

Council Meeting

Agenda

Tuesday, 9 April 2024

Council Chamber - Civic Centre
and via Videoconference

Information for Councillors and the community

ACKNOWLEDGEMENT OF COUNTRY

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region.

We proudly share custodianship to care for Country together.



COUNCIL VISION

Whether you live here or visit, you will see how much we care for country, how inclusive and connected our communities are, and how sustainable balanced growth makes this the best place in the world.

VALUE OF HISTORY

We acknowledge that history shapes our identities, engages us as citizens, creates inclusive communities, is part of our economic well-being, teaches us to think critically and creatively, inspires leaders and is the foundation of our future generations.

COUNCILLOR COMMITMENT

We'll be truthful, represent the community's needs, be positive and responsive and always strive to do better.

OUR COUNCILLORS

Billanook Ward: Tim Heenan
Chandler Ward: David Eastham
Chirnside Ward: Richard Higgins
Lyster Ward: Johanna Skelton
Melba Ward: Sophie Todorov

O'Shannassy Ward: Jim Child
Ryrie Ward: Fiona McAllister
Streeton Ward: Andrew Fullagar
Walling Ward: Len Cox

CHIEF EXECUTIVE OFFICER & DIRECTORS

Chief Executive Officer, Tammi Rose
Director Built Environment & Infrastructure, Hjalmar Philipp
Director Communities, Leanne Hurst

Director Corporate Services, Andrew Hilson
Director Planning and Sustainable Futures, Kath McClusky

GOVERNANCE RULES

All Council and Delegated Committee meetings are to be conducted in accordance with Council's Governance Rules, which can be viewed at: <https://www.yarraranges.vic.gov.au/Council/Corporate-documents/Policies-strategies/Governance-rules>

PUBLIC PARTICIPATION IN MEETINGS

Members of the community can participate in Council meetings in any of the following ways:

- making a verbal submission for up to 5 minutes on matters not listed on the agenda.
- submitting a question.
- speaking for up to 5 minutes to a specific item on the agenda. For planning applications and policy issues, the Chair will invite one person to speak on behalf of any objectors and one person to speak on behalf of the applicant. For other matters on the agenda, only one person will be invited to address Council, unless there are opposing views. At the discretion of the Chair, additional speakers may be invited for items of large interest.
- speaking for up to 5 minutes to a petition to be presented at a meeting.

For further information about how to participate in a Council meeting, please visit: <https://www.yarraranges.vic.gov.au/Council/Council-meetings/Submissions-questions-petitions-to-Council>

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The Minutes produced after each Council Meeting form the official record of the decisions made by Yarra Ranges Council.

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In the case of an emergency during a meeting held at the Civic Centre, 15 Anderson Street, Lilydale, you should follow the directions given by staff and evacuate the building using the nearest available exit. You should congregate at the assembly point at Hardy Street car park.

CONTACT US

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YARRA RANGES COUNCIL

**AGENDA FOR THE 601ST COUNCIL MEETING TO BE HELD ON TUESDAY
9 APRIL 2024 COMMENCING AT 7.00PM IN COUNCIL CHAMBER, CIVIC
CENTRE, ANDERSON STREET, LILYDALE AND VIA VIDEOCONFERENCE**

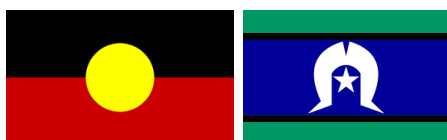
1. MEETING OPENED

2. ACKNOWLEDGEMENT OF COUNTRY

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region.

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3. INTRODUCTION OF MEMBERS PRESENT

OUR COUNCILLORS

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Director Planning & Sustainable Futures, Kath McClusky

4. APOLOGIES AND LEAVE OF ABSENCE

An apology for this meeting was received from Councillor Richard Higgins.

5. MAYORAL ANNOUNCEMENTS

6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Council Meeting held Tuesday 26 March 2024, as circulated, be confirmed.

7. CONFLICTS OF INTEREST

In accordance with Chapter 7, Rule 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

The Local Government Act 2020 defines two categories of conflict of interest:

- *a general conflict of interest, which is defined as "...a relevant person has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty", and*
- *a material conflict of interest, which is defined as "...a relevant person has a material conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit may arise or the loss incurred (a) directly or indirectly; or (b) in a pecuniary or non-pecuniary form."*

In accordance with section 130 of the Local Government Act 2020, a conflict of interest must be disclosed in the manner required by the Governance Rules and the relevant person must exclude themselves from the decision-making process.

No Conflicts of Interest have been received prior to the Agenda being printed.

8. QUESTIONS AND SUBMISSIONS FROM THE PUBLIC

In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

A person may make a submission to Council on matters that are not listed on the Agenda. A submission may be on any matter except if it:

- (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- (b) is substantially the same as a submission made to a Council meeting in the preceding 12 months;
- (c) relates to confidential information as defined under the Act;
- (d) relates to the personal hardship of any resident or ratepayer; or
- (e) relates to any other matter which the Council considers would prejudice the Council or any person.

SUBMISSIONS FROM THE PUBLIC

Changes in Waste Management

Sebastian Quezada seeks to present information prior to the six-month review on changes in waste management.

9. PETITIONS

In accordance with Chapter 3, Rules 60, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

A person may submit a petition to Council on matters that are not listed on the Agenda. Every petition or joint letter submitted to Council must:

- a) identify a 'Lead Petitioner' who Council can correspond with;
- b) be legible and in permanent writing;
- c) be clear and state on each page the matter and action sought from Council. Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter;
- d) not be derogatory, defamatory or objectionable in language or nature;
- e) not relate to matters outside the powers of Council; and
- f) clearly state the names and addresses of at least seven (7) people who live, work, study or do business in the Municipal district.

There were no Petitions received for this meeting.

LILLYDALE LAKE MASTERPLAN - CONSIDERATION FOR ADOPTION

Report Author: Project Manager - Recreation Planning
 Responsible Officer: Director Planning & Sustainable Futures
 Ward(s) affected: Billanook; Melba

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

This report provides an update on the community feedback to the draft Lillydale Lake Park Master Plan (the draft Master Plan) that has been developed following extensive consultation with the local Lillydale residents, park user groups, Council's Advisory Groups, Box Hill Institute, Kinley Development, and the broader Yarra Ranges community. The draft Master Plan provides a 15-year strategic approach to improve recreation facilities at Lillydale Lake Park (the Lake) in response to identified community needs, opportunities and population growth projected in the area.

A program of community consultation was undertaken 26 April to 6 June 2023, with strong support received. Improvements recommended include an upgrade to the water access and viewing facilities, youth activity and exercise area, accessible seating and picnic spaces, informative Indigenous and historical signage, plus improved path connectivity with the Box Hill Institute and new Kinley Development. These have been updated into the Master Plan which is now recommended for consideration for Adoption.

RECOMMENDATION

That Council

- 1. Considers the findings of community consultation on the Draft Lillydale Lake Park Master Plan.***
- 2. Adopts the Lillydale Lake Park Master Plan 2024 – 2039 generally in accordance with Attachment 1.***
- 3. Write to submitters to advise them of the outcome of the Council Meeting.***

RELATED COUNCIL DECISIONS

On 26 April 2023 Council resolved

That Council

1. *Approve the release of the Draft Lillydale Lake Master Plan for community consultation and engagement in May – June 2023 for a period of five weeks.*
2. *Note that consultation findings will be presented back at a future Council meeting.*

The motion was Carried unanimously.

