly expressed an intention to run as a candidate in the by-election; and or • a person who has formally nominated as a candidate in the by-election with the returning officer <p>A candidate is a “known candidate” when a person has actual knowledge of the candidate’s identity and that they meet the above definition.</p>
Returning officer	<p>Has the same meaning as in the Local Government Act 1989, namely</p> <ol style="list-style-type: none"> the Electoral Commissioner; or a person appointed in writing by the Electoral Commissioner;
The Act	Means the Local Government Act 1989



6. Council Policy

6.1 Notice of Election Period

The Chief Executive Officer shall take reasonable steps to inform affected persons of this policy prior to the commencement of the election period on 26 February 2019.

6.2 Candidacy in the election

6.2.1 Council Staff

Council staff (including contractors) who are candidates in the by-election must:

- Take leave from their duties for the duration of the election period in accordance with section 29(3) of the Act (if sufficient paid leave is not accrued, unpaid leave will be available);
- Return any Council equipment (including, but not limited to, motor vehicles, telephones and computers), documents or information that is not available to the public for the duration of the election period; and
- If elected, immediately resign from their employed position at Council, in accordance with section 29(3) of the Act.

6.2.2 Members of Council Advisory or other Committees

Any person who is a member of one of Council's advisory or other committees is expected to comply with this policy and in addition:

- Take leave from the committee for the duration of the election period;
- Return any council equipment, documents or information which is not available to the public for the duration of the election period; and
- If elected, immediately resign from the committee.

6.3 Decision Making During the Election Period

6.3.1 Council and Special Committee Meetings

The limitations in the Act on the decisions Council can make in the lead up to a general election do not apply for the purposes of the Collier by-election.

However, it is appropriate in the lead up to the Collier Ward by-election that where practicable, Council defer decision-making where the subject matter:

- Relates particularly to the Collier Ward and so would be appropriate to involve an elected representative of Collier Ward residents; or
- Relates to an issue before the electorate that is likely to, or may be perceived to influence voters or affect voting in the by-election.

The Chief Executive Officer shall take reasonable steps to defer such decisions for Council to consider after the by-election.

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community and that in extraordinary circumstances, deferring decision-making may result in significant detriment to the community.

Where the Chief Executive Officer considers such extraordinary circumstances exist, any reports presented to Council for consideration will identify the circumstances that apply and why consideration prior to the by-election is warranted.



6.3.2 Officer Decisions under Delegated Authority

Before making a decision under delegated authority during the election period, officers should consider the following:

- whether the decision relates particularly to the Collier Ward;
- whether the decision is likely to be controversial and may influence, or may be perceived to influence voters or affect voting in the by-election;
- the urgency of the decision and whether it is more appropriate that it be deferred;
- possible financial repercussions if the decision is deferred; and
- the best interests of Council and the community.

6.3.3 Minor Grants Program Policy

The Minor Grants Program Policy states that the Minor Grants Program “shall be temporarily suspended prior to any Council election or by-election”.

The Minor Grants Program shall be suspended to the extent that any application received prior to the by-election, in the opinion of the Chief Executive Officer:

- Relates to an issue before the electorate in the by-election;
- Relates particularly to the Collier Ward; or
- Is likely to, or may be perceived to, influence voters or affect voting in the by-election;

A report will be presented to the Council Meeting on 29 April 2019 considering applications that were deferred for consideration due to the above.

6.4 Conduct of Council and Special Committee Meetings

The following protocols will apply for Council and Special Committee meetings held during the election period.

6.4.1 Councillor Conduct at Meetings

During the election period, Councillors should exercise caution in discussion and debate to ensure they do not raise matters that are likely to be, or be perceived as, electoral matters that may affect voting in the by-election.

Councillors should also be mindful to avoid making statements that may be, or perceived to be:

- In support or in opposition to a candidate in the by-election; or
- Intended or likely to influence voters.

6.4.2 Public Question Time

The Chief Executive Officer or his/her nominated representative will assess all questions received to determine whether they contain electoral matter. Where a question is deemed to contain electoral matter the Chief Executive Officer or his/her nominated representative shall recommend to the Chairperson that he or she refuse to receive the question pursuant to Clause 62(k) of the Meeting Procedure and Use of Common Seal Local Law 2018.

If, at a Council Meeting, a questioner raises electoral matter during the introduction to their question, the Chairperson shall request that they refrain from doing so. If the questioner fails to comply with this request, the Chairperson will ask the questioner to resume their seat in the gallery and may refuse to receive the question pursuant to Clause 62(k) of the Meeting Procedure and Use of Common Seal Local Law 2018.



6.5 Council Resources

Council resources (including staff) must be used exclusively for normal Council business and must not be used in connection with any election campaign or to influence voters.

Examples of Council resources include:

- Laptops, computers, iPads, and related software including internet and email accounts
- Mobile phones including calls, data, SMS, photos;
- Councillor business cards and name badges;
- Mayoral vehicle
- Council and Committee meetings;
- Phone lines and fax machines provided by Council;
- Council photocopiers and other printing resources including paper;
- Council publications;
- Council merchandise – eg: corporate gifts;
- Council buildings, facilities and carparks – this includes childcare centres and sporting facilities; and
- Council logos, branding, photographs and stationery, or obvious adaptations thereof.

6.5.1 Access to Council Information

All election related enquiries from candidates should be directed to the Returning Officer. Where the matter is outside the responsibilities of the Returning Officer, the request should be directed to the Chief Executive Officer.

All candidates will have equal access to information relevant to their election campaigns from the Council administration. Requests for information or advice from a known candidate in the by-election, should:

- Be channeled through the Chief Executive Officer; and
- Recorded on a register of information available to all candidates.

The Register will be kept by the Manager Governance & Strategy and will be a public document that records all requests for information by known candidates and the response given to those requests. The Register shall not apply to requests relating to the election process that are referred to the Returning Officer to manage.

6.6 Functions, Events and Public Consultation

6.6.1 Functions and Events

Council functions and events should continue during the election period however, staff must seek specific authorisation from the Chief Executive Officer or relevant Director for any event:

- Proposed to be held in the Collier Ward; or
- That relates particularly to the Collier Ward (eg consultation meetings).

Functions and events must not:

- Be used as an opportunity for any person to promote the election campaign of any candidate or to influence voters;
- Provide an opportunity for candidates to give speeches or keynote addresses; and
- Include any express or implied reference to the election.

Publicity material for functions and Council events must be certified as outlined in clause 6.8 of this policy.



6.6.2 Public Consultation

Public consultation means a process involving an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy. This could be in many forms including a direct mailout (either electronic or physical), public advertisement in the local newspaper, attendance at focus groups, completion of a survey or discussion via social media.

Public consultations can continue during the election period provided they:

- Have the prior approval of the Chief Executive Officer or relevant Director;
- Do not relate particularly to the Collier Ward (eg Council initiated planning scheme amendments particularly affecting the Collier Ward);
- Do not involve electoral matter (ie an issue before voters in the by-election);
- Are not likely to, or be perceived to, influence voters or affect voting in the by-election;
- Avoid any express or implied links to the by-election.

It may also be necessary to conduct certain consultations that are required under the Planning and Environment Act 1987, or subject to Section 223 of the Local Government Act 1989.

Notwithstanding, where it is reasonable and practicable to delay public consultation until after the election period, it is preferable that this occur.

Publicity material for consultations must be certified as outlined in clause 6.8 of this policy.

6.7 Media Relations and Social Media

6.7.1 Media Releases and Responses

Media releases and/or responses will continue according to ordinary business rules during the election period for the by-election, but must be carefully vetted to ensure they would not influence, or be perceived to be intended or likely to influence the outcome of the by-election.

During the election period Council staff are not permitted to make any public statement that could be construed as influencing the elections. This does not include statements of clarification in relation to the election process that have been approved by the Chief Executive Officer.

Media releases and/or responses must be certified as outlined in clause 6.8 of this policy. This is to ensure that Council cannot be accused of causing, permitting or authorising the publication of its media released and or responses, contrary to Section 55D of the Act.

6.7.2 Council Websites & Social Media

Existing publications and online information will be reviewed and, where appropriate, temporarily withdrawn if it contains material that might influence, or be perceived as likely to influence the outcome of the by-election.

All new website and social media content must be certified as outlined in clause 6.8 of this policy.

In order to comply with Section 55D of the Act, during the election period Council will:

- a) disable all external posts and comments to Council's social media sites; or
- b) moderate and certify that external posts and comments are free from electoral matter before they are published.



6.8 Council Publications during the election period

6.8.1 Restriction on Council Publications

The Act imposes limitations on Council publications during the election period to ensure Council does not publish material containing electoral matter that may influence, or be seen to influence, people's voting decisions. Section 55D of the Act states:

"A council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer"

The above prohibition does not apply to:

- a) documents that were published prior to the commencement of the election period; or
- b) electoral material produced by, or on behalf of, the Returning Officer for the purposes of conducting the election.

The Chief Executive Officer's certification must be in writing and cannot be delegated to another person.

6.9 Breach of Policy

Any breach of this policy relating to staff conduct is to be referred to the Chief Executive Officer.

Alleged breaches relating to all other matters are to be referred to the Local Government Investigations and Compliance Inspectorate.

7. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

10.4 Minor Grants Program Applications

SUMMARY: Governance Officer, Damian Watson

This report summarises the recommended grants from the Minor Grants Program. All applications have been assessed against the criteria as set out in the Minor Grants Program Policy.

RECOMMENDATION

That Council:

1. Approve the seven (7) recommended Minor Grants Program applications for a total of \$8,904.60 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Panda Rounds Round Dance Club	Funding to hire the Boronia progress Hall to hold a dancing event.	\$90.00	\$90.00
Boronia and The Basin Community Fete	Funding for three community groups to share their contribution and encourage community involvement at the Fete.	\$1,314.60	\$1,314.60
Scoresby Wantirna South Tennis Club	Funding to purchase windbreakers for new Courts.	\$2,000.00	\$1,500.00
Hands Off Foundation	Funding for the charity to purchase a computer and printer to complete administrative tasks.	\$2,336.95	\$1,500.00
Gyongyosbokreta Hungarian Folk Dance Group Melbourne	Funding for the Gyongyosbokreta 30th Anniversary Multicultural Gala to showcase Hungarian culture with the wider community and promote cultural awareness.	\$1,500.00	\$1,500.00
Gyongyosbokreta Hungarian Folk Dance Group Melbourne	Funding to support a week long Hungarian folk music and dance camp to bring together a group of diverse people to learn, share and celebrate traditional Hungarian folk music and dance.	\$1,500.00	\$1,500.00
Mountain Gate Cricket Club	Funding to purchase trophies for the club's annual presentation night.	\$1,500.00	\$1,500.00
	TOTAL	\$10,241.55	\$8,904.60

- 2. Note that inclusive of the above grants, a total of \$109,712.66 has been awarded under the Minor Grants Program in 2018-19 in support of a variety of community based organisations and their programs.**

1. INTRODUCTION

At the Strategic Planning Committee meeting held on 10 July 2017 the Committee endorsed the Minor Grants Program Policy (the Policy), effective from 25 July 2017.

The maximum limit for the Minor Grants Program applications was amended by Council at the Strategic Planning Committee Meeting held on 8 October 2018 to \$1,500.00.

Minor Grants applications must be for the purposes of meeting requests for small, incidental funding requests from eligible organisations within Knox and not exceed \$1,500.00.

Under the Minor Grants Program Policy an eligible organisation must:

- provide services, projects and programs that directly benefit residents of the City of Knox;
- be a not for profit legal entity that provides services, support or activities to the Knox community. This expressly excludes educational institutions and State and Federal government departments and agencies; but does not exclude related not for profit organisations, including school councils/auxiliaries/parent groups who otherwise qualify under the Policy;
- be incorporated or be auspiced by an incorporated body (for grants over \$500 only);
- have an Australian Business Number or complete a Statement by Supplier form;
- have a Committee of Management or similar governing body that accepts responsibility for the administration of the Grant (for grants over \$500 only);
- hold adequate public liability insurance appropriate to the activity outlined in the application;
- be able to supply permits and plans appropriate to the funded activity where requested by Council;
- have provided evidence to Council's satisfaction of the expenditure of any previous grant provided by Council.

2. DISCUSSION

This report presents to Council recommended grant applications in accordance with the Policy.

Council established the Minor Grants Program to ensure that funding could be provided to community groups who request ad hoc, incidental, community based, one-off grants.

The Policy sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the *Local Government Act 1989*.

In accordance with the Policy, applications for funding up to \$500 are assessed and determined under delegation by the Chief Executive Officer, or delegate. Applications for funding between \$501 and \$1,500 have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

All recipients of Minor Grants must provide proof of expenditure or purchase. In addition, Minor Grants over \$1,000.00 must meet all funding agreement requirements.

This report outlines the grant applications received since the 17 December 2018 Ordinary Council meeting. It recommends seven grants for Council's approval.

Applications under the Minor Grants Policy are limited to a maximum of \$1,500.00 until a review of the policy is completed. This change has been adopted as a measure of controlling the annual budget following a decision by Council at the Strategic Planning Committee Meeting on 8 October 2018.

3. CONSULTATION

No consultation has been undertaken in relation to the grant applications detailed in this report as the policy specifies assessment can occur by the Chief Executive Officer, or delegate, and make recommendation for Council's determination.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The approval of minor grants is managed within Council's adopted budget.

6. SOCIAL IMPLICATIONS

The Minor Grants program allows Council the flexibility to respond to requests from community groups within Knox at a municipal level. These grants provide applicants the opportunity to participate and support a variety of community based programs.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 6 - We are healthy, happy and well

Strategy 6.2 - Support the community to enable positive physical and mental health

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.3 - Strengthen community connections

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

8. CONFLICT OF INTEREST

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

Author - Governance Officer, Damian Watson - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

This report contains the recommendation for funding through the Minor Grants program.

10. CONFIDENTIALITY

A confidential attachment has been circulated under separate cover.

Report Prepared By: Governance Officer, Damian Watson
Report Authorised By: Director, Corporate Services, Michael Fromberg

Attachments

Nil

RESOLUTION

MOVED: Councillor Holland
SECONDED: Councillor Lockwood

That Council:

- 1. Approve the seven (7) recommended Minor Grants Program applications for a total of \$8,904.60 as detailed below:**

Applicant Name	Project Title	Amount Requested	Amount Recommended
Panda Rounds Round Dance Club	Funding to hire the Boronia progress Hall to hold a dancing event.	\$90.00	\$90.00
Boronia and The Basin Community Fete	Funding for three community groups to share their contribution and encourage community involvement at the Fete.	\$1,314.60	\$1,314.60
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Mountain Gate Cricket Club	Funding to purchase trophies for the club's annual presentation night.	\$1,500.00	\$1,500.00
	TOTAL	\$10,241.55	\$8,904.60

2. Note that inclusive of the above grants, a total of \$109,712.66 has been awarded under the Minor Grants Program in 2018-19 in support of a variety of community based organisations and their programs.

CARRIED

10.5 Revised Instruments of Delegation to Members of Council Staff

SUMMARY: Governance Officer, Damian Watson

Instruments of Delegation represent the formal delegation of powers by Council under Section 98(1) of the Local Government Act 1989 and enable the effective functioning of Council.