This report provides a summary of the feedback received and community support that underpins the request for consideration by Council to adopt the Master Plan.

DISCUSSION

Purpose and Background

Lillydale Lake Park is classified as a Level 1 Regional Park, located at 435 Swansea Road in Lilydale. The park is always open to the public and contains both active and passive recreation spaces and facilities, designed as a shared facility to suit everyone. Typically, the park has over one million visitations per year.

ABS Census projections based on 2021 figures identify an increase in the Lilydale population of 76.6 per cent (13,424 persons) by 2046 to 30,950. This includes 3,200 new dwellings (8,000 people approximately) in the former quarry site adjacent to the Lake.

Aligned with the Lilydale Major Activity Centre Structure Plan (August 2022), the draft Master Plan has been developed to provide strategic justification and direction for investment in improvements to cater for the anticipated growth in usage of the Lillydale Lake parklands.

Owned and managed by Yarra Ranges Council, Lillydale Lake Park is home to existing facilities and activities including: a Community Room and Council Depot, an all-abilities playspace, outdoor fitness station, walking, cycling and mountain bike tracks, fishing and jetties, barbecues and picnic shelters, sandy beach area, public toilets including a Changing Places unit, and designated areas for 'off-leash' dogs.

The strategic intent is for the Lillydale Lake Park to continue to play a major role as a community space for outdoor leisure and social recreation. Parking is already heavily utilised at peak times, hence improvements to active transport linkages is a key element to support the future expected increased usage of the Lillydale Lake site.

Scope

Community consultation was undertaken in late April to early June 2023 seeking feedback on the draft Master Plan. Data was also collected from the Yardstick Park User Survey in November 2023 relevant to the community use of Lillydale Lake Park.

Over the months since then officers have collated all feedback gathered in June and November and then reviewed and analysed the content to identify improvements to the Masterplan. Further follow up conversations were held where needed with key internal and external stakeholders to clarify these proposed edits and then the draft Master Plan documents have been subsequently updated and refined.

A comprehensive Gender Impact Assessment of the project and proposed improvements was also undertaken during this time which was very validating of the directions in the Masterplan.

Key findings from Community Consultation

In April to June 2023, extensive consultation was undertaken to seek feedback on the draft Master Plan from stakeholders and the community. Consultation included an online survey (410 contributions from 385 contributors), letterbox drop (600 residents), drop-in sessions (6), social media, email distribution by park activity groups, stakeholder correspondence, Lilydale Township Action Group meeting and Council Advisory Committee sessions (2).

The community consultation undertaken in 2023 has confirmed that the draft Master Plan reflects the community's current and future views and provides support for Council's consideration for adoption in April 2024.

Whilst there was overall support for the Master Plan (89 per cent for adults, for children 56 per cent support with 34 per cent unsure). The findings have been documented in Attachment 3. The key themes for areas that mattered most to emerge from the survey comments and face-to face consultations include:

- Paths and path connectivity
 - Support for improved connectivity throughout the park and connections to surrounding shared paths and residential areas.
 - Requests for paths to be sealed (uniform surface, increase accessibility).
- Parking
 - Need for additional parking to cater for current peak times and anticipated increased usage.

- Toilets
 - Need for additional toilets.
 - Lack of cleanliness and maintenance of existing toilet facilities.
 - Need for family change facilities to support water play and other water-based activities.
- Activity Space
 - General support for the new youth activities area, in particular parkour/climbing, court space and new exercise equipment suitable for all ages and abilities.
- Playspace
 - Not suitable for wide range of children – misses the mark for pre-school and older children.
 - Request to provide/strengthen barriers to the lake and car park from the playspace.
- Park furniture
 - Call for more shade (shelters and/or trees), seating around the lake, picnic and BBQ facilities.
- Dog matters
 - The topic of dog faeces left on the path, personal safety and irresponsible owners was a regular topic of conversation and noted in survey responses.
 - Approximately 10 contributors of the 410 asked for fencing of the dog off leash area, two of these for personal safety, especially when owners are not placing their dogs on leash outside the designated areas.

Issues and suggestions regarding dogs raised through this consultation will be considered through the People and Dogs in Parks Plan currently being developed.

Community engagement is further discussed later in this report.

Master Plan Updates

The Background Report (now uploaded to the project webpage) has subsequently been updated to include:

- Updated strategic links to various policies and plans (pp 16–21).
- Consultation and Engagement Report (pp 34–59, including latest consultation results in Appendix 1 pp 44-58).

- Yardstick Park User Survey 2023 (pp 60–64).

Issues and opportunities identified in early draft development coupled with feedback on the draft plan have informed the latest version Lillydale Lake Park Master Plan (Attachment 1) presented for consideration and potential adoption.

A summarised version has been developed (Attachment 2) to improve ease of engagement for community.

It is important to note that overall feedback was highly supportive of the Master Plan, however, after listening to the things that mattered most the following changes were made to the recommendations:

- Include reference to collaboration with Lilydale Historical Society on heritage features.
- Include a feasibility study to identify a potential site to locate a toilet facility on the north or western side of the lake. Two sites to consider have been identified.
- Remove references to the upgrade of the boatshed, launch ramp and resurfacing of the Bellbird Park car park, as these were completed in 2023.
- Expand the proposed upgrade of the playspace to specifically mention applicability to wider range of ages, plus include areas for children with special needs e.g. quiet play.
- Investigate possibility to contain the playspace area by
 - Extending the rock wall between the playspace and lake and
 - Where feasible utilise planting and/or barriers to the car park.
- A few recommendations were reworded slightly to clarify intent.
- There has been a request by approximately 20 people (of 500+) to seal the paths to provide a more consistent and accessible surface, however at this point in time this is not considered feasible due to cost and desired character for the park.
- Additional content has also been added that explains in more detail the provisions for the Kinley development's works planned for the Melba Drain in accordance with their adopted plans.

The condition of the public toilets gained frequent comment throughout the consultation period. This ranged from building condition, lack of cleanliness, maintenance and/or provision of adequate supplies especially at peak times. Currently the upgrade of the toilets at Lillydale Lake falls outside of Council's 10-year Toilet Management Plan (2018-2028). The upgrade of the Lillydale Lake toilet facilities has been proposed in the Master Plan for design and construction soon

after in 2029-31, however this will be subject to further review of asset condition and any revision of the priorities of the Toilet Management Plan.

The update to the recommendations in the Master Plan has resulted in a slight decrease in the projected cost to implement the Lillydale Lake Park Master Plan from \$6,277,500 to \$6,112,500.

Options considered

Following the Community Engagement phase, Officers have considered the following options:

1. Finalise the master plan

In response to feedback from community and observed issues and opportunities in the area, the Master Plan will offer a coordinated suite of projects to improve amenity and value for community and respond to growing popularity of the park and projected increase in local population.

2. Deliver projects ad-hoc

While this brings some value to community, it can result in lost opportunities and inefficiencies through lack of coordination. This option is not recommended.

3. No further upgrades at Lillydale Lake Park

Officers are aware of issues and accessibility concerns that would continue to create barriers for community. The facility operates at capacity during peak times and without smart, efficient planning, the Lillydale Lake Park will struggle to meet with projected demand. Given the anticipated increase in community demand and regional profile of the park, this option is not recommended.