The attached Instruments of Delegation (Instruments) have been revised to reflect minor legislative changes based on advice from Council's solicitors.

RECOMMENDATION

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the act) and the other legislation referred to in the attached Instrument of Delegation – Cemeteries and Crematoria (Appendix A), Instrument of Delegation – Domestic Animals, Environmental Protection and Food (Appendix B) and Instrument of Delegation - Road Management Responsibilities (Appendix C), Instrument of Delegation – Planning (Appendix D); Knox City Council (Council) resolves that -

1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached:
 - Instrument of Delegation – Cemeteries and Crematoria (Appendix A),
 - Instrument of Delegation – Domestic Animals, Environmental Protection and Food (Appendix B),
 - Instrument of Delegation - Road Management Responsibilities (Appendix C), and
 - Instrument of Delegation – Planning (Appendix D)the powers, duties and functions set out in that respective instrument, subject to the conditions and limitations specified in the instrument;
2. Each Instrument of Delegation in Resolution 1 above comes into force immediately the common seal of Council is affixed to the instrument;
3. On the coming into force of each instrument set out in Resolution 1 above the respective previous Instrument of Delegation be revoked; and
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

1. INTRODUCTION

Section 98 of the *Local Government Act 1989* empowers Council to delegate any of its powers, duties or functions with some strategic exemptions such as setting rates, borrowing funds and adopting a budget. It is widely accepted that delegations are necessary to facilitate effective functioning of Councils as they enable day-to-day decisions to be made in relation to routine administrative and operational matters.

In granting delegations, Council is not granting unfettered power to Council staff or relinquishing its own powers. A delegate must comply with the conditions of delegation as well as any policies

of Council and any legislative framework. Further, Council can still exercise any delegated power, duty or functions itself by resolution in the Chamber.

The attached Instruments are recommended for the effective and efficient operations of Council's activities, as well as to enable routine and administrative tasks to be carried out with consistency and certainty.

2. DISCUSSION

The attached Instruments are being refreshed to ensure that they remain contemporaneous and consistent with current legislation and business practices.

The current Instrument of Delegation – Cemeteries and Crematoria has been in force since 25 September 2017.

The current Instrument of Delegation – Domestic Animals, Environmental Protection and Food Act has been in force since 24 July 2017.

The current Instrument of Delegation – Road Management Responsibilities has been in force since 24 July 2017.

The current Instrument of Delegation – Planning has been in force since 28 August 2017.

The attached Instruments are based upon the previous Instruments considered by Council and have been revised to reflect recent legislative changes.

3. CONSULTATION

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments, which are then tailored to organisational requirements. The proposed instruments (Attachment A, B, C and D) have been prepared based on the advice provided by Maddocks Lawyers.

Consultation has occurred with relevant staff during the preparation of the revised Instruments of Delegation to ensure that appropriate staff delegates have been nominated.

4. ENVIRONMENTAL/AMENITY ISSUES

Changes to the attached Instruments will not have any additional effect on the environmental or amenity issues within Knox beyond normal work practices.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The costs to prepare and adopt the attached Instruments are minimal and will be met within the current departmental budget.

6. SOCIAL IMPLICATIONS

There will be no additional social implications.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

8. CONFLICT OF INTEREST

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

Author - Governance Officer, Damian Watson - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The form and content of the attached revised Instruments are consistent with the Instruments previously adopted by Council and enable the effective functioning of Knox City Council. It is therefore recommended that Council sign and seal the revised attached Instruments (Attachment A, B, C and D).

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Governance Officer, Damian Watson

Report Authorised By: Director, Corporate Services, Michael Fromberg

Attachments

1. Delegation - s 6 - Cemeteries and Crematoria Act - January 2019- Updated **[10.5.1]**
2. Delegation - s 6 - Domestic Animals Environment Protection Food Act - January 2019- Updated **[10.5.2]**
3. Delegation - s 6 - Road Management Responsibilities - January 2019- Updated **[10.5.3]**
4. Delegation - s 6 - Council to Council Staff - Planning - January 2019 Updated **[10.5.4]**

RESOLUTION

MOVED: Councillor Lockwood

SECONDED: Councillor Mortimore

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the act) and the other legislation referred to in the attached Instrument of Delegation – Cemeteries and Crematoria (Appendix A), Instrument of Delegation – Domestic Animals, Environmental Protection and Food (Appendix B) and Instrument of Delegation - Road Management Responsibilities (Appendix C), Instrument of Delegation – Planning (Appendix D); Knox City Council (Council) resolves that -

1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached:
 - Instrument of Delegation – Cemeteries and Crematoria (Appendix A),
 - Instrument of Delegation – Domestic Animals, Environmental Protection and Food (Appendix B),
 - Instrument of Delegation - Road Management Responsibilities (Appendix C), and
 - Instrument of Delegation – Planning (Appendix D)the powers, duties and functions set out in that respective instrument, subject to the conditions and limitations specified in the instrument;
2. Each Instrument of Delegation in Resolution 1 above comes into force immediately the common seal of Council is affixed to the instrument;
3. On the coming into force of each instrument set out in Resolution 1 above the respective previous Instrument of Delegation be revoked; and
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED



INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF – CEMETERIES & CREMATORIA

In exercise of the power conferred by section 98(1) and 86(3) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 25 September 2017; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or

- 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.
- 3. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.
 - 3.1 The principles of these provisions will apply to delegated officers.
 - 3.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the Council made on the 29 January 2019 in the presence of

Mayor

Chief Executive Officer

Councillor

SCHEDULE



INDEX

CEMETERIES AND CREMATORIA ACT 2003.....1
CEMETERIES AND CREMATORIA REGULATIONS 201528



Instrument of Delegation – Council to Council Staff

January 2019

CEMETERIES AND CREMATORIA ACT 2003			
##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	Power to manage one or more public cemeteries	Not Delegated	
s.12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	where Council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	where Council is a Class B cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administration Officer Administration Officer Sexton	
s14	Power to manage multiple public cemeteries as if they are one cemetery	Not Delegated	
s.15(1) and (2)	power to delegate powers or functions other than those listed	Chief Executive Officer	
s.15(4)	duty to keep records of delegations	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance Governance Officer	

CEMETERIES AND CREMATORIA ACT 2003			
### The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(1)	power to employ any persons necessary	Chief Executive Officer Director - Corporate Services Manager - People Performance Coordinator - Employee Relations & Pay Manager - Governance & Strategy Coordinator - Governance	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s. 17(3)	power to determine the terms and conditions of employment or engagement	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.19	power to carry out or permit the carrying out of works	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Admin Support Officer Sexton	
s.20(1)	duty to set aside areas for the interment of human remains	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	

CEMETERIES AND CREMATORIA ACT 2003			
### The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	Chief Executive Officer Director - Corporate Services Manager – Governance & Strategy	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	Not Delegated	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	report must contain the particulars listed in s.57(2) report must be endorsed by Council

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.59	duty to keep records for each public cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.60(1)	duty to make information in records available to the public for historical or research purposes	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.60(2)	power to charge fees for providing information	Chief Executive Officer	
s64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.64B(d)	power to permit interments at a reopened cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Chief Executive Officer	the application must include the requirements listed in s.66(2)(a)–(d)

CEMETERIES AND CREMATORIA ACT 2003			
### The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.70(2)	duty to make plans of existing place of interment available to the public	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
s.71(2)	power to dispose of any memorial or other structure removed	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
s.72(2)	duty to comply with request received under section 72	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73(1)	power to grant a right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.73(2)	power to impose conditions on the right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Administrative Officer Administrative Officer	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Administrative Officer Administrative Officer	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.80(1)	function of receiving notification and payment of transfer of right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.80(2)	function of recording transfer of right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administration Officer	the notice must be in writing and contain the requirements listed in s.85(2)
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	
s.86(5)	duty to provide notification before taking action under s.86(4)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
### The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.91(1)	power to cancel a right of interment in accordance with this section	Not Delegated	
s.91(3)	duty to publish notice of intention to cancel right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	Advice should be sought from the Sexton as required before exercising this power
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	Advice should be sought from the Sexton as required before exercising this power
s.100(1)	power to require a person to remove memorials or places of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
s.100(3)	power to recover costs of taking action under section 100(2)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Not Delegated	

CEMETERIES AND CREMATORIA ACT 2003			
### The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	Not Delegated	
s.103(1)	power to require a person to remove a building for ceremonies	Not Delegated	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	
s.103(3)	power to recover costs of taking action under section 103(2)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.106(2)	power to require the holder of the right of interment to provide for an examination	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	In consultation with Council
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	In consultation with Council
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	In consultation with, Council

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	In consultation with Council
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy	In consultation with Council
s.108	power to recover costs and expenses	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	In consultation with Council
s.109(1)(a)	power to open, examine and repair a place of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	Not Delegated	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	Not Delegated	
s. 110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not Delegated	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
s.112	power to sell and supply memorials	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
### The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.119	power to set terms and conditions for interment authorisations	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.131	function of receiving an application for cremation authorisation	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.146	power to dispose of bodily remains by a method other than interment or cremation	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.151	function of receiving applications to inter or cremate body parts	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
### The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	Meetings held in accordance with meeting procedure local law
Schedule 1 clause 8(8)	power to regulate own proceedings	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	Meetings held in accordance with meeting procedure local law subject to clause 8

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.24	duty to ensure that cemetery complies with depth of burial requirements	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r30(2)	Power to release cremated human remains to certain persons	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	Subject to any order of a court
r31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r.36	duty to provide statement that alternative vendors or supplier of monuments exist	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
r. 40	power to approve a person to play sport within a public cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r. 41(1)	power to approve fishing and bathing within a public cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 42(1)	power to approve hunting within a public cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 43	power to approve camping within a public cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 45(1)	power to approve the removal of plants within a public cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 47(3)	power to approve the use of fire in a public cemetery	Chief Executive Officer Director - Corporate Services	
r.48(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance Sexton	Advice should be sought from the Sexton as required before exercising this power
Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	see note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	see note above regarding model rules
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	see note above regarding model rules
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	see note above regarding model rules Advice should be sought from the Sexton as required before exercising this power
Schedule 2, clause 8	power to approve certain mementos on a memorial	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	see note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Sexton	
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	Not Delegated	see note above regarding model rules Does not apply to a Cemetery Trust when carrying out its own functions or to an employee, agent or contractor of the Cemetery Trust
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	Not Delegated	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules



INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF – DOMESTIC ANIMALS, ENVIRONMENT PROTECTION & FOOD ACT

In exercise of the power conferred by section 98(1) and 86(3) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 27 March 2018; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or

- 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.
3. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.
- 3.1 The principles of these provisions will apply to delegated officers.
 - 3.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the Council

made on the 29 January 2019

in the presence of

Mayor

Chief Executive Officer

Councillor



SCHEDULE



INDEX

DOMESTIC ANIMALS ACT 1994	1
ENVIRONMENT PROTECTION ACT 1970	2
FOOD ACT 1984	4



DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator - Community Laws	Council may delegate this power to an authorised officer



ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	
s.53M(4)	duty to advise applicant that application is not to be dealt with	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	
s.53M(5)	duty to approve plans, issue permit or refuse permit	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	refusal must be ratified by Council or it is of no effect

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(6)	power to refuse to issue septic tank permit	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	refusal must be ratified by Council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Chief Executive Officer Director – City Development Manager – City Safety & Health	refusal must be ratified by Council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	If section 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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	If section 19(1) applies Only in relation to temporary food premises or mobile food premises
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Chief Executive Officer Director – City Development Manager – City Safety & Health	If section 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19CB(4)(b)	power to request copy of records	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19NA(1)	power to request food safety audit reports	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
---	power to register, renew or transfer registration	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	Where Council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38D(3)	power to request copies of any audit reports	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority



INSTRUMENT OF DELEGATION

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 27 March 2018; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or

- 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.
- 3. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.
- 3.1 The principles of these provisions apply to delegated officers.
- 3.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the Council

made on the 29 January 2019

in the presence of

Mayor

Chief Executive Officer

Councillor



SCHEDULE



INDEX

RAIL SAFETY (LOCAL OPERATIONS) ACT 20061

ROAD MANAGEMENT ACT 2004.....5

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016.....33

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 201538



RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	duty of Council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34D(2)	function of receiving written notice of opinion	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34I	function of entering into safety interface agreements	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34J(2)	function of receiving notice from Safety Director	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations	where Council is the relevant road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Coordinator – Property Management	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(9)(b)	duty to advise Registrar	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Coordinator – Property Management	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	clause subject to section 11(10A)

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(5)	duty to consider written submissions received within 28 days of notice	Chief Executive Officer Director – Engineering & Infrastructure Manager – Sustainable Infrastructure Director – Corporate Development Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	Chief Executive Officer Director – Engineering & Infrastructure Manager – Sustainable Infrastructure Director – Corporate Development Manager – Business & Financial Services Coordinator – Property Management	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Chief Executive Officer Director – Corporate Development Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(10)	duty to notify of decision made	Chief Executive Officer Director – Corporate Development Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - City Development Manager - City Futures	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	Chief Executive Officer Director - Engineering & Infrastructure	
s.14(7)	power to appeal against decision of VicRoads	Chief Executive Officer Director - Engineering & Infrastructure	
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	Chief Executive Officer Director - Engineering & Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Chief Executive Officer Director - Engineering & Infrastructure	
s.15(2)	duty to include details of arrangement in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.16(7)	power to enter into an arrangement under section 15	Chief Executive Officer Director - Engineering & Infrastructure	
s.16(8)	duty to enter details of determination in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.17(2)	duty to register public road in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(3)	power to decide that a road is reasonably required for general public use	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	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	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	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	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	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	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18(1)	power to designate ancillary area	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	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	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.19(4)	duty to specify details of discontinuance in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(5)	duty to ensure public roads register is available for public inspection	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.21	function of replying to request for information or advice	Chief Executive Officer Director - Engineering & Infrastructure	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	Chief Executive Officer Director - Engineering & Infrastructure	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
s.22(5)	duty to give effect to a direction under this section.	Chief Executive Officer Director - Engineering & Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40(1)	duty to inspect, maintain and repair a public road.	Chief Executive Officer Director - Engineering & Infrastructure	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Chief Executive Officer Director - Engineering & Infrastructure	
s.42(1)	power to declare a public road as a controlled access road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	power of coordinating road authority and Schedule 2 also applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.42A(3)	duty to consult with VicRoads before road is specified	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Coordinator - Works Services Coordinator - Parks Services Coordinator – Construction Group	where Council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49	power to develop and publish a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.51	power to determine standards by incorporating the standards in a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(2)	duty to give notice of proposal to make a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(6)	power to amend road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(7)	duty to incorporate the amendments into the road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.63(1)	power to consent to conduct of works on road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager – Operations	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	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager – Operations	where Council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(1)	power to consent to structure etc	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	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	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.67(3)	power to request information	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority
s.68(2)	power to request information	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	Chief Executive Officer	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.72	duty to issue an identity card to each authorised officer	Chief Executive Officer Director - Corporate Services Manager – Governance & Strategy Coordinator – Governance Governance Officer	
s.85	function of receiving report from authorised officer	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure	
s.86	duty to keep register re section 85 matters	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure	
s.87(1)	function of receiving complaints	Chief Executive Officer Director - Engineering & Infrastructure	
s.87(2)	duty to investigate complaint and provide report	Relevant Director	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.112(2)	power to recover damages in court	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	
s.116	power to cause or carry out inspection	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Coordinator - Project Delivery Team Leader - Asset Preservation	
s.119(2)	function of consulting with VicRoads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Coordinator - Works Services Coordinator - Parks Services Coordinator - Construction	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Operations	
s.121(1)	power to enter into an agreement in respect of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure Manager - Operations Manager - Community Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.122(1)	power to charge and recover fees	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	
s.123(1)	power to charge for any service	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure Manager - Community Infrastructure Manager - Operations	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 2 Clause 5	duty to publish notice of declaration	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(5)	power to recover costs	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the infrastructure manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(1)	power to consent to proposed works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 18(1)	power to enter into an agreement	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 2	power to cause street lights to be installed on roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal Council (re: operating costs)

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
r.9(2)	duty to produce written report of review of road management plan and make report available	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
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)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(1)	Duty to publish notice of amendments to road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	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	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
r.16(3)	power to issue permit	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.23(2)	power to make submission to Tribunal	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager - Sustainable Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws Team Leader – Parking Services	where council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety and Health Coordinator – Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager - Sustainable Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws Team Leader – Parking Services	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))	Chief Executive Officer Director - Engineering & Infrastructure Manager – Operations Director – Corporate Services Manager – Governance & Strategy Director – City Development Manager – City Safety & Health Coordinator – Community Laws	where Council is the responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Chief Executive Officer Director - Engineering & Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	Chief Executive Officer Director – Engineering & Infrastructure Manager – Community Infrastructure	where Council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	Chief Executive Officer Director – Engineering & Infrastructure Manager – Community Infrastructure	where council is the coordinating road authority

INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF - PLANNING



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

“Group A” means	Chief Executive Officer Director City Development Manager City Planning & Building Manager City Futures
“Group B” means	Coordinator Planning Coordinator City Strategy and Planning Principal Planner Project Manager Strategic Planning Senior Strategic Planner
“Group C” means	Senior Planner Senior Subdivision Planner Planning Officer
“Group D” means	Subdivision Planner
“Group E” means	Planning Investigation Officer Landscape Inspection Officer
“Group F” means	Planning Support Officer Student Planner Project Support Officer
“Group G” means	Team Leader City Planning and Building Administration City Planning and Building Administration Officers
“Group H” means	Customer Service Officer (HUB)
“Group I” means	Arborist Landscape Assessment Officer Assistant Landscape Officer

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 28 August 2017; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines 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
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 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, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

- 4. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.
- 4.1 The principles of these provisions apply to delegated officers.
- 4.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the Council
made on the 29 January 2019
in the presence of

Mayor

Chief Executive Officer

Councillor



SCHEDULE



INDEX

HERITAGE ACT 1995.....1

PLANNING AND ENVIRONMENT ACT 1987.....2

RESIDENTIAL TENANCIES ACT 199767

PLANNING AND ENVIRONMENT REGULATIONS 201570

PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 201572



HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to sub-delegate Executive Director's functions, duties or powers	Chief Executive Officer	Must first obtain Executive Director's written consent first. Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victorian Planning Provisions	Group A	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Group A	
s.4H	duty to make amendment to Victoria Planning Provisions available	All Groups	
s.4I	duty to keep Victoria Planning Provisions and other documents available	All Groups	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	Group A	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Group A	
s.8A(5)	function of receiving notice of the Minister's decision	Group A	
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	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Not Delegated	
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	Groups A, B & C	
s 12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B & C	
s.12B(1)	duty to review planning scheme	Groups A, B & C	
s.12B(2)	duty to review planning scheme at direction of Minister	Groups A, B & C	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Groups A, B & C	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Groups A, B, C, D, E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(1)	duty of giving copy amendment to the planning scheme	Groups A, B & C	
s.17(2)	duty of giving copy s.173 agreement	Groups A, B & C	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Groups A, B & C	
s.18	duty to make amendment etc. available	All Groups	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	Groups A	Decision not to give notice under sections 19(1)(a) and (b) and (1A) must be recorded.
s.19	function of receiving notice of preparation of an amendment to a planning scheme	Groups A, B & C	Only where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	Groups A, B & C	
s.21(2)	duty to make submissions available	All Groups	
s.21A(4)	duty to publish notice in accordance with section	Groups A, B & C	
s.22	duty to consider all submissions	Groups A, B & C	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	Groups A, B & C	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	Groups A, B & C	Only where Council has already resolved to refer the Amendment to a Panel
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(1)	power to make report available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.26(2)	duty to keep report of panel available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.27(2)	power to apply for exemption if panel's report not received	Group A	
s.28	duty to notify the Minister if abandoning an amendment	Groups A, B & C	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.30(4)(b)	duty to provide information in writing upon request	Group A	
s.32(2)	duty to give more notice if required	Groups A, B & C	
s.33(1)	duty to give more notice of changes to an amendment	Groups A, B & C	
s.36(2)	duty to give notice of approval of amendment	Groups A, B & C	
s.38(5)	duty to give notice of revocation of an amendment	Groups A, B & C	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	Groups A, B & C	
s.40(1)	function of lodging copy of approved amendment	Groups A, B & C	
s.41	duty to make approved amendment available	All Groups	
s.42	duty to make copy of planning scheme available	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 46AW	function of being consulted by the Minister	Groups A, B and C	<u>where Council is a responsible public entity</u>
s. 46AX	function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy power to endorse the draft Statement of Planning Policy	Groups A, B and C	<u>where Council is a responsible public entity</u>
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	Groups A, B,C & D	<u>where Council is a responsible public entity</u>
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	Groups A, B, C & D	<u>where Council is a responsible public entity</u>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(2)(b)(i))	power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Groups A, B, C & D	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	Groups A, B, C & D	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	Groups A, B, C & D	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	Groups A, B, C & D	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	Groups A, B, C & D	
s.46GP	function of receiving a notice under s.46GO	Groups A, B, C & D	where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.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	Groups A, B, C & D	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	Groups A, B, C & D	
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	Groups A, B, C & D	
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	Groups A, B, C & D	
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	Groups A, B, C & D	
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Groups A, B, C & D	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	Groups A, B, C & D	
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	Groups A, B, C & D	
s.46GV(3)	function of receiving the monetary component and any land equalisation amount of the infrastructure contribution power to specify the manner in which the payment is to be made	Groups A, B, C & D	where Council is the collecting agency
s.46GV(3)(b)	power to enter into an agreement with the applicant	Groups A, B, C & D	where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GV(4)(a)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	Groups A, B, C & D	where Council is the development 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	Groups A, B, C & D	
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	Groups A, B, C & D	where Council is the collecting agency
s46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Groups A, B, C & D	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	Groups A, B, C & D	where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GY(1)	duty to keep proper and separate accounts and records	Groups A, B, C & D	where Council is the collecting agency
s.46GY(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	Groups A, B, C & D	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	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	Groups A, B, C & D	where the Council is the planning authority this duty does not apply where Council is also the collecting agency
s.46GZ(2)(b)	duty to forward any part of the of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in as responsible for those works, services or facilities	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan this provision does not apply where Council is also the relevant development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(2)(b)	function of receiving the monetary component	Groups A, B, C & D	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZ(5)	duty to keep forward any part of land equalisation amount required for the acquisition of outer public purpose land	Groups A, B, C & D	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is also the relevant collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	Groups A, B, C & D	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	Groups A & B	if any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZA(1)	duty to keep proper and separate accounts and records	Groups A & B	where Council is a development agency under an approved infrastructure contributions plan
s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	Groups A, B, C & D	where Council is a development agency under an approved infrastructure contributions plan
s46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)		Where Council is a development agency under an approved infrastructure contributions plan
s46GZB(4)	duty in accordance with the 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	Groups A & B	if the VPA is the collecting agency under an approved infrastructure contributions plan where Council is a development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZD(2)	duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZD(2)(a) and (b)	Groups A & B	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)	Groups A & B	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 s.46GZD(5)(a) and 46GZD(5)(b).	Groups A & B	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	Chief Executive Officer Director Corporate Development Director City Development	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZE(2)	Duty within 12 month after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in S 46GZE(3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZE(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46 GZF (3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(2)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan
s46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)		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	Groups A & B	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	Groups A & B	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)	Groups A & B	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	Groups A & B	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	Groups A & B	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	Groups A & B	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)	Groups A & B	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Groups A, B, C & D	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Groups A, B, C & D	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Groups A & B	
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	Groups A & B	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Groups A & B	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Groups A & B	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Groups A & B	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(1)	duty to keep proper accounts of levies paid	Chief Executive Officer Director Corporate Development Director City Development	
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	Chief Executive Officer Director Corporate Development Director City Development	
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	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Chief Executive Officer Director Corporate Development Director City Development	only applies when levy is paid to Council as a 'development agency'

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s.46Q(4)(a)	Chief Executive Officer Director Corporate Development Director City Development	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Chief Executive Officer Director Corporate Development	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	Chief Executive Officer Director Corporate Development Director City Development	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	Chief Executive Officer Director Corporate Development Director City Development	
s.46QD	duty to prepare report and give a report to the Minister	Groups A & B	where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46V(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	Groups A & B	
s46Y	Duty to carry out works in conformity with the approved strategy plan	Groups A & B	
s.47	power to decide that an application for a planning permit does not comply with that Act	All Groups	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	All Groups	
s.49(2)	duty to make register available for inspection	All Groups	
s.50(4)	duty to amend application	Groups A, B, C, D, F & I	
s.50(5)	power to refuse to amend application	Groups A, B, C, D & I	
s. 50(6)	duty to make note of amendment to application in register	Groups A, B, C, D, F & I	
s.50A(1)	power to make amendment to application	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Groups A, B, C, D, F & I	
s.50A(4)	duty to note amendment to application in register	Groups A, B, C, D, F & I	
s.51	duty to make copy of application available for inspection	All Groups	
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	Groups A, B, C, D, F & I	
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	Groups A, B, C, D, F & I	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Groups A, B, C, D, F & I	
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	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Groups A, B, C & D	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Groups A, B, C, D, F & I	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Groups A, B, C & D	
s.52(3)	power to give any further notice of an application where appropriate	Groups A, B & C	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Groups A, B, C, D, F, G & I	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	Groups A, B, C, D, F, G & I	
s.54(1)	power to require the applicant to provide more information	Groups A, B, C, D, F, G & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(1A)	duty to give notice in writing of information required under section 54(1)	Groups A, B, C, D, F, G & I	
s.54(1B)	duty to specify the lapse date for an application	Groups A, B, C, D, F & I	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Groups A, B, C, D, F & I	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	Groups A, B, C, D, F, G & I	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Groups A, B, C, D, F, G & I	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Group A	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Groups A, B, C, D, F & I	
s.57(5)	duty to make available for inspection copy of all objections	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	Groups A, B, C, D, F & I	
s.57A(5)	power to refuse to amend application	Groups A, B, C & D, F & I	
s.57A(6)	duty to note amendments to application in register	All Groups	
s.57B(1)	duty to determine whether and to whom notice should be given	Groups A, B, C & D, F & I	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	Groups A, B, C & D, F & I	
s.57C(1)	duty to give copy of amended application to referral authority	Groups A, B, C, D, F & I	
s.58	duty to consider every application for a permit	Groups A, B, C, D, F & I	
s.58A	power to request advice from the Planning Application Committee	Chief Executive Officer Director City Development	
s.60	duty to consider certain matters	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S60(1A)	duty to consider certain matters	Groups A, B, C, D, F & I	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	Groups A, B, C, D, F & I	

s.61(1)(a)	power to decide to grant a permit	Groups A, B, C, D, F & I	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p>
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

<p>s.61(1)(b)</p>	<p>power to decide to grant a planning permit with conditions</p>	<p>Groups A, B, C, D, F & I</p>	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p>
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(c)	power to refuse the permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Groups A, B, C, D, F & I	
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Groups A, B, C, D, F & I	

s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>
s.62(1)	duty to include certain conditions in deciding to grant a permit	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(2)	power to include other conditions	Groups A, B, C, D, F & I	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Groups A, B, C, D, F & I	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Groups A, B, C, D, F & I	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	Groups A, B, C, D, F & I	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Groups A, B, C & D, F & I	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	Groups A, B, C & D, F & I	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Groups A, B, C, D, F & I	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	Groups A, B, C, D, F & I	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Groups A, B, C, D, F & I	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	Groups A, B, C, D, F & I	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Groups A, B, C, D, F & I	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	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(1A)	function of receiving application for extension of time to complete development	All Groups	
s.69(2)	power to extend time	Groups A, B, C, D, F & I	<p>In exercising this power consideration must be given to the matters referred to in Butterworths' Casenotes 5.35 relating to 'Extension of Time' and:</p> <ul style="list-style-type: none"> • Whether there has been a change in planning circumstances of the site (ie changes in zoning or planning policy); • Whether there has been a change in the material circumstances of the site and surrounds; • The steps the owner may or may not have undertaken in an endeavour to act on the permit; • Whether the time limit imposed was adequate having regard to the actions required to fulfil permit conditions. <p>Group B, C, D, & F: May only exercise this power after obtaining the approval of at least one other delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves the removal or pruning of vegetation.</p>
s.70	duty to make copy permit available for inspection	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.71(1)	power to correct certain mistakes	Groups A, B, C, D, F & I	
s.71(2)	duty to note corrections in register	Groups A, B, C & D	
s.73	power to decide to grant amendment subject to conditions	Groups A, B, C & D	
s.74	duty to issue amended permit to applicant if no objectors	Groups A, B, C, D, F & I	
S75A	Duty not to issue an amended permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit.	Groups A, B, C, D, F & I	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Groups A, B, C, D, F & I	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Groups A, B, C, D, F & I	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	Groups A, B, C, D, F & I	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	Groups A, B, C, D, F & I	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	Groups A, B, C & D	
s.83	function of being respondent to an appeal	Groups A, B, C, D, E, F & I	
s.83B	duty to give or publish notice of application for review	Groups A, B, C, D, F & I	

<p>s.84(1)</p>	<p>power to decide on an application at any time after an appeal is lodged against failure to grant a permit</p>	<p>Groups A, B, C, D, F & I</p>	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>
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			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an</p>
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			<p>application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	made for review of a failure to grant a permit		
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	Groups A, B, C, D, F & I	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	Groups A, B, C, D, F & I	
s.84AB	power to agree to confining a review by the Tribunal	Groups A, B, C, D, F & I	
s.86	duty to issue a permit at order of Tribunal within 3 working days	Groups A, B, C, D, F & I	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Group A	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Groups A, B, C, D & E	
s.91(2)	duty to comply with the directions of VCAT	Groups A, B, C, D & E, F & I	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	Groups A, B, C, D & E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	Groups A, B, C, D & E, F & I	
s.93(2)	duty to give notice of VCAT order to stop development	Groups A, B, C, D & E	
s.95(3)	function of referring certain applications to the Minister	Groups A, B & C	
s.95(4)	duty to comply with an order or direction	Groups A, B & C, F & I	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Groups A & B	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Group A	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Groups A, B, C & D	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96F	duty to consider the panel's report under section 96E	Group A	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B, C, D, F & I	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>

			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> • <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four</p>
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			(4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.