Recommended option and justification

The decision to proceed with the draft Master Plan was strongly supported by the community. The outcomes of the community engagement and key recommendations are detailed below. Of the 385 contributors to the survey, 89 per cent supported the proposed changes recommended in the Plan. When considering the children and young people in their care, 55.5 per cent felt the proposed improvements would meet their children's needs, 10 per cent did not and the remainder unsure.

The response has given officers the confidence that this draft master plan is delivering on what the community have told us was important to them now and into the future. The next step will be a well-considered design approach to any future projects and maximise efficiencies through coordinated and integrated solutions.

FINANCIAL ANALYSIS

Projects identified in the Lillydale Lake Master Plan are estimated to cost \$6,112,500 over the 15-year lifespan of the Master Plan if fully delivered. Through face-to-face consultations and messaging in the draft Master Plan documents, it was made clear to interested public that there was not allocated budget, and that proposed improvements were subject to competitive funding applications.

The implementation does not currently have any allocated budget. Recommended improvements are reliant on funding from Public Open Space funding, renewal and co-funding sourced via grant applications, and where applicable contributions from community groups and organisations that would have direct benefit from the improvements. Advocacy for external funding has been strengthened by the evidence-based research and consultation undertaken to develop the (approved) Master Plan.

A Cost Plan has been developed to show estimated costs and a potential funding model, summarised in the Table below.

Draft Lillydale Lake Park Master Plan Cost Projections		Potential Funding Contributions		
Activity Area	Estimated Cost	Council	State / Federal Government Grants*	Other**
General Improvements	\$145,000	90,000	55,000	
A - Northwest Precinct	\$1,049,500	517,000	332,500	200,000
B - Northeast Precinct	\$3,365,500	1,765,500	1,595,000	5,000
C- Southwest Precinct	\$894,500	441,000	306,000	147,500
D - Southeast Precinct	\$658,000	470,500	187,500	
TOTAL	\$6,112,500	\$3,284,000	\$2,476,000	\$352,500

* Government grants to be sought to co-fund projects

** Where applicable, contributions to be sought from groups and organisations that would directly benefit from the improvements.

Council contribution is anticipated to come mainly from Public Open Space funding and the balance from Asset New and Improved Reserve funds. Where appropriate small cost items such as furniture, crossing points and signage, may be delivered through established capital works and/or operational programs.

An Asset Maintenance Plan will be developed to identify maintenance costs attributable to the new items proposed in the draft Master Plan, assuming they are supported by the community and Council.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan:

- **Connected and Healthy Communities**
 - Communities are safe, resilient, healthy, inclusive and socially well connected. Quality services are accessible to everyone.
- **Quality Infrastructure and Liveable Places**
 - Quality facilities and infrastructure meets current and future needs. Places are well planned hubs of activity that foster wellbeing, creativity, and innovation.
 - Action 2: Develop and implement a strategic approach for activating and providing functional and affordable community assets and spaces that are welcoming to all and support the wellbeing and connectedness of the community.
 - Action 9: Plan, facilitate and develop urban renewal projects, including Lilydale Revitalisation project, Kinley re-development and Level Crossing Removal to facilitate the revitalisation of Lilydale. Ensuring alignment with Council's place making objectives of encouraging a vibrant, attractive, sustainable, healthy, and connected community.

The provision of improved facilities at Lilydale Lake Park will deliver facilities and infrastructure that meets the growing and diverse needs of our expanding community. The draft Master Plan is closely aligned with the strategic objectives of the Lilydale Revitalisation program of initiatives, including the expansion of the Lilydale Boatshed in 2022-2023.

Health and Wellbeing Plan 2021-2025

- Increase active living.
- Improve mental wellbeing and social connection.

New and improved facilities will contribute to improved health and wellbeing with increased opportunities to socialise and exercise.

Recreation and Open Space Strategy 2013 - 2023

The Recreation and Open Space Strategy 2013-2023 sets out directions for creating healthy and active environments and services in Yarra Ranges and provides a framework to guide future development and management of Council's recreation reserves, parks and community spaces, including Lillydale Lake Park.

Equity, Access and Inclusion Strategy 2013-2023

Through the Equity, Access and Inclusion Strategy, Council recognises that inclusion for people with a disability in all aspects of community life is a human right that also brings many social, cultural and economic benefits for the wider community. It further states as one of the goals that Council buildings and infrastructure are accessible to everyone in our community. Improvements to the amenities, shelters and increased ease of mobility through the Lillydale Lake parklands is a key deliverable of this draft Master Plan and will promote broader Reserve use by people living with disability.

Child and Youth Strategy 2014-2024

The Child and Youth Strategy has the vision that Yarra Ranges will be a place where every child and young person will be able to thrive, reach their potential and actively participate in decision making. Outcome 2 has the most relevance to this draft Master Plan, recommending that "Adequate Infrastructure exists to meet the needs of children, young people and their families."

RELEVANT LAW

Gender Equity Act 2020 – This master plan is considered to have a direct and significant impact on the Yarra Ranges community, so a gender impact assessment has been undertaken as part of this work. (Attachment 4).

Throughout the extensive consultation and development of the Lillydale Lake Park Master Plan, the identified needs of community members of all ages, gender and cultural backgrounds were taken into consideration. The resultant recommendations of the Lillydale Lake Park Master Plan have a community wide application benefiting the diverse community and aligned with the equality objectives of Council and the *Gender Equality Act (2020)*.

The draft Master Plan has been developed from a whole of community perspective including consideration of equitable opportunities for use of the reserve by women, men, and gender diverse people. Underpinning the recommendations is the objective to provide a reserve that encourages people of all ages, abilities, gender preference and cultural background with a space that is safe, welcoming and has the potential to improve individual health and wellbeing.

During the development of the draft Master Plan, it was noted that other than cycling and walking, there was a lack of activities suited to youth, in particular girls.

Population forecasts indicate a steady growth of young people to 2046. The 0-to-17-year cohort is expected to increase by 69 per cent (3710 to 6274 persons). This is second only to nearby Mooroolbark with a projected 6,305 persons in this age bracket. Combined, the youth in these two suburbs are predicted to constitute 31.5 per cent of the Yarra Ranges persons under 17 years by 2046.

The largest increase in females between 2021 and 2031 is forecast to be in the ages 35 to 39 group, (parents and homebuilders), with an expected increase by 410 and account for 7.6 per cent of the total females.

The draft plan proposes the development of the current exercise area to also include recreation options suited to all genders, such as a multi-purpose court area with spectator seating, parkour/climbing, hangout areas and potentially a DJ unit. A further shelter seating area is proposed near the new mountain bike track. The intention is to make these welcoming spaces for young people to 'chill out' and feel more comfortable to join in the activities. During school times especially, when not in use by young people, these areas including updated exercise equipment will be available for all ages and abilities to use.

Lillydale Lake already offers facilities applicable for the broad community spectrum including high needs amenities. Upgrades and new options plan to improve on visitation experience for existing and new visitors.

SUSTAINABILITY IMPLICATIONS

Economic Implications

Enhancement of social and recreation facilities at Lillydale Lake will support the anticipated increase in local population and tourism in the area. Local small businesses (food vans and main street shops) already benefit from visitations to the lake. Economic benefits will naturally increase with visitations.

In the past, the feasibility of a permanent food outlet/café has been investigated but not considered viable. With the projected increase in local population and subsequent visitations, the draft Master Plan proposes a new feasibility study to revisit the café idea. Early community consultation has raised this as a desirable service at the Lake. Recently roadside traders have been engaged through workshops to understand the issues and opportunities of conducting their businesses, including at Lillydale Lake.