			<p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>
s.96H(3)	power to give notice in compliance with Minister's direction	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96J	power to issue permit as directed by the Minister	Groups A, B & C	
s.96K	duty to comply with direction of the Minister to give notice of refusal	Groups A, B & C	
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	All Groups	
s.97C	power to request Minister to decide the application	Group A	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Groups A, B & C	
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	Groups A, B & C	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	All Groups	
s.97L	duty to include Ministerial decisions in a register kept under section 49	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97MH	duty to provide information or assistance to the Planning Application Committee	Group A	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	Group A	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Groups A, B, C, D & E	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Groups A, B, C, D & E	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Groups A, B, C, D & E	
s.97Q(4)	duty to comply with directions of VCAT	Groups A, B, C, D & E	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Groups A, B, C, D & E	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Group A	
s.101	function of receiving claim for expenses in conjunction with claim	Group A	
s.103	power to reject a claim for compensation in certain circumstances	Group A	
s.107(1)	function of receiving claim for compensation	Group A	
s.107(3)	power to agree to extend time for making claim	Group A	
s.114(1)	power to apply to the VCAT for an enforcement order	Groups A, B & E	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	Groups A, B, C, D & E	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	Groups A, B & E	
s.123(1)	power to carry out work required by enforcement order and recover costs	Groups A & E	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Group A	except Crown Land
s.129	function of recovering penalties	Groups A, B & E	
s.130(5)	power to allow person served with an infringement notice further time	Groups A, B & E	
s.149A(1)	power to refer a matter to the VCAT for determination	Groups A & B	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Groups A & B	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Group A	where Council is the relevant planning authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.171(2)(f)	power to carry out studies and commission reports	Groups A, B, C, D & E	
s.171(2)(g)	power to grant and reserve easements	Group A	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Group A	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)	Group A	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)	Group A	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 section 174	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Group A	where council is the relevant responsible authority
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Groups A, B, C & D	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	Groups A, B, C & D	
s.177(2)	power to end a section 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	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
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	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(1)	function of receiving application to amend or end an agreement	Groups A, B, C & D	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Groups A, B, C & D	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Groups A, B, C & D	
s.178A(5)	power to propose to amend or end an agreement	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Chief Executive Officer Director City Development	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Chief Executive Officer Director City Development	
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	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178C(4)	function of determining how to give notice under s.178C(2)	Groups A, B, C & D	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	Chief Executive Officer Director City Development	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to: <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • If any objections are made under s.178D
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to: <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • If any objections are made under s.178D

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(c)	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(d)	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Groups A, B, C & D	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Groups A, B, C & D	
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	Groups A, B, C & D	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Chief Executive Officer Director City Development	
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	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Groups A, B, C & D	
s.179(2)	duty to make available for inspection copy agreement	Groups A, B, C, D & E	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Groups A, B, C & D	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	Groups A, B, C & D	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	Groups A, B, C & D	
s.182	power to enforce an agreement	Groups A, B, C, D & E	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Groups A, B, C & D	
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	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Chief Executive Officer Director City Development	
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	Groups A, B, C & D	
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	Groups A, B, C & D	
s.184G(2)	duty to comply with a direction of the Tribunal	Chief Executive Officer Director City Development	
s.184G(3)	duty to give notice as directed by the Tribunal	Groups A, B, C, D & F	
s.198(1)	function to receive application for planning certificate	Groups A, B & C	
s.199(1)	duty to give planning certificate to applicant	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.201(1)	function of receiving application for declaration of underlying zoning	Group A	
s.201(3)	duty to make declaration	Group A	
Misc	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	Groups A, B, C, D & E	
Misc	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	Groups A, B, C & D	
Misc	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	Groups A, B, C & D	
Misc	power to give written authorisation in accordance with a provision of a planning scheme	Groups A, B, C & D	
Misc.	power to mediate an appeal at the Victorian Civil and Administrative Tribunal – Mediation Hearing	Groups A, B, C, & D	The mediated outcome shall be generally in accordance with the Council decision on the application.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Misc.	power to request that the Minister for Planning prepare and approve a Planning Scheme Amendment	Group A	The Planning Scheme Amendments requested must be matters which do not require advertising and have no policy implications, such as urgent, minor, administrative or procedural matters, or rectification of errors.
Misc.	power to make minor changes to a Planning Scheme Amendment	Group A	Changes must not affect the purpose or intent of the Amendment.

s201UAB(1))	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	All Groups	
s201UAB(2))	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	All Groups	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
s. 142G(2)	power to enter certain information in the Rooming House Register	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Chief Executive Officer Director – Corporate Services	where Council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	Chief Executive Officer Director – Corporate Services	where Council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by Council	Chief Executive Officer Director – Corporate Services	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
s.522(1)	power to give a compliance notice to a person	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
s.525(4)	duty to issue identity card to authorised officers	Chief Executive Officer Director – Corporate Services Manager – Governance & Innovation	
s.526(5)	duty to keep record of entry by authorised officer under section 526	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.526A(3)	function of receiving report of inspection	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Chief Executive Officer Director – City Development Manager – City Safety & Health	

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r. 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	All Groups	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Groups A, B, C, D, F & I	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Groups A, B, C & D	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	Groups A, B, C, D, F & I	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	Groups A, B, C & D	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.
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PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	Group A	
r.20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Group A & B	
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	Groups A & B	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.11	function of receiving application for registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(4) & (5)	duty to issue certificate of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.15(1)	function of receiving notice of transfer of ownership	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.15(3)	power to determine where notice of transfer is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.16(1)	duty to transfer registration to new caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.16(2)	duty to issue a certificate of transfer of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.18	duty to keep register of caravan parks	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance	
r.19(4)	power to determine where the emergency contact person's details are displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.19(6)	power to determine where certain information is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.22A(2)	duty to consult with relevant emergency services agencies	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.25(3)	duty to consult with relevant floodplain management authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.26	duty to have regard to any report of the relevant fire authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.40(4)	function of receiving installation certificate	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Compliance Environmental Health Officer	

10.6 Financial Performance Report for the Quarter Ended 31 December 2018

SUMMARY: Acting Coordinator Management Accounting, Lynn Tanu

The Financial Performance Report for the period ended 31 December 2018 is presented for consideration.

RECOMMENDATION

That Council receive and note the Financial Performance Report for the period ended 31 December 2018.

1. INTRODUCTION

The provision of the quarterly Financial Performance Report to Council ensures that associated processes are accountable, transparent and responsible resulting in sound financial management.

The attached Financial Performance Report (Appendix A) has been prepared in accordance with Australian Accounting Standards and contains the following financial statements:

- Comprehensive Income Statement;
- Balance Sheet;
- Cash Flow Statement; and
- Statement of Capital Works.

The Financial Performance Report is aimed and designed to identify major variations against Council's year to date financial performance (actual results) and the Adopted Budget. Council adopted its 2018-19 Annual Budget at its Ordinary Council Meeting held 25 June 2018.

The financial year-end position of Council is anticipated by way of forecasts. The full year Adopted Budget is compared against the full year projected position as reflected by the Forecast. The 2018-19 Forecast includes the following details:

- The 2018-19 Adopted Budget;
- Carry forward funding from 2017-18 into 2018-19 for both operational and capital works expenditure items. These funds are required for the successful completion and delivery of key outcomes and projects; and
- Adjustments as a result of officers periodically assessing Council's budgetary performance taking into account emerging events and matters.

2. DISCUSSION

General discussion in regards to this report is detailed under Section 5 'Financial & Economic Implications'.

3. CONSULTATION

This report does not necessitate community consultation. A copy of the quarterly Financial Performance Report is provided to Council's Audit Committee.

4. ENVIRONMENTAL/AMENITY ISSUES

This report does not have any environmental or amenity issues for discussion.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The overall financial position at 31 December 2018 is satisfactory and indicates that Council, after taking into consideration carry forward funding requirements from 2017-18 into 2018-19, is on track to complete the current financial year within the targets established in the 2018-19 Adopted Budget.

For the period ended 31 December 2018, Council has achieved an operating surplus of \$74.781 million. This is \$7.492 million favourable to the year to date (YTD) Adopted Budget. Council's forecast year-end position is an operating surplus of \$9.523 million, which is \$5.695 million less than the Adopted Budget primarily due to carry forward expenditure from 2017-18 into 2018-19.

The total capital works expenditure for the period ended 31 December 2018 is \$28.105 million. This is \$2.958 million less than the YTD Adopted Budget. The forecast capital works expenditure for the year is \$97.736 million and includes \$45.219 million in carry forward funding requirements from 2017-18 into 2018-19, and excludes \$10.728 million in anticipated carry forward expenditure from 2018-19 into 2019-20.

Further detail and discussion of the financial performance of Council for the period ended 31 December 2018 is provided in the attached Financial Performance Report (Appendix A).

6. SOCIAL IMPLICATIONS

There are no direct social implications arising from this report.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

8. CONFLICT OF INTEREST

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

Author – Acting Coordinator Management Accounting, Lynn Tanu - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Council has achieved an operating surplus of \$74.781 million for the period ended 31 December 2018, which compares favourably with the year to date Adopted Budget operating surplus of \$67.289 million. An operating surplus of \$9.523 million is forecast for 2018-19.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Acting Coordinator Management Accounting, Lynn Tanu

Report Authorised By: Director, Corporate Services, Michael Fromberg

Attachments

1. Financial Performance Report Quarter Ended 31 December 2018 **[10.6.1]**

RESOLUTION

MOVED: Councillor Pearce

SECONDED: Councillor Holland

That Council receive and note the Financial Performance Report for the period ended 31 December 2018.

CARRIED

Appendix A

KNOX

your city



Financial Performance Report
For year to date ended 31 December 2018



Contents

Financial Performance Report for year to date ended 31 December 2018

Title	Page
Executive Summary	2
Comprehensive Income Statement	7
Summary of Net Income and Expenditure	9
Statement of Capital Works	12
Balance Sheet	14
Statement of Cash Flows	16
Financial Performance Indicators	18
Investment Analysis	20

Executive Summary

Financial Performance Report for the year to date ended 31 December 2018



Introduction and Purpose

The Financial Performance Report for the year to date ended 31 December 2018 has been prepared in accordance with Australian Accounting Standards and contains the following financial statements:

- ≠ Comprehensive Income Statement;
- ≠ Balance Sheet;
- ≠ Cash Flow Statement; and
- ≠ Statement of Capital Works.

This report is aimed and designed to identify major variations against Council's year to date financial performance (actual results) and the Adopted Budget and anticipate the financial position of Council as at financial year end by way of forecasts. Council adopted its 2018-19 Annual Budget at its Ordinary Council Meeting held 25 June 2018.

The full year Adopted Budget is compared against the full year projected position as reflected by the Forecast. The 2018-19 Forecast includes the following details:

- ≠ Carry forward funding from 2017-18 into 2018-19 for both operational and capital works expenditure items. These funds are required for the successful completion and delivery of key outcomes and projects; and
- ≠ Adjustments to the adopted budget as a result of officers periodically assessing Council's financial health and landscape as a result of emerging events and matters.

Discussion of Financial Results

Forecast

Access to the live budgetary forecast screen in magIQ for the 2018-19 financial year went live on 1 November 2018 in line with the launch of the 2019-20 budget process. Forecasts can now be updated at any stage throughout the remainder of the financial year.

The 2018-19 Forecast includes the following adjustments:

Income

- \$0.092M net decrease in the final 2018-19 financial assistance grant income allocation received from the Victoria Grants Commission (general purpose and local roads funding);
- \$0.763M increase in operating grants revenue across the organisation reflective of unexpected grant received;
- \$0.344M increase in monetary contribution from receipt of Stamford Park Upgrade contributions for capital work carried out by Council; and
- \$0.179M increase in capital grants and contributions carried forward from 2017-18 into 2018-19.

Executive Summary (continued)

Financial Performance Report for the year to date ended 31 December 2018



Expenses (Operating and Capital Works)

- \$15.787M in additional carry forward funding from 2017-18 into 2018-19 for both operational expenditure (\$2.950M) and capital works expenditure (\$12.837M). \$0.997M of this carry forward funding for capital works expenditure is operational in nature. These funds are required for the successful completion and delivery of key outcomes and projects;
- The above carry forward of capital works expenditure is in addition to the \$32.382M of carry forward capital works expenditure included in the Adopted Budget (making a total capital carry forward expenditure of \$45.219M);
- Anticipated \$10.728M in carry forward funding from 2018-19 into 2019-20 for approved capital works expenditure identified as being required to carry forward. This anticipated carry forward in capital works includes \$5.500M relating to the Henderson Road Bridge and \$4.944M relating to the Stamford Park redevelopment;
- Forecast depreciation has been increased by \$0.645M primarily due to the impact of carry forward capital works expenditure; and
- \$0.209M increase in the WorkCover insurance premium for 2018-19.

Year-to-Date Operating Results

Operating Results	Year to Date			Full Year		
	Adopted Budget \$'000's	Actual \$'000's	Variance \$'000's	Adopted Budget \$'000's	Forecast \$'000's	Variance \$'000's
Income	143,489	147,668	4,179	174,521	176,203	1,682
Expense	76,201	72,887	3,313	159,304	166,680	(7,376)
Surplus (Deficit)	67,289	74,781	7,492	15,217	9,523	(5,695)

Full year Forecast for Operating Results includes \$2.950M in carry forward net expenditure from 2017-18 into 2018-19, together with \$0.997M in additional carry forward expenditure for capital works that is operational in nature.

Overall there is a \$7.492M favourable variance between the YTD actual figures and the Adopted Budget. The major variances include:

Income

- \$0.604M favourable timing variance in operating grant for Active Ageing and Disabilities programs due to early quarterly income received from State and Federal Government;
- \$0.570M favourable variance from Public Open Space Contributions;
- \$0.344M favourable permanent variance for Stamford Park Upgrade contributions for capital work carried out by Council;
- \$0.298M favourable permanent variance for summons cost recovered income for rates debt recovery; and
- \$0.252M favourable timing variance with the Roads to Recovery grant – the full year's entitlement has already been received.

Executive Summary (continued)

Financial Performance Report for the year to date ended 31 December 2018



Expenses (Operating and Capital Works)

- \$1.045M unfavourable timing variance in the library contribution due to the third quarter contribution to Eastern Regional Libraries Corporation being budgeted for January 2019 but being paid in December 2018;
- \$0.209M unfavourable permanent variance in the WorkCover insurance premium for 2018-19 due to an increase in the WorkCover rate from 1.0935% to 1.4118%;
- Favourable variance of \$0.500M in Waste Management materials and services due to the timing of activities in waste collection and transport of green waste, together with a delay in the receipt of invoices;
- Favourable variance of \$0.405M in Open Space Maintenance materials and services mainly attributable to adverse weather conditions affecting the timing of scheduled works, together with a delay in the receipt of invoices; and
- Favourable variance of \$0.177M in Tree Maintenance materials and services mainly attributable to adverse weather conditions affecting the timing of scheduled works, together with a delay in the receipt of invoices.

Capital Works Program

Capital Works Expenditure	Adopted			Adopted		
	Budget	Actual	Variance	Budget	Forecast	Variance
	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's
Property	16,704	14,188	2,516	46,381	48,064	(1,683)
Plant and Equipment	559	2,088	(1,529)	12,342	14,798	(2,456)
Infrastructure	13,799	11,829	1,970	36,276	34,875	1,401
Total Capital Works Expenditure	31,062	28,105	2,958	94,999	97,736	(2,737)

Full year Forecast for Capital Works Expenditure includes \$45.219M in carry forward expenditure from 2017-18 into 2018-19, and excludes \$10.728M in carry forward expenditure from 2018-19 into 2019-20.

The performance of the Capital Works Program including details of variances is reported in the Statement of Capital Works.

For the quarter ended 31 December 2018 the Capital Works Program shows an expenditure of \$28.105M – this is \$2.958M less than the expected YTD Adopted Budget position. After taking into consideration the capital works projects carried forward from 2017-18 into 2018-19, and also taking into account the capital works projects expected to be carried forward from 2018-19 into 2019-20, the forecast Capital Works Expenditure for the year is \$97.736M.

Executive Summary (continued)

Financial Performance Report for the year to date ended 31 December 2018



Balance Sheet

Balance Sheet	Year to Date			Full Year		
	Adopted Budget \$'000's	Actual \$'000's	Variance \$'000's	Adopted Budget \$'000's	Forecast \$'000's	Variance \$'000's
Current Assets	109,139	131,792	22,652	63,651	72,689	9,038
Non-Current Assets	1,750,806	1,984,673	233,867	1,783,916	2,046,915	262,999
Total Assets	1,859,946	2,116,465	256,519	1,847,567	2,119,604	272,037
Current Liabilities	31,558	27,051	4,507	37,240	35,977	1,263
Non-Current Liabilities	5,850	4,735	1,115	38,453	37,358	1,095
Total Liabilities	37,408	31,786	5,622	75,693	73,335	2,358
Net Assets	1,822,538	2,084,679	262,142	1,771,874	2,046,269	274,395
Accumulated Surplus	717,849	709,829	(8,020)	676,494	680,485	3,991
Asset Revaluation Reserve	1,072,093	1,335,986	263,893	1,072,093	1,335,986	263,893
Other Reserves	32,596	38,865	6,270	23,287	29,798	6,511
Total Equity	1,822,538	2,084,679	262,142	1,771,874	2,046,269	274,395
Working Capital Ratio	3.46	4.87		1.71	2.02	

The Balance Sheet as at 31 December 2018 continues to indicate a sustainable result. A comparison of total Current Assets of \$131.792M with total Current Liabilities of \$27.051M continues to depict a sustainable financial position (Working Capital Ratio of 4.87 to 1). The Working Capital Ratio for the same period last year was the same. Current Assets primarily comprises Cash and Cash Equivalents (\$32.122M), Other Financial Assets (\$10.600M) and Trade and Other Receivables (\$87.241M). Trade and Other Receivables includes \$82.517M of rates debtors (of which \$5.490M relates to arrears pre July 2018) and \$4.171M in other debtors.

Trade and Other Receivables	Ageing				Total \$'000
	Current - 30 Days \$'000	31 Days - 60 Days \$'000	61 Days - 90 Days \$'000	More than 90 Days \$'000	
Rates Debtors	77,027	0	0	5,490	82,517
Special Rate Assessment	0	0	0	52	52
Parking and Animal Infringement Debtors	62	61	73	306	502
Other Debtors	1,852	484	178	1,657	4,171
Total Trade and Other Receivables	78,941	545	251	7,505	87,242

Rate amounts owing are a charge over the property and therefore Council has recourse to collect these debts. Penalty interest at 10.0% per annum also applies. The due date for rates being paid in full is 15 February 2019, while the first instalment due date was 30 September 2018.

The majority of outstanding parking and infringement debtors outstanding for more than 90 days are on payment plans after being to either the Magistrates Court or Perin Court.

Executive Summary (continued)

Financial Performance Report for the year to date ended 31 December 2018



Other debtors outstanding for more than 90 days include:

- \$0.130M outstanding from SKM Recycling – originally \$0.313M was outstanding, with the amount being credited against amounts owing to SKM on a monthly basis in twelve equal instalments
- \$0.049M outstanding for Home Care Debtors
- \$0.046M outstanding for Preschool Debtors

Trade and Other Payables are \$7.627M as at 31 December 2018, which is \$0.317 unfavourable to the Adopted Budget. Trade and Other Payables has decreased from \$14.690M as at 30 June 2018.

The working capital ratio of 4.87 compares favourably to the Adopted Budget working capital ratio of 3.46. The Working Capital Ratio is anticipated to continue to diminish over the course of the financial year as Council utilises its funds to deliver on its operating programs and capital works. The forecast working capital ratio is anticipated to remain healthy at 2.02 at year end. This is slightly more than the Adopted Budget working capital ratio of 1.71 as a result of the expected carry forward of capital expenditure from 2018-19 into 2019-20.

Investment Analysis

Investment	Year to Date			Full Year		
	Adopted Budget \$'000's	Actual \$'000's	Variance \$'000's	Adopted Budget \$'000's	Forecast \$'000's	Variance \$'000's
Cash and Cash Equivalents	25,666	32,122	6,456	51,215	39,429	(11,786)
Other Financial Assets	0	10,600	10,600	0	18,100	18,100
Total Funds Invested	25,666	42,722	17,056	51,215	57,529	6,314
Earnings on Investments	645	519	(126)	1,293	1,293	0

There was \$42.722M invested with various financial institutions as at 31 December 2018 – this includes Cash and Cash Equivalents (\$32.122M) and Other Financial Assets (\$10.600M). These funds include monies from trust funds and deposits and specific purpose reserves.

There are currently thirteen specific purpose reserves totalling \$38.865M as at 31 December 2018. These reserves are cash-backed, but do not usually have an allocated individual bank account.

The earnings on investments for the period ended 31 December 2018 was \$0.519M and is \$0.126M unfavourable to the YTD Adopted Budget as a result of current holdings of Cash and Cash Equivalents and Other Financial Assets.



Comprehensive Income Statement

for year to date ended 31 December 2018

Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S
Income								
Rates and Charges		113,282	113,916	634	0.56%	113,584	114,179	595
Statutory Fees and Fines	1	1,470	1,987	517	35.18%	3,022	3,250	228
User Fees		10,551	10,625	75	0.71%	15,837	15,433	(403)
Grants - Operating	2	10,358	11,499	1,141	11.01%	20,202	20,965	763
Grants - Capital		2,963	3,211	248	8.37%	9,105	9,123	17
Contributions - Monetary	3	3,670	5,071	1,401	38.17%	8,405	8,892	487
Contributions - Non-Monetary		0	0	0	0.00%	2,000	2,000	0
Increment on investment in associates		0	0	0	0.00%	0	0	0
Other Income		1,196	1,359	163	13.64%	2,365	2,360	(5)
Total Income		143,489	147,668	4,179	2.91%	174,521	176,203	1,682
Expenses								
Employee Costs		35,133	34,914	219	0.62%	69,569	69,764	(194)
Materials and Services	4	25,325	21,978	3,347	13.22%	65,610	72,096	(6,486)
Depreciation and Amortisation		11,248	11,206	42	0.38%	22,497	23,142	(645)
Contributions and Donations	5	3,636	4,567	(931)	(25.59%)	5,860	5,864	(4)
Borrowing Costs		0	0	0	0.00%	0	0	0
Bad and Doubtful Debts		33	87	(55)	(167.00%)	65	65	0
Other Expenses		657	533	124	18.95%	1,394	1,441	(46)
Net (Gain) Loss on Disposal of Property, Infrastructure, Plant and Equipment	6	169	(397)	566	335.68%	(5,692)	(5,692)	0
Total Expenses		76,201	72,887	3,313	4.35%	159,304	166,680	(7,376)
Surplus (Deficit)		67,289	74,781	7,492	11.13%	15,217	9,523	(5,695)
Total Comprehensive Income for the Year		67,289	74,781	7,492	11.13%	15,217	9,523	(5,695)

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ! Less than 0% and greater than negative 10%.
- ✘ Negative 10% or less.

Notes have been provided for the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Comprehensive Income Statement

for year to date ended 31 December 2018



Notes:

1	<p>Permanent Variance: - \$0.517M favourable variance mainly due to \$0.298M for Summons Cost Recovered income for rates debt recovery and higher than expected parking enforcement fine income (\$0.135M variance)</p>
2	<p>Permanent Variance: - \$0.191M favourable variance due to grant for Social Housing Investment Planning program and Women Health Victoria program - \$0.136M favourable variance due to a one-off recycling grant from Department of Environment, Land, Water and Planning</p> <p>Timing Variance: - \$0.604M favourable variance due to early payment of quarterly grant income from State and Federal Government for Active Ageing and Disabilities programs</p>
3	<p>Permanent Variance: - \$0.344M favourable variance for Stamford Park Upgrade contributions for capital work carried out by Council</p> <p>Timing Variance: - \$0.570M favourable variance for Public Open Space Contributions; income of this nature is unpredictable and is directly contingent on Developer activities in the municipality - \$0.115M favourable variance for Football Federation Victoria pitch replacement agreement which is expected to be received in January</p>
4	<p>Timing Variance: - \$0.796M favourable variance in Waste Management contractors and services costs, mainly due to seasonal demand and timing of incoming invoices - \$0.372M favourable variance in Open Space Maintenance contractors costs, mainly due to timing of incoming invoices from the new contractor - \$0.266M favourable variance in Building Maintenance Services contractors and services - \$0.251M favourable variance in Tree Maintenance due to a delay in the receipt of invoices from the new contractor - \$0.212M favourable variance in Knox Central Contract Costs due to timing of program's activities - \$0.192M favourable variance in Stormwater Management due to scheduling of flood mapping project - \$0.161M favourable variance due to invoices pending for the animal pound and Pets in the Park instalment payments - \$0.157M favourable variance with the valuation services contract (\$82K) and fire services levy (\$75K) - \$0.144M favourable variance in Community Access, Equity and Safety programs due to timing of programs' activities - \$0.301M unfavourable variance in Drainage Maintenance Works due to more repair works required following recent weather events</p>
5	<p>Timing Variance: - \$1.045M unfavourable variance in the Library Contribution due to the third quarter contribution to Eastern Regional Libraries Corporation being budgeted for January 2019 but paid in December 2018</p>
6	<p>Timing Variance: - \$0.566M favourable variance in Finance mainly due to delay in capitalisation process and timing of a land sale.</p>

The 2018-19 Forecast includes \$2.950M in carry forward expenditure from 2017-18 into 2018-19 required for the completion and delivery of key operational projects. Also included is \$0.997M in carry forward expenditure for capital works that is operational in nature.

Summary of Net Income and Expenditure by Department

for year to date ended 31 December 2018



Net (Income) / Expenditure	Notes	Year-to-Date				Full Year			
		Adopted Budget	Actual	Variance Fav/(Unfav)	%	Adopted Budget	Forecast	Variance Fav/(Unfav)	
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S	
Rates									
Rates and Valuation		(100,456)	(101,144)	688	0.68%	✓	(100,554)	(101,149)	595
Net (Income) / Expense - Rates		(100,456)	(101,144)	688	0.68%		(100,554)	(101,149)	595
CEO and Council									
Chief Executive Officer		291	251	40	13.76%	✓	583	583	0
Councillors		345	308	37	10.70%	✓	690	690	(0)
People & Culture		2,521	2,454	68	2.69%	✓	4,034	4,179	(145)
Net (Income) / Expense - CEO and Council		3,158	3,013	145	4.59%		5,307	5,451	(145)
City Development									
Directorate City Development		241	301	(60)	(24.82%)	✗	482	482	0
City Planning & Building	1	(2,372)	(2,887)	515	21.70%	✓	(4,725)	(4,731)	6
City Safety and Health	2	1,107	608	498	45.03%	✓	2,601	2,547	54
City Futures	3	1,780	1,415	365	20.50%	✓	3,701	4,219	(518)
Net (Income) / Expense - City Development		756	(562)	1,318	174.40%		2,059	2,518	(458)
Knox Central									
Knox Central	4	416	176	240	57.77%	✓	831	819	12
Net (Income) / Expense - Knox Central		416	176	240	57.77%		831	819	12
Community Services									
Directorate Community Services		308	283	25	8.12%	✓	617	621	(4)
Community Wellbeing	5	2,227	1,511	716	32.14%	✓	3,386	3,553	(167)
Family and Children's Services	6	2,875	2,642	233	8.11%	✓	5,259	5,669	(410)
Active Ageing and Disability Services	7	1,037	79	959	92.40%	✓	1,906	1,334	573
Youth, Leisure and Cultural Services	8	4,127	4,870	(743)	(18.00%)	✗	8,180	8,690	(509)
Net (Income) / Expense - Community Services		10,575	9,385	1,190	11.25%		19,349	19,866	(517)
Corporate Development									
Directorate Corporate Services		205	225	(19)	(9.50%)	✗	410	410	0
Business & Financial Services	9	(104)	(261)	157	150.21%	✓	(350)	7	(357)
Governance and Strategy	10	1,302	1,186	115	8.85%	✓	2,603	2,626	(23)
Information Technology		3,289	3,381	(93)	(2.81%)	⚠	5,982	6,051	(68)
Transformation	11	1,625	1,399	226	13.90%	✓	2,751	3,135	(384)
Communications	12	799	904	(105)	(13.09%)	✗	1,611	1,662	(51)
Net (Income) / Expense - Corporate Development		7,116	6,835	281	3.95%		13,009	13,891	(882)
Engineering and Infrastructure									
Directorate Engineering and Infrastructure	13	336	440	(104)	(31.12%)	✗	672	676	(4)
Sustainable Infrastructure	14	(7,869)	(8,931)	1,063	13.51%	✓	2,486	2,558	(73)
Community Infrastructure	15	3,046	2,486	560	18.39%	✓	6,328	6,817	(489)
Operations	16	7,246	6,708	538	7.43%	✓	14,472	14,607	(135)
Net (Income) / Expense - Engineering and Infrastructure		2,759	702	2,056	74.54%		23,958	24,658	(701)

Summary of Net Income and Expenditure by Department

for year to date ended 31 December 2018



Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ⚠ Less than 0% and greater than negative 5%.
- ✘ Negative 5% or less.

Notes have been provided for these variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$100K and equal to or greater than positive 5%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$100K and equal to or less than negative 5%.