The construction phase of park improvements is expected to contribute to the local economy through employment opportunities and as a source of materials and equipment.

Social Implications

There are strong links to social and community impacts resulting from the development and improvement of local reserves such as the Lillydale Lake area, which include:

1. Enhanced community access to infrastructure that encourages alternative health and wellbeing outcomes
2. Revitalisation of local communities
3. Reduction of social isolation
4. Increased visitor footprint
5. Increased female participation in active recreation.

The Health and Wellbeing Strategy identifies high levels of obesity, dementia, and poor mental health as significant issues for our community. Provision of walking and cycling opportunities are important contributors to improved health.

The inclusion of a multi-purpose court and Parkour equipment will encourage a variety of social ball games and physical challenges for children and youth.

Environmental Implications

A highly valued aspect of the Lillydale Lake Park is the opportunity to walk, exercise or just sit and take in the view, watch the children play or enjoy a variety of water activities on offer. This emphasis on active transport seeks to reduce dependence on car-based transport, reducing carbon emissions and improving health.

The preservation, enhancement, and accessibility for people of all ages and abilities is a key driver for improvement underpinning recommendations, particularly through the area.

Opportunity exists to create an Indigenous arboretum to trial various tree species for drought tolerance that can be replicated elsewhere in the Yarra Ranges. This emphasis on resilient landscape solutions supports resilience and adaptation in a changing climate.

The lake itself and associated functional wetlands are a critical element within the broader management of stormwater and improved water quality downstream in the Yarra/Birrarung. The natural landscape aspects of the park play an important habitat role for wildlife, and the emphasis on activity and health foster improved low carbon transport behaviours.

Increased tree planting offers carbon capture, while the increased canopy cover and the cooling effect of the lake's water body will contribute to an improved ambient temperature during peak heat periods, reducing urban heat island effects.

COMMUNITY ENGAGEMENT

Extensive community consultation seeking feedback on the draft Lillydale Lake Park Master Plan took place between 6 April – 6 June 2023. The following methods of engagement were employed to ensure opportunities for the broadest range of ages, genders, and cultural backgrounds typical of the Lillydale and visiting population:

- Online survey (385 contributors)
- Letterbox drop (600 residents)
- Activity provider and participant group information distribution (7)
- Drop-in sessions (5): Lillydale Lake (3), Box Hill Institute, Montrose Festival
- Lillydale Township Action Group meeting
- Disability Advisory Group
- Health and Wellbeing Advisory Group
- Project Reference Group (officers representing numerous Council departments)
- Box Hill Institute, Melbourne Water, Kinley Development.

Additional user satisfaction data for Lillydale Lake (25 surveys) has been gleaned from the Yardstick Parks User Survey 2023.

A snapshot of the consultation results is captured in Attachment 7, with full details in the Background Report (Attachment 1, Appendix 1 and 2 pp42 – 64).

Of the proposed changes the items respondents said they would use most included:

- Accessible paths, picnic shelters, seating and barbecue facilities (65%)
- Path and trail connections (54%)
- Wetlands viewing areas / lookouts (54%).

Children and youth typically use the playspace and waterplay, walk, socialise and ride bikes. For an improved experience there was strong support for:

- Updates to the playspace more inclusive of the very young and older children
- The activity space (social, parkour and ball play opportunities)
- Path improvements for bikes and scooters.

Overall, the Lillydale Lake Park Draft Master Plan has received strong support:

- Of the 385 contributors to the survey, 89 per cent supported the proposed changes recommended in the Plan.
- When considering the children and young people in their care (585 children aged 0-18 years), 55.5 per cent felt the proposed improvements would meet their children's needs, 10 per cent did not and the remainder 35 per cent unsure.

- 89 per cent of respondents felt that the proposed changes would improve accessibility.

The draft Master Plan has been refined and the Background Report updated and associated documents included to provide a package for Council's consideration. The documentation supports the current proposed adoption of the Lillydale Lake Park Master Plan.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Extensive collaboration has been undertaken throughout Council in the development of the draft Master Plan. Box Hill Institute, Melbourne Water and Kinley Development were also key stakeholders engaged in the development stages.

Melbourne Water is a referral body at this site. Their ongoing involvement, support, and approval (where required), for initiatives proposed will be critical for improvements to be undertaken.

The recent funding for the boatshed extension through Lilydale Revitalisation Program is an example of the collaboration and support relationship that exists.

Ongoing collaboration with Box Hill Institute will underpin the proposed interface improvements and new connections to the Kinley Estate through the education land.

Opportunity may arise through implementation of the draft Master Plan to identify and implement innovative ways to view/experience the wetlands. Also, the proposed inclusion of Parkour equipment is a new and innovative option for 'no cost' exercise equipment for youth and active adults in Yarra Ranges.

RISK ASSESSMENT

Concern has been raised regarding the risk of over-development of the Lillydale Lake Park. The draft Master Plan proposes modest improvements to existing infrastructure plus minor vegetation and social infrastructure to improve the quality of the visitation experience for community members of all ages and abilities, yet avoids over-embellishment.

Proposed expenditure (\$6,112,500) over the 15-year lifespan of the Master Plan reflects the modest improvements required to redevelop infrastructure that supports the water activities that are unique to the area and the social activities aligned with this popular destination. A review of the community hall will be explored separately through a wider Social Infrastructure assessment and may recommend future redevelopment of this facility. Any associated costs would be in addition to the draft Master Plan scope.

Parking is heavily utilised at the lake. The proposed improvements to path connections to the Kinley Estate and major trails promotes active transport rather than increasing pressure on the car park area. Education and signage will be important in spreading the parking demand to alternate areas around the lake precinct.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Draft Master Plan February 2024 for adoption
2. Master Plan Summary
3. Consultation Summary Report

Lillydale Lake Park

DRAFT MASTER PLAN 2024 - 2039

February 2024 / Revision F



Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region. We proudly share custodianship to care for Country together.

ACKNOWLEDGMENT OF COUNTRY

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1 Introduction

Purpose

Lillydale Lake Park is a valuable community recreational centre providing a wide range of formal and informal recreational uses.

The master plan aims to implement quality public open space and recreation activities, with a focus on providing functional, attractive, accessible, safe and sustainable public spaces.

Context and History

Lillydale Lake and surrounding parklands are situated in the Yarra Ranges, approximately 40km north-east of the Melbourne Central Business District in the suburb of Lillydale. Lillydale is a Major Activity Centre in the Yarra Ranges and the Shire's first settlement, with a growing population. The usual resident population is 16,532. Based on Australian Bureau of Statistics census data, the estimated population in 2021 was 17,526¹. The projected population in 2031 is 24,694, and 2046 is 30,950¹. The projected population increase of 13,424 persons by 2046 represents a change of 77%, peaking in 2027-2031¹.

The town is serviced by shopping centres, community facilities, public parks and public transport.

With regards to open space and recreation, Lillydale is currently experiencing increasing demand for accessible recreation opportunities and mainstream sports participation as well as social recreation parks² and Lillydale Lake Park plays a significant role in this space.

Lillydale Lake, which opened in 1990 was constructed primarily to prevent flooding impacts of Olinda Creek on Lillydale township, but was also developed to provide a recreation precinct.

Lillydale Lake Park is considered a regional leisure facility and provides a broad range of opportunities for individuals, family, the Lillydale Rotary Club - Craft and Produce Market (recently relocated to near Council Offices) and a range of water sport and land based recreation groups.

The site has a moderate level of accessibility via pedestrian access from the immediate surrounding residential areas and cyclists from the Olinda Creek Trail. There is direct bus access to the site from Swansea Road which runs parallel to the northern edge of the site. The train station is located approximately 1km north of the site.

Study Area

The site is located central to Lillydale, approximately 1km south of the Lillydale train station and town centre.

Surrounding context

To the immediate south of the site, low-scale residential with a 1-2 storey detached dwelling character currently exists. Many interfaces are bordered by local streets with minimal direct connections to the park. The Olinda Creek corridor extends to further open space and wetlands outside the scope of this project (including Hull Road Wetlands).

To the immediate west of the site is the Box Hill Institute Lillydale Lakeside Campus which features large open grass areas and one primary connection and one secondary street access connection to the park. Further west is the existing quarry site which is located to the rear of the Box Hill Institute site and is subject to future residential development (Kinley Development).

To the immediate north, Swansea Road bounds most of the site, with low-scale residential 1-2 storey detached dwelling occurring opposite as well as an aged care facility and electricity sub-station. There is a clear and direct entrance to the Yarra Ranges Council offices and Eyrefield Park with community, sport and recreation facilities. Further north is the heart of the Lillydale Activity Centre, boasting commercial activity and train linkages.

1 Forecast.id November 2023

2 Yarra Ranges Council Recreation and Open Space Strategy – Precinct Strategies Action Sheets

To the immediate east, Swansea Road forms most of the boundary edge, with low-scale residential 1-2 storey detached dwelling character occurring opposite. The car primary parking entrance for the park is accessible from this interface.

Landscape character

Lillydale Lake is positioned between four high points (hills) resulting in a landform that falls to the lake and immediate lake surrounds.

Vegetation is predominately native/indigenous with significant aquatic grasses and reeds to the wetland and lake edge.

Future growth in Lillydale

The Kinley Development will introduce approximately 8000 new residents to Lillydale over the next 10-15 years, accounting for approximately 60% of the Lillydale population increase to 2046. Which will likely put additional pressure on existing facilities at Lillydale Lake Park.

Population and age structure in Lillydale

In 2021, the dominant age structure for persons in Lillydale was ages 50 to 54, which accounted for 7.0% of the total persons. The largest increase in persons between 2021 and 2031 is forecast to be in ages 35 to 39, which is expected to increase by 868 and account for 7.9% of the total persons. The largest 5 year age group forecast in 2031 is 30 to 34 years, with a total of 2,031 persons.

User groups

Lillydale Lake Park is home to several user groups including the Yarra Valley Fly Fishers, Lillydale Radio Yacht Club, Lillydale Sailing Club, Paddle Victoria, Lillydale Lake - Park Run and Lillydale Rotary Club (Craft and Produce Market recently moved to near Council offices). Outside of these formalised groups the park is frequently used by school groups, families and casual runners. The majority of people who visit the lake are walkers, dog walkers, social groups or playspace users.

Access to trails

The local trail network can be accessed from Lillydale Lake Park via the shared path network that passes around the lake and surrounds.

Approximately 1.7km to the north of the Lake the path links with the Yarra Valley Trail leading to Coldstream and the trail head for the Warburton Rail Trail.

Linking Lillydale Lake Park to Montrose in the south is the Olinda Creek Trail.

Cyclists and pedestrians can also access the railway station utilising trail connection to the north / northwest of the park area.

Background Assessment

A extensive series of background studies and assessments were conducted as part of the master planning processes, including the review of the following:

- Plan Melbourne 2017-2050
- Yarra Ranges Council Plan 2021-2025
- Health and Wellbeing Plan 2021-2025
- Gender Equality and Intersectionality
- Recreation & Open Space Plan: Strategic Framework 2013-2023
- Active Recreation Plan 2023
- Equity, Access and Inclusion Strategy 2013-2023
- Reconciliation Framework for Action 2013-2023
- Healthy Active Ageing Plan 2021 - 2025
- Child and Youth Strategy 2014 – 2024
- Playspace Plan 2019 - 2029
- Integrated Transport Strategy 2020 – 2040
- Cultural Diversity Policy 2022
- Creative Communities Strategy 2018
- Domestic Animal Management Plan 2022-2026
- Community Vision 2036

Consultation

In the early stages of information gathering, the user groups and officers from across council were engaged to seek insight into the wants, needs, the general perception of the existing conditions at the Reserve, as well as identifying the features and characters which are considered valuable and significant.

The consultation and engagement process was completed in the following phases:

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Phase 1 - Initial stakeholder consultation and informing the Draft Master Plan:

The consultation process for the Lillydale Lake Draft Master Plan took place in 2019 and 2021. The consultation involved user groups in the Lillydale Lake precinct and Council's advisory group.

A number of different forms of community engagement processes were utilised as part of the consultation programme including:

- Flyer via email; and
- Meetings at Box Hill Institute, Lillydale Lakeside Campus with email follow up feedback.
- Phase 2 - Draft Master Plan Consultation:
The consultation process for Phase 2 took place from April 2023 to June 2023 and included:
 - YRC Shaping Pages - Survey;
 - Direct mailing to over 500 households and attendees at the Montrose Festival; and

- Community pop-up/drop-in sessions at Lillydale Lake, Council Offices, Montrose Festival, Main St, Box Hill Institute Cafe and Bellbird Park.

During the development of the draft Master Plan, internal working groups, Council's Advisory Groups (Disability, Health & Wellbeing) etc provided insight that has informed the Master Plan.

Broader Consultation across Yarra Ranges Council parks and reserves was conducted between November and December 2023 through the Yardstick Parks User Survey. The survey is designed to record visitor expectations, satisfaction and behaviour. The survey compares Yarra Ranges Parks park survey data with other municipalities across both Metropolitan Melbourne and Australia.

Lillydale Lake respondent feedback included:

- Reasons for visiting: Proximity, water play, and walking.
- Most enjoyed: The playground, wildlife, and peaceful environment.
- Suggested improvement: Upgrading and cleaning toilets, adding more shade, and improving signage.

The findings from all these engagement methods and site analysis are reflected in the issues and opportunities outlined for Lillydale Lake Park.

Refer to Lillydale Lake Park Background Report 2024 for detailed consultation methodology and findings.

Gender Impact Assessment

In accordance with the Gender Equality Act (2020), a Gender Impact Assessment (GIA) is required to be undertaken on Council's new policies, programs and services. The assessment takes a critical look at how the Master Plan will meet the different needs of women, men, and gender-diverse people.

Early consultation was undertaken with user groups at Lillydale Lake Park and Eyrefield Park, Box Hill Institute, Melbourne Water and internally across Council. Consultation feedback, a literature review and data collection identified key gaps that have informed the master plan development. These findings include: insufficient activities for young people with an increase in demand for suitable activities and services, need to cater to females groups as individuals and parents providing family friendly activities and need to improve and extend accessible paths, infrastructure and support services.

The Draft Master Plan addresses these needs through proposed improvements such as the social recreation space improvements that are female friendly, multi-lined courts for a range of social sports and landscape improvements including clear sightlines, adequate lighting, well-maintained pathways etc.

Refer to Lillydale Lake Park Gender Impact Assessment Report 2024 for detailed findings and master plan interventions addressing findings.