Notes:

1	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$84K favourable variance for Supervision Fees and Plan Checking Fees, mainly due to large subdivision such as Stamford Park - \$61K favourable variance for Building Lodgement Fee due to increase in regulated fee for lodgement by State Government; forecast has been amended to reflect this <p>Timing Variance:</p> <ul style="list-style-type: none"> - \$570K favourable variance for Public Open Space Contributions; income of this nature is unpredictable and is directly contingent on Developer activities in the municipality - \$125K unfavourable variance for consultants required for town planning services and VCAT hearings
2	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$72K favourable variance for a one-off reimbursement received from the Victorian Department of Treasury and Finance for Natural Disaster Funding Assistance (NDFA) for the emergency work costs incurred for the storm event in September/October 2016 <p>Timing Variance:</p> <ul style="list-style-type: none"> - \$161K favourable variance due to invoices pending for the animal pound and Pets in the Park instalment payments - \$138K favourable variance in parking enforcement fine income due to the employment of an additional parking enforcement officer on a fixed term in 2018, together with the receipt of an increased number of parking fines issued late in the 2018 financial year which have been paid early in the 2019 financial year - \$74K favourable variance in Health Compliance Registrations income reflecting food and health premises' registration; this may come down if businesses are not renewing or cancelling their registration.
3	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$149K favourable variance in City Futures employee cost, including new operating initiative cost - \$108K favourable variance in consultant costs mainly due to utilisation of in-house employees for Planning Scheme Review Implementation; this saving is going to be used for Boronia Renewal Project. - \$101K favourable variance in contracts and legal costs due to timing of activities in Land for Business, Strategic Sites, Development Contribution Plan and Planning Scheme Amendment implementation projects.
4	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$180K favourable variance in contract costs due to the timing of the program's activities
5	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$100K favourable variance in Social Housing Investment Planning program grant income from State Government - \$91K favourable variance in Social Planner Grants Income for Women Health Victoria program; corresponding expenditures to be spent for the nil-cost-to-council program. - \$30K favourable variance in Eastern Affordable Housing Alliance due to an increase in the membership fees from \$8K to \$15K, together with the timing of the receipt of these fees <p>Timing Variance:</p> <ul style="list-style-type: none"> - \$341K favourable variance in Operational Grants due to the receipt of acquittals impacting payment - \$56K favourable variance in Municipal Leadership Disability due to delays in recruitment impacting the implementation of this program
6	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$277K favourable variance in Early Years Programs' new operating initiatives cost due to timing of recruitment activity during transition - \$147K favourable variance in Early Year Strategy, Planning & Evaluation due to timing of activities - \$102K favourable variance in Early Years Strategy, Planning and Evaluation due to the timing of activities
7	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$604K favourable variance due to early payment of quarterly grant income from State and Federal Government for Active Ageing and Disabilities programs - \$233K favourable variance in employee costs and on costs across the department due to staff movements and position vacancies, particularly in Active Ageing and Disability Services Management (\$104K) and Active Living (\$86K)

Summary of Net Income and Expenditure by Department

for year to date ended 31 December 2018



Notes (continued):

8	<p>Permanent Variance: - \$43K favourable variance due to receipt of Hay grant under Youth Services program</p> <p>Timing Variance: - \$80K favourable variance for Sponsorship in Youth, Leisure & Cultural Service Management due to timing of agreement signing - \$1,045K unfavourable variance in the Library Contribution due to the third quarter contribution to Eastern Regional Libraries Corporation being budgeted for January 2019 but paid in December 2018</p>
9	<p>Permanent Variance: - \$273K favourable variance for Summons Cost Recovered income for rates debt recovery - \$209K unfavourable variance with the WorkCover premium due to an increase in the WorkCover rate from 1.0935% to 1.4118%</p> <p>Timing Variance: - \$157K favourable variance with the valuation services contract (\$82K) and fire services levy (\$75K)</p>
10	<p>Timing Variance: - \$87K favourable variance in Governance Management employee costs due to vacancies; savings will be utilised for backfilling - \$40K favourable variance in Strategy contracts cost due to timing of activities</p>
11	<p>Timing Variance: - \$120K favourable variance for Lean funding due to timing of Business Cases for EMT - \$98K favourable variance for Customer Service employee costs and on costs due to permanent staff leaving positions and not being backfilled on a like-for-like basis; agency costs have increased and will continue to do so over the next quarter while recruitment is underway. Savings on vacancies is being utilised for Exceed Global project.</p>
12	<p>Timing Variance: - \$131K unfavourable variance in Agency Cost due to requirements in delivering outcomes for organisation's initiatives; this will be offset by internal transfer reimbursements from other departments.</p>
13	<p>Timing Variance: - \$79K unfavourable variance in the capitalisation of labour within the Major Initiatives Unit</p>
14	<p>Permanent Variance: - \$136K favourable variance in Waste Management Income in relation to a one-off recycling grant from the Department of Environment, Land, Water and Planning - \$332K unfavourable variance in Waste Management Contract cost reflecting payment for receipt of recyclables</p> <p>Timing Variance: - \$964K favourable variance for Waste Management Contractors & Services mainly due to seasonal waste collection activities.</p>
15	<p>Timing Variance: - \$275K favourable variance in Contractors & Services costs in Building Maintenance Services due to timing of activities - \$122K favourable variance with Stormwater Management's flood mapping project - \$75K favourable variance in Landscaping contractors and services due to the timing of activities - \$67K favourable variance in Biodiversity Management grants revenue mainly due to grants received for Gardens for Wildlife (\$39K) and the Regional Pest Control program (\$28K) - \$64K favourable variance in Biodiversity Management contractors and services due to the timing of activities - \$129K unfavourable variance in Community Infrastructure Management partly due to the reversal of capitalising labour costs in 2017-18 (\$39K)</p>
16	<p>Permanent Variance: - \$106K favourable variance in employee costs across the department mainly due to employees on long-term WorkCover and extended leave, as well as some staff vacancies - \$59K favourable variance in Tree Maintenance income, reflecting the number of works done at owners cost</p> <p>Timing Variance: - \$346K favourable variance in the mowing contracts within Open Space Maintenance due to a delay in the receipt of invoices from the new contractor - \$235K favourable variance in Tree Maintenance due to a delay in the receipt of invoices from the new contractor - \$128K favourable variance in Fuel costs due to the timing of invoices and the lower use of diesel due to limited use of machinery in weather conditions - \$117K favourable variance in Footpath Maintenance due to scheduling of maintenance activity - \$306K unfavourable variance in Drainage Maintenance Works due to more repair works required following recent weather events - \$149K unfavourable variance in Unsealed Roads Grading Maintenance, mainly due to the purchase of crushed rock for resurfacing gravel roads after recent weather events - \$39K unfavourable variance in Fire Hydrant Maintenance due to the invoicing by South East Water for 2016-17 Council hydrant maintenance</p>



Statement of Capital Works

for year to date ended 31 December 2018

Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S
Expenditure - Capital Works Program								
Property								
Land		0	0	0	0.00%	8,153	8,235	(82)
Buildings	1	16,704	14,188	2,516	15.07%	38,228	39,829	(1,600)
Total Property		16,704	14,188	(2,516)	(15.07%)	46,381	48,064	(1,683)
Plant and Equipment								
Artworks		0	0	0	0.00%	212	216	(4)
Plant, Machinery and Equipment	2	505	1,362	(857)	(169.78%)	2,084	2,984	(900)
Fixtures, Fittings and Furniture		0	0	0	0.00%	664	664	0
Computers and Telecommunications	3	54	726	(672)	(1,236.04%)	9,381	10,933	(1,552)
Total Plant and Equipment		559	2,088	1,529	273.40%	12,342	14,798	(2,456)
Infrastructure								
Roads (including Kerb and Channel)	4	4,879	3,775	1,105	22.64%	8,753	9,598	(845)
Drainage		1,140	963	177	15.55%	3,001	3,271	(270)
Bridges		511	556	(44)	(8.66%)	7,246	1,773	5,473
Footpaths and Cycleways	5	685	1,727	(1,043)	(152.35%)	4,355	4,437	(82)
Off Street Car Parks	6	700	34	666	95.18%	708	708	0
Recreation, Leisure, Parks and Playgrounds	7	5,568	4,441	1,127	20.24%	11,655	14,266	(2,611)
Other Infrastructure		315	334	(18)	(5.74%)	559	822	(263)
Total Infrastructure		13,799	11,829	(1,970)	(14.28%)	36,276	34,875	1,401
Total Expenditure - Capital Works Program		31,062	28,105	2,958	9.52%	94,999	97,736	(2,737)
Represented by:								
Extension / Expansion		4,910	5,845	(935)	(19.04%)	8,070	9,127	(1,057)
Legal Requirements		0	43	(43)	(100.00%)	0	0	0
New		8,592	5,887	2,705	31.48%	33,114	30,572	2,542
Renewal		10,653	12,813	(2,160)	(20.28%)	29,040	35,976	(6,936)
Upgrade		6,907	3,517	3,390	49.08%	24,775	22,062	2,713
Total Expenditure - Capital Works Program		31,062	28,105	2,958	9.52%	94,999	97,736	(2,737)
Funding Source for Capital Works Program								
External Funding								
Contributions - Monetary - Capital	8	65	783	718	1,104.78%	1,190	1,706	516
Grants - Capital		2,963	3,211	248	8.37%	9,105	9,113	7
User Fees - Capital		0	0	0	0.00%	0	0	0
Proceeds from Loan Borrowings		0	0	0	0.00%	34,241	34,241	0
Other Income - Capital		0	146	146	100.00%	0	0	0
Total External Funding		3,028	4,140	1,112	36.73%	44,536	45,059	523
Internal Funding								
Proceeds from Sale of Property, Infrastructure, Plant and Equipment		1,133	734	(400)	(35.26%)	12,257	12,257	0
Reserves	9	6,329	4,374	(1,955)	(30.89%)	18,911	17,052	(1,859)
Rate Funding	10	20,572	18,858	(1,715)	(8.33%)	19,294	23,368	4,074
Total Internal Funding		28,035	23,965	(4,070)	(14.52%)	50,463	52,677	2,214
Total Funding Source for Capital Works Program		31,062	28,105	(2,958)	(9.52%)	94,999	97,736	2,737
Carry forward expenditure from 2017-18							45,219	
Carry forward expenditure to 2019-20							(10,728)	
Movement in carry forward expenditure							34,491	
Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:								
✓ 0% or greater.								
⚠ Less than 0% and greater than negative 10%.								
✗ Negative 10% or less.								



Statement of Capital Works

for year to date ended 31 December 2018

Notes have been provided for the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10.00%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Notes:

1	<p>Permanent Variance: - \$0.961M unfavourable variance for Early Years Hubs - Bayswater due to utilisation of carry forward funds for the program</p> <p>Timing Variance: - Favourable variances mainly relating to Operation Centre Relocation (\$0.869M), Early Years Hubs - Wantirna South (\$0.588M), Modular Building program (\$0.445M), Stamford Park (\$0.331M), Family and Children Services Building and Facilities program (\$0.269M), Egan Lee Reserve Pavilion Upgrade (\$0.195M), The Basin Neighbourhood House project (\$0.150M) and Boronia Precinct</p>
2	<p>Permanent Variance: - \$0.857M unfavourable variance mainly due to utilisation of carry forward funds for the purchase of plant and motor vehicles</p>
3	<p>Permanent Variance: - \$0.672M unfavourable variance mainly due to utilisation of carry forward funds for the purchase of data storage hardware, Pathway enhancement projects, AV Equipment Enhancements and HR System Upgrade works</p>
4	<p>Permanent Variance: - Unfavourable variances due to utilisation of carry forward funds for Bayswater Activity Centre Streetscape (\$0.253M) and Road Reconstruction on Eastgate Court, Wantirna South (\$0.139M)</p> <p>Timing Variance: - Favourable variances mainly relating to Parkhurst Drive Road Resurface Rehabilitation (\$0.449M), High Risk Road Failure program (\$0.223M), Selman Avenue, Ferntree Gully (\$0.175M), Anne Road - speed cushions works (\$0.160M) and Forest Road (\$0.125M)</p>
5	<p>Timing Variance: - \$1.043M unfavourable variance mainly due to the Footpath Renewal Program - budget profiling for this program has all expenditure in May 2019</p>
6	<p>Timing Variance: - \$0.666M favourable variance with the Car Parks Renewal Program - budget profiling for this program has all expenditure in September 2018; construction works for this program is expected to commence after January</p>
7	<p>Permanent Variance: - Unfavourable variances due to utilisation of carry forward funds for Playground renewal program (\$0.495M), Knox Gardens Tennis Courts (\$0.281M), works on Talaskia Reserve Masterplan (\$0.273M), Exner Reserve Tennis Court Renewal (\$0.222M) and Knox Athletic Track Hammer Throw Cage work (\$0.140M)</p> <p>Timing Variance: - Favourable variances mainly relating to works on Marie Wallace Reserve Masterplan (\$0.622M), Electronic Scoreboards (\$0.310M), Installation of new floodlight at Liberty Avenue Reserve (\$0.245M), Cricket Nets Replacement at Batterham Reserve (\$0.237M), works on Fairpark Reserve Masterplan (\$0.215M), Quarry Reserve, Ferntree Gully (\$0.201M), Renewal of Public Sporting Courts (\$0.150M) and works on Llewelyn Reserve Masterplan (\$0.130M)</p>
8	<p>Permanent Variance: - \$0.344M favourable variance for Stamford Park Upgrade contributions for capital work carried out by Council - \$0.179M favourable variance for contributions received for works on New Courts for Knox Regional Sports Park, Building Renewals program and Knox Athletic Track Hammer Throw Cage program</p>
9	<p>Permanent Variance: - \$0.561M favourable variance for the transfer from reserves of the early payment of the VGC local roads funding</p> <p>Timing Variance: - \$0.763M favourable variance due to utilisation of carry forward funds for the Playground renewal program and works on Talaskia Reserve Masterplan - \$2.783M unfavourable variance due to timing of activities of the Stamford Park Upgrade, Marie Wallace Reserve, Electronic Scoreboards, Modular Building Program, Fairpark Reserve, Quarry Reserve Masterplan, Liberty Avenue Reserve, Egan Lee Reserve Pavilion Upgrade and Llewelyn Reserve Masterplan</p>
10	<p>Timing Variance: - Council generates cash from its operating activities which is used as a funding source for the capital works program - It is forecast that \$23.368M will be generated from operations to fund the 2018-19 capital works program (inclusive of projects carried forward into 2018-19)</p>

The 2018-19 Forecast includes \$45.219M in carry forward expenditure from 2017-18 into 2018-19 required for the successful completion and delivery of key capital works projects (including \$0.997M in carry forward expenditure for capital works that is operational in nature). As at 31 December 2018, a total of \$10.728M of approved capital works projects for 2018-19 have been identified as being required to be carried forward into 2019-20.