2 Existing Conditions



figure 1 Existing site aerial - Vegetation character

NOT TO SCALE

Vegetation

The vegetation character surrounding the site is predominately native and well established with clusters of dense planting surrounding wetlands and bordering the park. The most common tree species identified on-site are Eucalyptus, Acacia and Allocasaurina. There is a strong landscape character (which is identified as dense clusters of same or similar species) in the following areas:

- 1 Acacia Sp.
- 2 Eucalyptus Sp.
- 3 Dense mixed planting surrounding wetlands.
- 4 Aquatic grasses
- 5 Melaleuca & Leptospermum Sp.
- 6 Ulmus sp.



figure 2 Existing site aerial - Surfaces and materials

NOT TO SCALE

Surfaces

The majority of the pedestrian pathways surrounding the lake are wide and constructed of compacted crushed rock. Concrete is limited to roads and parking areas with small areas of concrete used primarily for accessibility around the existing playground.

The main existing path types are as follows:

- 1 Compacted crushed rock
- 2 Concrete
- 3 Timber decking



figure 3 Existing site aerial - Shelters, signage and lighting

NOT TO SCALE

Furniture

Seating, bins, shelters, drinking fountains and several barbecues are provided. Outside of this area there are occasional seats positioned below iconic shelters (positioned on the main trail surrounding the lake). There is adequate signage and wayfinding, though there is limited signage to the site perimeter. Lighting has been installed to the primary pedestrian path. The existing furniture, signage and lighting are as follows:

- 1 Paths with lighting
- 2 Shelters with seating
- 3 Signage (information)
- 4 Wayfinding



figure 4 Existing lake and trees



figure 5 Existing vegetation



figure 6 Existing gravel path



figure 7 Existing trees and lake edge



figure 8 Existing playground



figure 9 Existing shelter and seating

3 Opportunities and Issues

Legend

Subject site	
Heritage site	
Primary entrance	
Secondary entrance	
Paths and trails	
Boardwalk	
Lighting to path	
Carpark connections	
Panoramic view	
Exposed edge	
Vegetation pruning for sightlines	
Seating opportunity	
Pedestrian bridge	
Bus route	
Existing vegetation	
Strong vegetation character	
Wetland/lake	
Olinda Creek	
Beach	
Car park	
Built form	
Adjacent open space	
High/Low point	
Contours	
Vegetation density review	



figure 10 Opportunities and constraints plan (NTS)

1:8000 @ A4

Issues

- 1 Existing fencing detracts from appreciation of existing heritage site.
- 4 No lighting to footpath
- 6 Council carpark currently underutilised
- 7 Entrance from Box Hill Institute is not accessible for all, has limited views and wayfinding to library
- 8 No signage to park entrance
- 9 Exposure to outside uses
- 10 Existing sight lines are poor
- 12 Lillydale Lake Park looping track feels disconnected at Bellbird Drive
- 15 Existing decking condition is poor
- 17 No pedestrian connection to bus stop
- 18 Access to park is via a steep sloped path
- 23 No signage to Olinda Creek trail

Opportunities

- 1 Improve sight lines to heritage site. Work with Lilydale and District Historical Society to further promote local heritage.
- 2 Enhance embankment with low level native/indigenous grasses (subject to approval by Melbourne Water)
- 3 Improve lake interface with low level native/indigenous grasses (subject to approval by Melbourne Water)
- 4 Lighting to footpath (subject to approval from Melbourne Water where required)
- 5 Undertake arboricultural assessment of mature Elm row for health and safety
- 6 Improve car park connection and signage. Opportunity to increase awareness of the various car parks that link with the Lilydale Lake Precinct.
- 7 Improve entrance character and signage
- 8 Improve signage and wayfinding
- 9 Review planting density
- 10 Maintain annual vegetation pruning for safe view lines
- 11 Consider new wheelchair accessible picnic benches
- 12 New path aligned within the park boundary
- 13 Additional informal seating & canopy trees for use in association with new bike circuit and community event space.
- 14 New look-out and jetty for water based activity
- 15 Replace and/or upgrade decking structures
- 16 Enhance native/indigenous planting
- 17 Create pedestrian connection from bus stop to Lillydale Lake Park and Bellbird Park
- 18 Amend grades for DDA compliance
- 19 Include additional lookouts to wetlands
- 20 Add and/or upgrade barbecue and picnic facilities and locations, including accessible paths and tables.
- 21 Review existing fitness equipment and other activity options for young people
- 22 Improve the Olinda Creek informal crossing
- 23 New signage and wayfinding for Olinda Creek pathway

Issues

- 27 No pedestrian access from Kinley development to Lillydale Lake Park. Limited connections from Box Hill Institute to Lillydale Lake Park.
- 28 No pedestrian access from Kinley development to Lillydale Lake Park. Limited connections from Box Hill Institute to Lillydale Lake Park.
- 29 Current shelter does not provide adequate shade
- 30 Drainage issue following sealing of Bell bird Park car park
- 32 One-way section of main car park can cause congestion in peak times

Opportunities

- 27 Option 1: DDA compliant path from future Kinley development to Lillydale Lake
- 28 Option 2: DDA compliant boardwalk from future Kinley development to Lillydale Lake Park
- 29 Review shelter to provide better shade and protection from the elements
- 30 Investigate and resolve car park drainage
- 31 Improve signage and access from the car park to the designated dog of leash area to the south (mound)
- 32 Review carparking layout
- 33 Review and increase dog off-leash use when not in use by Melbourne Water.

Non location specific opportunities

- Improve connections, wayfinding and access to Box Hill Institute, Lilydale town centre and rail station, Olinda Creek, Lilydale-Warburton Rail Trail and Carrum-Warburton Trail (including information indicating directions and distances to key destinations).
- Incorporate interpretative signage / information on indigenous cultural heritage close to Olinda Creek.
- Incorporate interpretation of indigenous cultural heritage in consultation with the local indigenous community.
- Incorporate interpretation of European history in consultation with the Lilydale and District Historical Society.
- Review DDA access and facilities at Lillydale Lake.
- Review seating spacing around the lake to ensure they are adequately spaced for older / less mobile participants.

4 Master plan

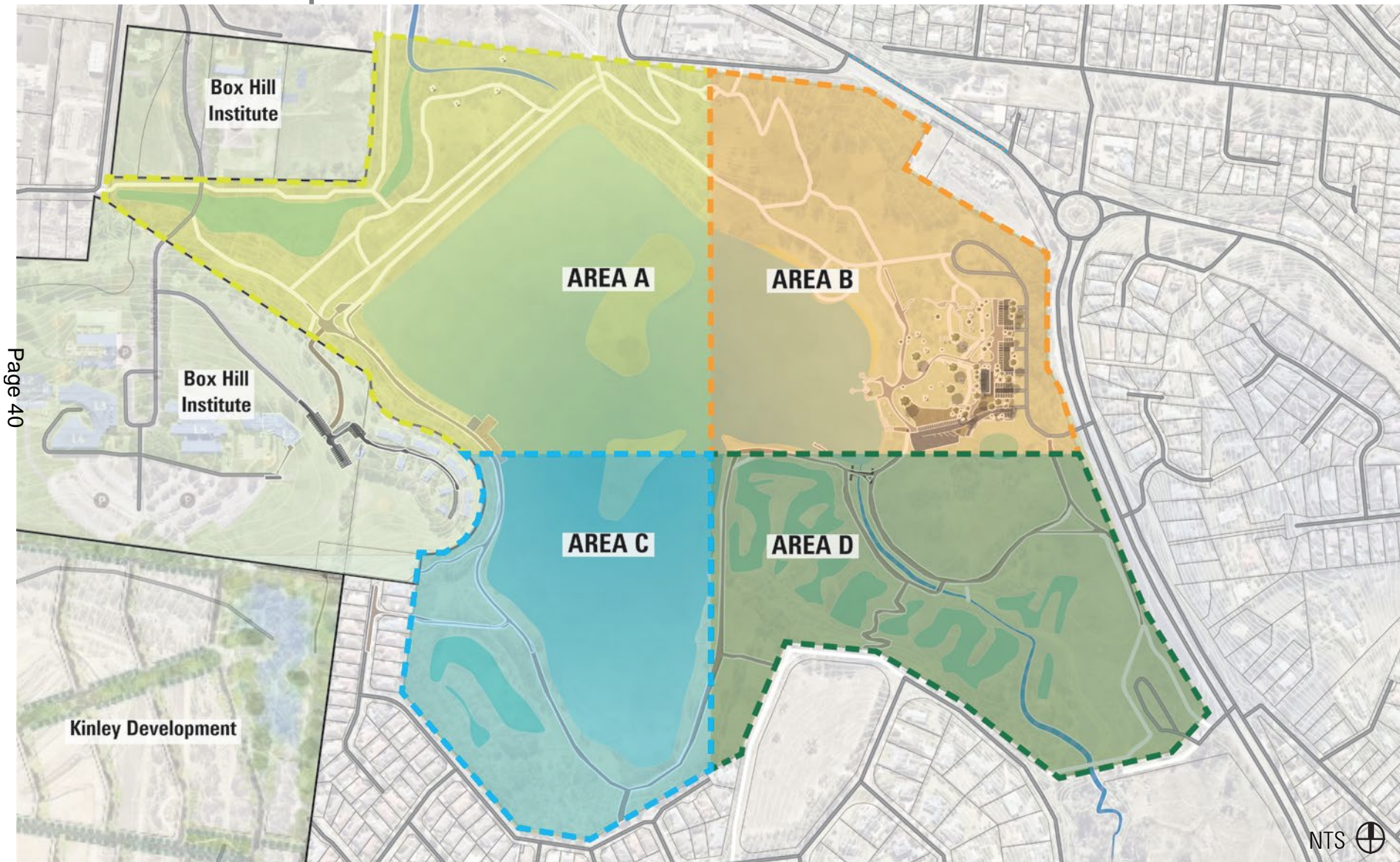


figure 11 Precinct Plan

Area A: North West



- A1** Undertake arboricultural assessment of mature Elm row for health and safety.
- A2** New picnic benches
- A3** Improve the Olinda Creek informal crossing
- A4** New solar lighting to raised footpath
- A5** Improve sight lines to heritage site including fencing upgrades. Work with Lilydale and District Historical Society to further promote heritage interpretation
- A6** Maintain annual vegetation pruning for safe view lines
- A7** Enhance embankment and improve lake interface with low level easily maintained indigenous planting
- A8** Investigate opportunities to improve path gradients at end of the lake wall to make more accessible.
- A9** Improve entrance character and signage
- A10** Review shelter to provide better shade and protection from the elements
- A11** Work with Box Hill Institute to provide a DDA compliant path that links with path from Kinley development to Lilydale Lake
- A12** Undertake feasibility study to assess potential locations for an additional accessible toilet facility.
- A13** New access ramp and new jetty to provide additional access for water sports subject to Melbourne Water approval.
- A14** New wetlands to be constructed by others, in accordance with the Former Lilydale Quarry Comprehensive Development Plan October 2021, and to Council's satisfaction.

figure 12 Area A: North West

Area B: North East



- B1** Create a crossing point near the Swansea Road bus stop to provide safe access to/from Lilydale Lake and a potential connection path to the Warburton Rail Trail
- B2** Seating & canopy trees for use in association with new bike circuit and community event space
- B3** Replace and/or upgrade sleeper decking structures
- B4** Investigate opportunities to provide a path link along the Old Gippsland Road reserve to connect the Warburton Rail Trail with the proposed crossing to Lilydale Lake area
- B5** Add and/or upgrade barbecue and picnic facilities, including accessible paths and tables
- B6** Upgrade the jetty area to better cater for a variety of water sports while maintaining provision for disability access to watercraft. Shelter and spectator seating to be included
- B7** Undertake review and options for carparking layout and upgrades
- B8** Improve signage and access from the car park to promote increased usage of the southern dog off-leash area
- B9** Upgrade existing public toilets and Changing Places units
- B10** Renew playspace at end of life, including elements suited to pre-school and older children, plus quiet play areas to cater for wider age range and special needs
- B11** Review building condition, current and future usage options, including consideration of Lilydale Fly Fishers Club proposal to extend
- B12** Redevelop 'activity area' to include new fitness equipment, multipurpose court, parkour/climbing equipment and social spaces.
- B13** Create pedestrian connection from bus stop to Lilydale Lake and Bellbird Park
- B14** Extend rock garden/fenceline to the north
- B15** Where feasible provide vegetation and/or fencing barriers between the playspace and the car park