Balance Sheet

as at 31 December 2018

Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S
Current Assets								
Cash and Cash Equivalents	1	25,666	32,122	6,456	25.15%	51,215	39,429	(11,786)
Other Financial Assets	2	0	10,600	10,600	100.00%	0	18,100	18,100
Trade and Other Receivables		82,140	87,241	5,101	6.21%	11,102	13,554	2,452
Other Current Assets	3	1,329	100	(1,229)	(92.51%)	1,329	1,599	270
Non-Current Assets classified as Held for Sale	4	0	1,718	1,718	100.00%	0	0	0
Inventories		5	11	6	129.20%	5	7	2
Total Current Assets		109,139	131,792	22,652	20.76%	63,651	72,689	9,038
Non-Current Assets								
Investment in Associates		3,981	4,422	441	11.08%	3,981	4,422	441
Property, Infrastructure, Plant and Equipment	5	1,744,967	1,979,046	234,079	13.41%	1,778,077	2,041,051	262,974
Intangible Assets		1,858	1,205	(653)	(35.12%)	1,858	1,441	(417)
Total Non-Current Assets		1,750,806	1,984,673	233,867	13.36%	1,783,916	2,046,915	262,999
Total Assets		1,859,946	2,116,465	256,519	13.79%	1,847,567	2,119,604	272,037
Current Liabilities								
Trade and Other Payables		7,309	7,627	(317)	(4.34%)	10,475	14,894	(4,419)
Trust Funds and Deposits	6	7,490	3,427	4,063	54.25%	7,490	3,830	3,660
Provisions - Employee Costs		15,461	15,465	(4)	(0.03%)	16,339	15,610	729
Defined Benefits Superannuation		0	0	0	0.00%	0	0	0
Provision - Landfill Rehabilitation		1,155	532	623	53.93%	1,155	532	623
Interest-Bearing Loans and Borrowings		0	0	0	0.00%	1,638	1,638	0
Other Provisions		143	0	143	100.00%	143	(527)	670
Total Current Liabilities		31,558	27,051	4,507	14.28%	37,240	35,977	1,263
Non-Current Liabilities								
Provisions - Employee Costs		895	772	123	13.79%	895	792	103
Interest-Bearing Loans and Borrowings		0	0	0	0.00%	32,603	32,603	0
Provision - Landfill Rehabilitation		4,955	3,963	992	20.02%	4,955	3,963	992
Defined Benefits Superannuation		0	0	0	0.00%	0	0	0
Other Provisions		0	0	0	0.00%	0	0	0
Total Non-Current Liabilities		5,850	4,735	1,115	19.07%	38,453	37,358	1,095
Total Liabilities		37,408	31,786	5,622	15.03%	75,693	73,335	2,358
Net Assets		1,822,538	2,084,679	262,142	14.38%	1,771,874	2,046,269	274,395
Equity								
Accumulated Surplus		717,849	709,829	(8,020)	(1.12%)	676,494	680,485	3,991
Asset Revaluation Reserve	7	1,072,093	1,335,986	263,893	24.61%	1,072,093	1,335,986	263,893
Other Reserves	8	32,596	38,865	6,270	19.23%	23,287	29,798	6,511
Total Equity		1,822,538	2,084,679	262,142	14.38%	1,771,874	2,046,269	274,395

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ⚠ Less than 0% and greater than negative 10%.
- ✘ Negative 10% or less.

Notes have been provided for items with the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$1M and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$1M and equal to or less than negative 10%.



Balance Sheet

as at 31 December 2018

Notes:	
1	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$17.056M variance in the cash and cash equivalents balance (including other financial assets) due to the actual balance as at 30 June 2018 being \$10.625M higher than the forecast figure used for the adopted budget
2	<p>Timing Variance:</p> <ul style="list-style-type: none"> - Other financial assets are term deposits currently held with an original maturity date of more than 90 days
3	<p>Timing Variance:</p> <ul style="list-style-type: none"> - Prepayments are taken up at financial year end
4	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$1.718M favourable variance for land and buildings that have been agreed to sell
5	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$255.060M increase in the value of land after revaluation - \$13.593M increase in the value of buildings after revaluation
6	<p>Timing Variance:</p> <ul style="list-style-type: none"> - Trust funds and deposits primarily reflects the cash holdings for refundable deposits - This includes \$1.110M collected for the fire services levy; this amount is payable to the State Revenue Office by the 28th March 2019
7	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$255.060M increase in the value of land after revaluation - \$13.593M increase in the value of buildings after revaluation
8	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$5.130M variance in Other Reserves in part due to the actual balance as at 30 June 2018 being \$4.085M higher than the forecast figure used for the adopted budget - \$2.783M favourable variance due to timing of activities of the Stamford Park Upgrade, Marie Wallace Reserve, Electronic Scoreboards, Modular Building Program, Fairpark Reserve, Quarry Reserve Masterplan, Liberty Avenue Reserve, Egan Lee Reserve Pavilion Upgrade and Llewelyn Reserve Masterplan - \$0.570M favourable variance for Public Open Space Contributions; income of this nature is unpredictable and is directly contingent on Developer activities in the municipality



Cash Flow Statement

for year to date ended 31 December 2018

Description	Notes	Year-to-Date				Full Year			
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)	
		\$000'S	\$000'S	\$000'S		\$000'S	\$000'S	\$000'S	
Cash Flows from Operating Activities									
Receipts									
Rates and Charges		48,965	47,214	(1,750)	(3.57%)	🟡	113,201	113,796	595
Statutory Fees and Fines	1	1,470	1,987	517	35.18%	🟢	3,022	3,250	228
User Fees	2	6,952	8,389	1,437	20.67%	🟢	15,789	15,386	(403)
Grants - Operating	3	7,499	8,534	1,035	13.80%	🟢	20,185	20,948	763
Grants - Capital		2,605	2,840	235	9.01%	🟢	9,103	9,121	17
Contributions - Monetary	4	3,313	4,700	1,388	41.89%	🟢	8,403	8,889	487
Interest Received		645	519	(126)	(19.52%)	🔴	1,293	1,293	0
Other Receipts		551	840	289	52.43%	🟢	1,072	1,068	(5)
Net Movement in Trust Deposits		147	(256)	(403)	(274.36%)	🔴	147	147	0
Employee Costs		(35,631)	(34,699)	932	2.62%	🟢	(69,189)	(69,384)	(194)
Materials and Services		(29,661)	(27,716)	1,945	6.56%	🟢	(66,038)	(72,524)	(6,486)
Contributions and Donations	5	(4,228)	(5,979)	(1,751)	(41.41%)	🔴	(5,819)	(5,823)	(4)
Other Payments		(657)	(533)	124	18.95%	🟢	(1,394)	(1,441)	(46)
Net Cash Provided by / (Used in) Operating Activities		1,968	5,841	3,873	196.73%		29,775	24,725	(5,050)
Cash Flows from Investing Activities									
Payments for Property, Infrastructure, Plant and Equipment		(31,062)	(28,105)	2,958	9.52%	🟢	(78,684)	(77,945)	739
Proceeds from Sales of Property, Infrastructure, Plant and Equipment		1,133	734	(399)	(35.24%)	🔴	12,257	12,257	0
Payments for investments	6	0	(10,600)	(10,600)	(100.00%)	🔴	0	(18,100)	(18,100)
Proceeds from sale of investments	7	39,100	46,600	7,500	19.18%	🟢	39,100	46,600	7,500
Net Cash Used in Investing Activities		9,171	8,629	(542)	(5.91%)		(27,327)	(37,188)	(9,861)
Cash Flows from Financing Activities									
Proceeds of Borrowings		0	0	0	0.00%	🟢	34,241	34,241	0
Repayment of Borrowings		0	0	0	0.00%	🟢	0	0	0
Finance costs		0	0	0	0.00%	🟢	0	0	0
Net Cash Provided by / (Used in) Financing Activities		0	0	0	0.00%		34,241	34,241	0
Net increase / (decrease) in Cash and Cash Equivalents		11,140	14,470	(3,331)	(29.90%)		36,689	21,778	(14,911)
Cash and Cash Equivalents at the Beginning of the Financial Year		14,526	17,651	3,125	21.51%		14,526	17,651	3,125
Cash at the End of the Year		25,666	32,122	6,456	25.15%		51,215	39,429	(11,786)

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- 🟢 0% or greater.
- 🟡 Less than 0% and greater than negative 10%.
- 🔴 Negative 10% or less.

Notes have been provided for items with the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.



Cash Flow Statement

for year to date ended 31 December 2018

Notes:	
1	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$0.517M favourable variance mainly due to \$0.298M for Summons Cost Recovered income for rates debt recovery and higher than expected parking enforcement fine income (\$0.135M variance)
2	<p>Timing Variance:</p> <ul style="list-style-type: none"> - Prepayments have reduced from \$1.168M at 30 June 2018 to nil at 31 December 2018
3	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$0.191M favourable variance due to grant for Social Housing Investment Planning program and Women Health Victoria program - \$0.136M favourable variance due to a one-off recycling grant from Department of Environment, Land, Water and Planning <p>Timing Variance:</p> <ul style="list-style-type: none"> - \$0.604M favourable variance due to early payment of quarterly grant income from State and Federal Government for Active Ageing and Disabilities programs
4	<p>Permanent Variance:</p> <ul style="list-style-type: none"> - \$0.343M favourable variance for Stamford Park Upgrade contributions for capital work carried out by Council <p>Timing Variance:</p> <ul style="list-style-type: none"> - \$0.570M favourable variance for Public Open Space Contributions; income of this nature is unpredictable and is directly contingent on Developer activities in the municipality - \$0.179M favourable variance for contributions received for works on New Courts for Knox Regional Sports Park, Building Renewals program and Knox Athletic Track Hammer Throw Cage program - \$0.115M favourable variance for Football Federation Victoria pitch replacement agreement which is expected to be received in January
5	<p>Timing Variance:</p> <ul style="list-style-type: none"> - \$1.045M unfavourable variance in the Library Contribution due to the third quarter contribution to Eastern Regional Libraries Corporation being budgeted for January 2019 but paid in December 2018 - Trade and Other Payables have reduced from \$14.690M at 30 June 2018 to \$7.627M at 31 December 2018
6	<p>Timing Variance:</p> <ul style="list-style-type: none"> - Payments for investments are term deposits with a maturity of greater than 90 days that have been invested during the 2018-19 financial year and have yet to mature
7	<p>Timing Variance:</p> <ul style="list-style-type: none"> - Proceeds from the sale of investments are term deposits held at 30 June 2018 with a maturity of greater than 90 days that have matured during the 2018-19 financial year



Financial Performance Indicators

as at 31 December 2018

The following table highlights Council's current and forecasted performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the Council's objectives.

Indicator	Calculation of Measure	Expected Bands	Full Year		Notes
			Adopted Budget	Forecast	
<p>Operating Position - Measures whether a council is able to generate an adjusted underlying surplus.</p> <p>Adjusted Underlying Result</p> <p>Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position. The adjusted underlying surplus and the adjusted underlying revenue exclude the following types of income: grants - capital (non-recurrent), contributions - monetary (capital) and contributions - non-monetary.</p>	[Adjusted Underlying Surplus (Deficit) / Adjusted Underlying Revenue] x 100	(20%) to 20%	2.44%	(1.36%)	✘ 1
<p>Liquidity - Measures whether a council is able to generate sufficient cash to pay bills on time.</p> <p>Working Capital</p> <p>Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity. According to Victorian Auditor - General's Office's risk assessment criteria, result above 100% indicates low risk.</p>	[Current Assets / Current Liabilities] x 100	100% - 400%	170.92%	202.04%	⚠ 2
<p>Unrestricted Cash</p> <p>Indicator of the broad objective that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of unrestricted cash suggests an improvement in liquidity.</p>	[Unrestricted Cash / Current Liabilities] x 100	10% - 300%	86.91%	115.71%	⚠ 3
<p>Obligations - Measures whether the level of debt and other long term obligations is appropriate to the size and nature of the Council's activities.</p> <p>Loans and Borrowings</p> <p>Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations.</p>	[Interest Bearing Loans and Borrowings / Rate Revenue] x 100	0% - 70%	30.15%	29.99%	⚠ 4
<p>Debt Commitments</p> <p>Defined as interest and principal repayments on interest bearing loans and borrowings as a percentage of rate revenue.</p>	[Interest and Principal Repayments / Rate Revenue] x 100	0% - 20%	0.00%	0.00%	⚠ 5
<p>Indebtedness</p> <p>Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations</p>	[Non Current Liabilities / Own Source Revenue] x 100	2% - 70%	27.37%	26.51%	⚠ 6



Financial Performance Indicators

as at 31 December 2018

Indicator	Calculation of Measure	Full Year			Notes
		Expected Bands	Adopted Budget	Forecast	
Asset Renewal Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations	[Asset Renewal Expenditure / Depreciation] x 100	40% - 130%	105.27%	122.45% ✔	7
Stability - Measures whether a council is able to generate revenue from a range of sources. Rates Concentration Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability.	[Rate Revenue / Adjusted Underlying Revenue] x 100	30.00% - 80.00%	69.56%	69.43% !	8

✔ Forecasts improvements in Council's financial performance / financial position indicator compared to the Adopted Budget position.
! Forecasts that Council's financial performance / financial position indicator will be reasonably steady and is within Expected Bands.
✘ Forecasts deterioration in Council's financial performance / financial position indicator compared to the Adopted Budget position.

Notes:

1	Timing Variance: - The adjusted underlying result ratio is within expected bands - The decrease in the ratio is due to the carry forward of operational expenses and capital works projects from 2017-18 into 2018-19
2	Timing Variance: - The working capital ratio is within expected bands
3	Timing Variance: - The unrestricted cash ratio is within expected bands - The decrease in the ratio is due to the increase in restricted reserves, particularly the Open Space Reserve
4	No Variance: - The loans and borrowings ratio is within expected bands
5	No Variance: - The debt commitments ratio is within expected bands
6	Timing Variance: - The indebtedness ratio is within expected bands
7	Timing Variance: - Forecast asset renewal is within the expected band - The anticipated increase in the ratio is due to the carry forward of capital works from 2017-18 in to 2018-19
8	No Variance: - The rates concentration ratio is within the expected bands

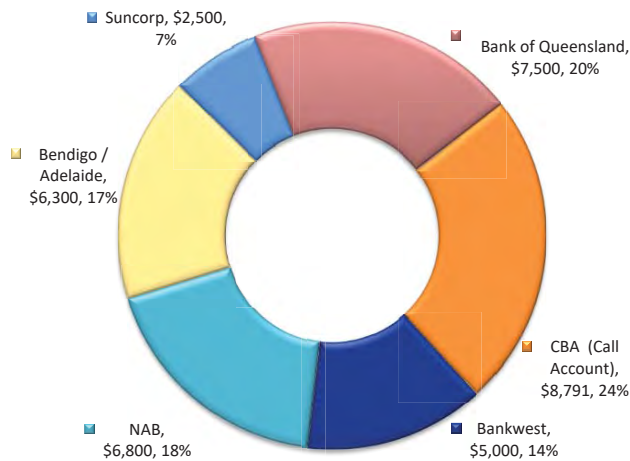


Investment Analysis

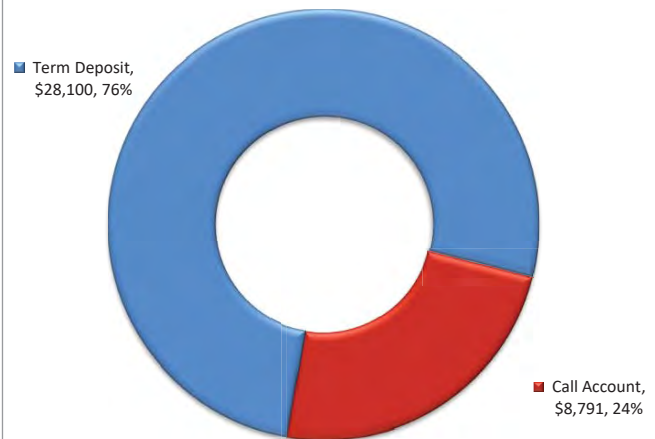
as at 31 December 2018

A total amount of \$36.891 million in funds were invested with various financial institutions as at 31 December 2018

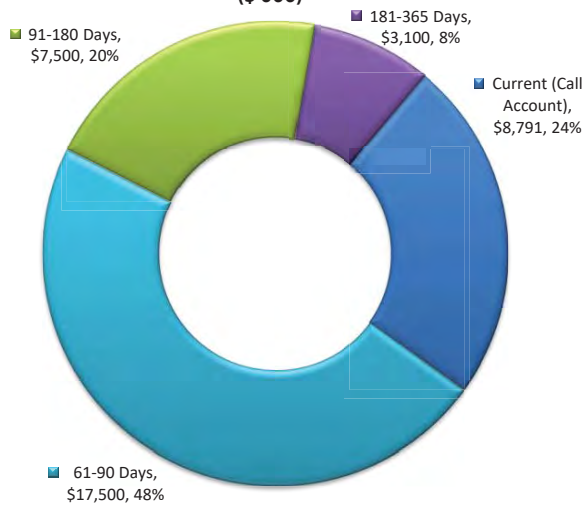
Investment Institutions (\$'000)



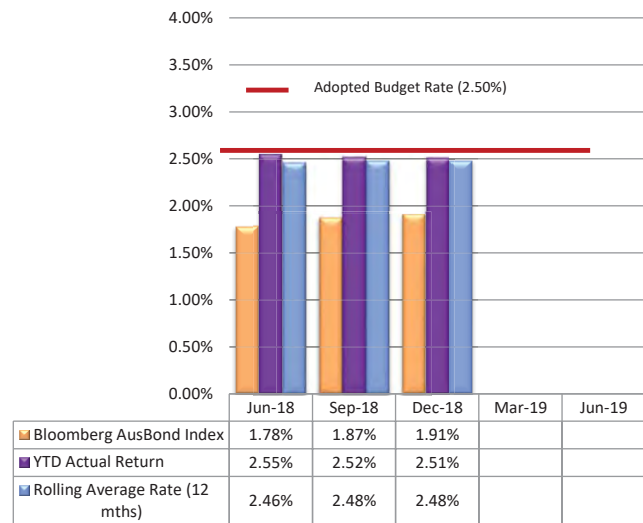
Investment Products (\$'000)



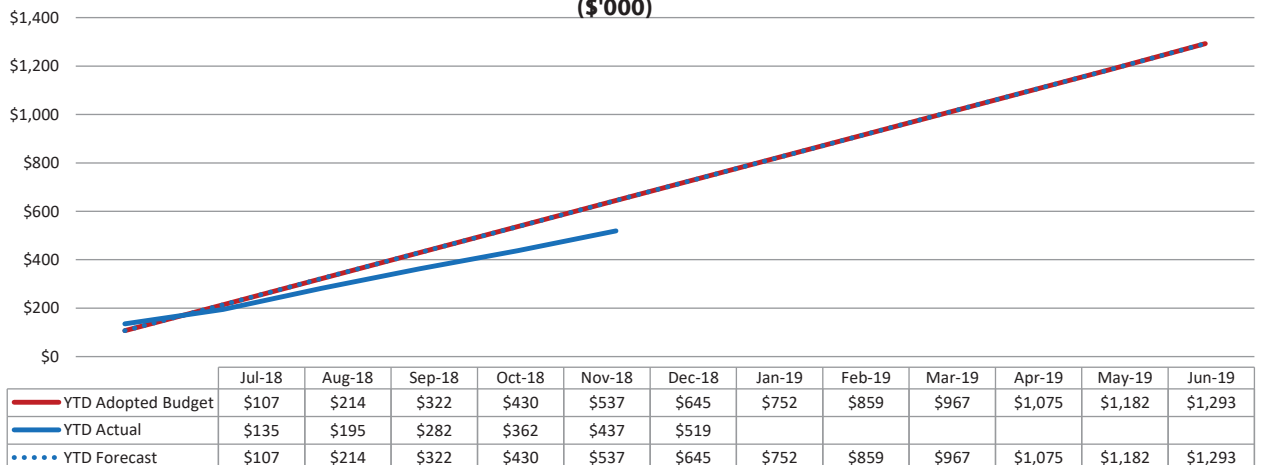
Investment Term (\$'000)



Investment Benchmark Indicator



Investment Income (\$'000)



10.7 Call Up Item - Social Media Engagement

SUMMARY: Manager Governance and Strategy, Phil McQue

The Council considered a Call Up Item in August 2018 and resolved to request that a draft Social Media Strategy be prepared for its consideration, to be presented to an Issues Briefing and Council Meeting in February 2019 and March 2019 respectively.

There has been considerable research and work undertaken in developing the draft strategy to date however partly through the limited availability of time on February Issues Briefings agendas and partly to ensure sufficient time to fully develop the draft strategy, it is recommended that Council agree to the draft Social Media Strategy now being presented to the first available Issues Briefing scheduled for 18 March 2019 and the subsequent Council Meeting scheduled for 29 April 2019.

RECOMMENDATION

That Council note that the draft Social Media Strategy will be presented to the Issues Briefing scheduled for 18 March 2019 and the Council Meeting scheduled for 29 April 2019.

1. INTRODUCTION

The Council resolved the following Call Up Item in August 2018:

That Council prepare for the February 2019 Issues Briefing and subsequent Ordinary Council meeting in March 2019:

A report and draft Social Media Strategy, covering elements as outlined in the approved Communications Plan, the policies requiring development and specifically including:

- *How Council could work with community groups via our social media channels in particular our main page, to assist in promoting their activities that fit within the criteria of our Council goals.*
- *How Council could engage further with the community via our social media channels when it comes to planning applications/matters across the Knox municipality.*

Council's 'Call Up Item and Council Meeting Policy' provides that any Call Up Item requiring more than 3 days work or \$5,000 in costs will be referred to the next budget deliberation with a supporting case for funding.

In this instance however, whilst this scope of work is beyond three days, it was agreed that this Call Up Item would be progressed as it is a key action of Council's 'Communications Plan 2018-2021'.

2. DISCUSSION

The communication function of Council is critical to informing, educating, engaging and conversing with our community. Rapidly evolving technology has transformed methods of interaction and communicating with the community, presenting many new cost effective opportunities with some new risks, which need to be strategically managed.

Council's 'Communication Plan 2018-2021' was endorsed by Council in April 2018. The plan recognizes the importance of social media as a tool for interacting with the community and includes the action of "developing a Social Media Strategy and framework that aligns social media activity to the Council's communications objectives"

There has been considerable work undertaken to date in researching and developing the Social Media Strategy including desktop research and extensive stakeholder consultation. The development of the strategy includes the elements detailed in the August Call Up Item.

There are a number of items already scheduled for presentation at Issues Briefings in February and March, with the first available date being the Issues Briefing scheduled for 18 March 2019 and the subsequent Council Meeting scheduled for 29 April 2019. To ensure that a comprehensive and effective draft strategy is presented to Councillors for consideration, it is recommended that the Council agree to the draft Social Media Strategy being slightly deferred for presentation.

3. CONSULTATION

Nil.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Nil.

6. SOCIAL IMPLICATIONS

A comprehensive social media strategy will enhance and facilitate Council's communication and engagement with its community.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.3 - Strengthen community connections

8. CONFLICT OF INTEREST

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

Author - Manager Governance and Strategy, Phil McQue - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

To ensure that a comprehensive and effective draft strategy is presented to Councillors for consideration, it is recommended that the Council agree to the draft Social Media Strategy being presented to the Issues Briefing scheduled for 18 March 2019 and the Council Meeting scheduled for 29 April 2019.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Manager Governance and Strategy, Phil McQue

Report Authorised By: Director Corporate Services, Michael Fromberg

Attachments

Nil

RESOLUTION

MOVED: Councillor Lockwood

SECONDED: Councillor Cooper

That Council note that the draft Social Media Strategy will be presented to the Issues Briefing scheduled for 18 March 2019 and the Council Meeting scheduled for 29 April 2019.

CARRIED

11 Items for Information

11.1 Assemblies of Councillors

SUMMARY: Manager, Governance and Strategy, Phil McQue

This report provides details of Assembly of Councillors for the period 4 December 2018 to 18 December 2018, as required under section 80A(2) of the Local Government Act.

RECOMMENDATION

That Council:

- 1. Note the written record of Assemblies of Councillors as attached to this report.**
- 2. Incorporate the records of the Assemblies into the minutes of the meeting.**

1.INTRODUCTION

Under section 80A(2) of the Local Government Act, the Chief Executive Officer must present a written record of an Assembly of Councillors to an ordinary meeting of Council as soon as practicable after an Assembly occurs. This written record is required to be incorporated into the minutes of the meeting.

Report Prepared By: Manager, Governance and Strategy, Phil McQue

Report Authorised By: Acting Director, Corporate Services, Dale Monk

Attachments

- 1. Assemblies of Councillors - Appendix A [11.1.1]**

RESOLUTION

MOVED: Councillor Pearce

SECONDED: Councillor Cooper

That Council:

- 1. Note the written record of Assemblies of Councillors as attached to this report.**
- 2. Incorporate the records of the Assemblies into the minutes of the meeting.**

CARRIED



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 4/12/2018

Name of Committee or Group (if applicable): Combined Knox Multicultural Advisory Committee and Knox Interfaith Network

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Peter Lockwood

Name of Members of Council Staff Attending:

Joan Pepi

Alison Treeby

Merran Graf

Elissa Pachacz

Matters Considered:

1. National Disability Insurance Scheme
2. Cultural Diversity in Knox Council Festivals and Events
3. Knox Interfaith Network Presentation
4. Reports from Knox Multicultural Advisory Committee
5. Knox City Council Community Access and Equity Implementation Plan Report

Any conflict of interest disclosures made by a Councillor attending: * Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **
			Yes/No
			Yes/No

Name of Person Completing Record: Joan Pepi

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 4/12/2018

Name of Committee or Group (if applicable): Knox Disability Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Nicole Seymour

Name of Members of Council Staff Attending:

Peter Johnston

Michelle Penney

Belinda Carney

Zara Ariarta

Joy Temple

Lou Zarro

Matters Considered:

1. Introduced New Disability Staff
2. Disability Service Sector Analysis
3. Municipal Disability Leadership Plan Update

Any conflict of interest disclosures made by a Councillor attending: *Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **
			Yes/No
			Yes/No
			Yes/No

Name of Person Completing Record: Peter Johnston

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 5/12/2018

Name of Committee or Group (if applicable): ICT Governance Committee

Time Meeting Commenced: 5.37pm

Name of Councillors Attending:

Cr Jake Keogh, Mayor

Cr Peter Lockwood

Cr Darren Pearce

Name of Members of Council Staff Attending:

Tony Doyle

Paul Barrett

Ian Bell

Julian Adler

Michael Fromberg

Damian Watson

Ellen Lee

Andrew Dowling

Lucinda Taylor

Matters Considered:

1. Confirmation of Minutes of Previous Meeting
2. ICT Program Status
3. HR System Enhancements Business Case
4. Asset Management Information System Project Scope
5. IT Penetration Test Remediation
6. Disaster Recovery Planning

Any conflict of interest disclosures made by a Councillor attending: * Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **
			Yes/No
			Yes/No

Name of Person Completing Record: Ellen Lee

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 10/12/2018

Name of Committee or Group (if applicable): Special Issues Briefing

Time Meeting Commenced: 7.29pm

Name of Councillors Attending:

Cr Jake Keogh, Mayor

Cr Tony Holland

Cr Peter Lockwood

Cr Lisa Cooper

Cr John Mortimore

Cr Darren Pearce

Cr Adam Gill

Cr Nicole Seymour

Name of Members of Council Staff Attending:

Tony Doyle

Phil McQue

Ian Bell

Bronwyn Commandeur (Item 3)

Steven Dickson

Robyn Sommers (Item 4)

Michael Fromberg

Daniel Clark (Item 5)

Tanya Clark

Matters Considered:

1. Knox Design and Development Excellence Awards
2. Early Years Hubs Update
3. Contract No. 2350 – Management and Operation of Knox Leisureworks
4. Citizenship Ceremonies
5. Update on Modular Buildings Program
6. Minor Grants
7. Partnership Agreement – Knox City Council and Melbourne Basketball Pty Ltd (Melbourne Boomers)

Any conflict of interest disclosures made by a Councillor attending: * Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **
			Yes/No
			Yes/No

Name of Person Completing Record: Andrew Dowling

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 3/12/2018

Name of Committee or Group (if applicable): Knox Arts and Culture Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Peter Lockwood

Name of Members of Council Staff Attending:

Elissa Pachacz

Amy Prenc

Ellen Ramsay

Matters Considered:

1. Reflection on 2018: Knox Arts and Culture Advisory Committee Achievements
2. Knox Festival 2019: Planning and Participation
3. Pop Up Cinema Event: Planning and Partnerships

Any conflict of interest disclosures made by a Councillor attending: * Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **
			Yes/No
			Yes/No

Name of Person Completing Record: Elissa Pachacz

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 18/12/2018

Name of Committee or Group (if applicable): Knox Regional Sports Park Working Group

Time Meeting Commenced: 9.30am

Name of Councillors Attending:

Cr Adam Gill

Cr Lisa Cooper

Name of Members of Council Staff Attending:

Peter Gore

Bronwyn Commandeur

Jude Whelan

Ron Crawford

Kate Innocenti

Matters Considered:

Knox Regional Sports Park:

- Is a sign required?
- Is the proposed sign the appropriate sign for the park?
- Do we wait for the precinct development or continue with process to get a sign on site?

Any conflict of interest disclosures made by a Councillor attending: * Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **
			Yes/No
			Yes/No

Name of Person Completing Record: Kate Innocenti

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.

12 Motions for Which Notice has Previously Been Given

Nil.

13 Supplementary Items

Nil.

14 Urgent Business

14.1 Urgent Business

Nil.

14.2 Call Up Items

Nil.

15 Questions Without Notice

Councillor Gill: It was agreed to fund a feasibility design for a water pay area at Marie Wallace Reserve. When will there be a report to Council?

CEO Mr Tony Doyle responded that he would investigate and respond to Councillor Gill on Wednesday 30 January 2019.

Councillor Seymour: Why has our Workcover rate gone up as stated in the Financial Performance Report?

CEO Mr Tony Doyle responded that over the last few years, Council have done work to ensure people adjust back into the workplace after injury. Council has had three claims in the last eighteen months which has increased premiums, but we are currently still sitting on the industry average.

16 Confidential Items

Nil.

MEETING CLOSED AT 8.41pm

Minutes of Meeting confirmed at the
Ordinary Meeting of Council
held on Monday, 25 February 2019

.....
Chairperson