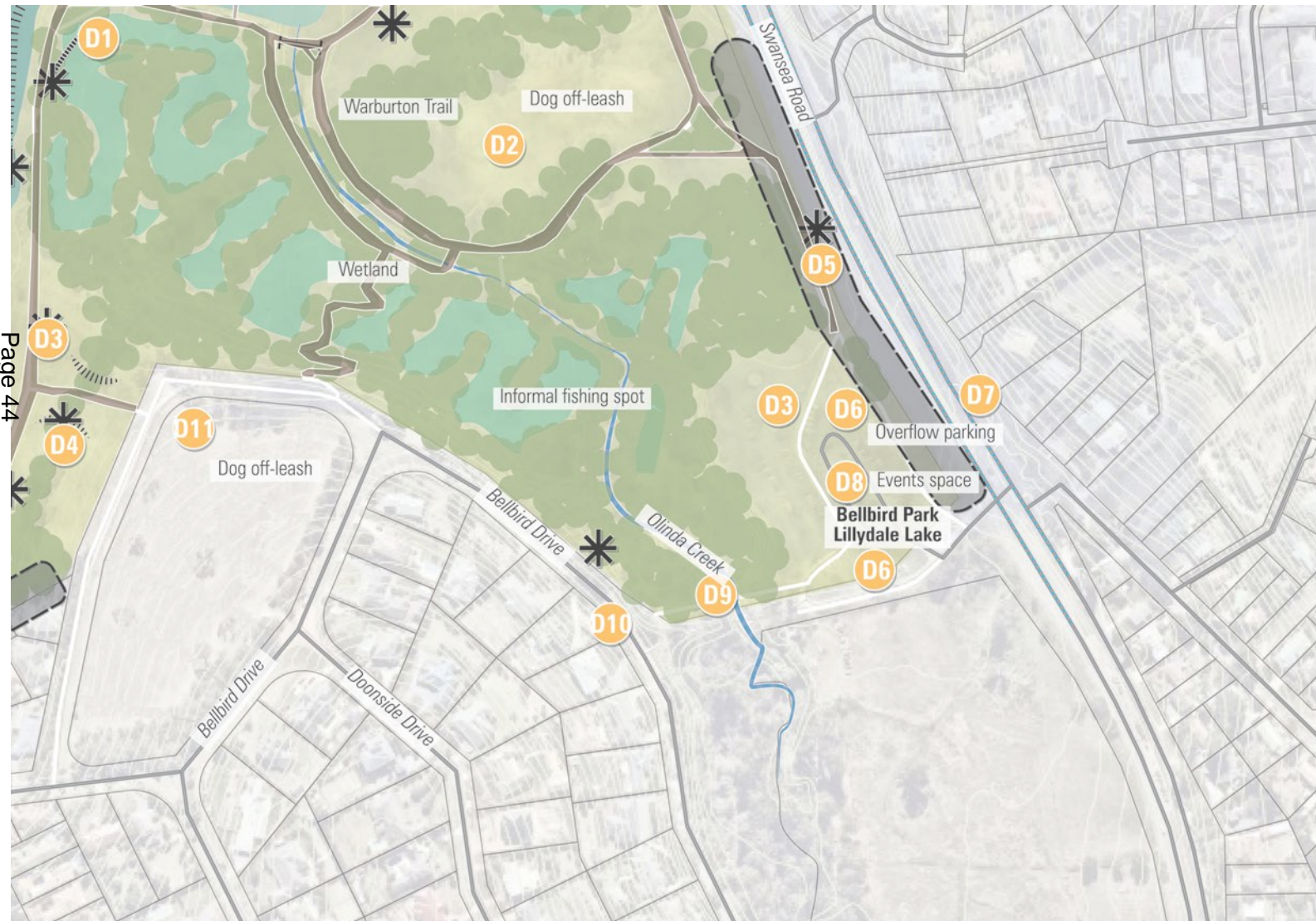
figure 13 Area B: North East

Area C: South West



figure 14 Area C: South West

Area D: South East



- D1** Incorporate additional lookouts to wetlands (Subject to approval by Melbourne Water)
- D2** Promote increased usage of dog off-leash area through signage, access and experience improvements
- D3** Install new shelters with wheelchair accessible picnic benches, including traversable paths picnic benches
- D4** Trim back vegetation to maintain safe view lines
- D5** Increase native/indigenous tree plantings
- D6** Increase native/indigenous tree plantings
- D7** Create pedestrian connection from bus stop to Lillydale Lake and Bellbird Park
- D8** Resolve drainage issue associated with the car park - northern end
- D9** New path aligned within the park boundary
- D10** New signage and wayfinding for Olinda Creek pathway
- D11** Future Climate Arboretum to trial resilient tree species

figure 15 Area D: South East

5 Master Plan Implementation

The total cost to implement the proposed Lillydale Lake Park Master Plan over the 15+ years is estimated to be \$6,112,500. A summary of the recommendations, approximate cost and time frames for each precinct are listed as follow.

All costs and time frames are estimates only, subject to further design development, cost refinement and successful funding applications, internal and external to Council.

General improvements

Additional to the breakdown of improvement into each of the activity precincts, the Master Plan also recommends an overall improvement to the facilities and amenities within the Reserve, such as the footpaths, general seating, lighting, signage and wayfinding, etc.

LEGEND

Short term	1-5 years
Medium term	6-10 years
Long term	11-15 years

* Government Grants to be sought to co-fund project.

** Where applicable, contributions to be sought from groups and organisations that would directly benefit from the improvements.

Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (proposed)	State/Federal Grant*	Other**
-	Undertake review of access signage and wayfinding around Lillydale Lake including opportunities to incorporate directional information to shared trail links and distances to broader destinations	\$50,000	Medium	\$25,000	\$25,000	
-	Explore opportunities to interpret indigenous cultural heritage in consultation with the local indigenous community, including educational information referencing the strong links with Olinda Creek and environs.	\$30,000	Medium	\$15,000	\$15,000	
-	Explore opportunities to further interpret European cultural heritage and the history of Lillydale Lake in consultation with Lillydale Historical Society.	\$30,000	Medium	\$15,000	\$15,000	
-	Undertake review of DDA access and facilities at Lillydale Lake to develop an Action Plan that will guide future improvements.	\$20,000	Short	\$20,000		
-	Review and provide recommendations to manage existing and future food/beverage vendors operating from the main carpark at Lillydale Lake and Bellbird Park.	\$15,000	Short	\$15,000		
	Sub-total	\$145,000		\$90,000	\$55,000	

Area A: North West

LEGEND

Short term 1-5 years

Medium term 6-10 years

Long term 11-15 years

* Government Grants to be sought to co-fund project.

** Where applicable, contributions to be sought from groups and organisations that would directly benefit from the improvements.



Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (proposed)	State/Federal Grant*	Other**
A1	Undertake arboricultural assessment of mature Elm row for health and safety.	\$12,000	Short	\$12,000		
A2	New picnic benches	\$15,000	Short	\$15,000		
A3	Improve the Olinda Creek informal crossing	\$150,000	Short	\$75,000	\$75,000	
A4	Raise footpath (flood levy) and install new solar lighting to footpath	\$495,000	Medium	\$200,000	\$95,000	\$200,000
A5	Improve sight lines to heritage site including fencing upgrades. Work with Lilydale and District Historical Society to further promote heritage interpretation	\$12,000	Medium	\$12,000		
A6	Maintain annual vegetation pruning for safe view lines	\$10,500	Ongoing	\$10,500		
A7	Enhance embankment and improve lake interface with low level indigenous planting	\$40,000	Short	\$20,000	\$20,000	
A8	Investigate opportunities to improve path gradients at end of the lake wall to make more accessible	\$270,000	Short	\$135,000	\$135,000	
A9	Improve interface with Box Hill Institute and signage	\$15,000	Short	\$7,500	\$7,500	
A10	Review shelter to provide better shade and protection from the elements	\$10,000	Long	\$10,000		
A11	Work with Box Hill Institute to provide a DDA compliant path that links with path from Kinley development to Lillydale Lake	TBC	Long	-	-	-
A12	Undertake feasibility study to assess potential locations for an additional accessible toilet.	\$20,000	Short	\$20,000	-	-
A13	New access ramp and new jetty to provide additional access for water sports subject to Melbourne Water approval.	Refer to C1	-	-	-	-
A14	New wetlands to be constructed by others, in accordance with the Former Lilydale Quarry Comprehensive Development Plan October 2021, and to Council's satisfaction.	TBC	Medium	-	-	TBC
Sub-total		\$1,049,500		\$517,000	\$332,500	\$200,000

Area B: North East

LEGEND

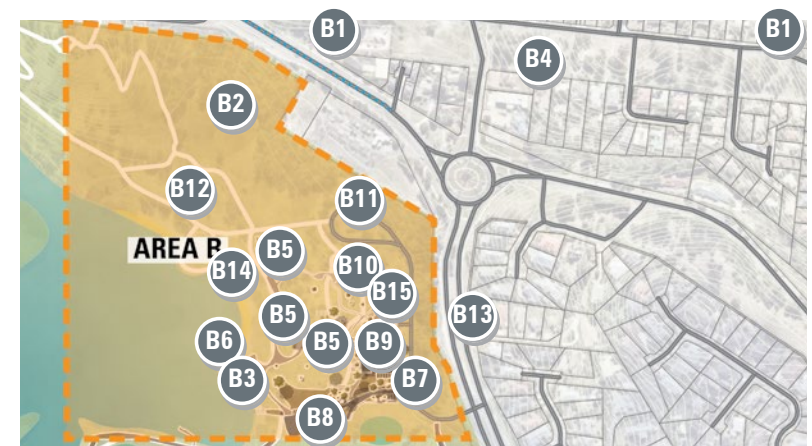
Short term 1-5 years

Medium term 6-10 years

Long term 11-15 years

* Government Grants to be sought to co-fund project.

** Where applicable, contributions to be sought from groups and organisations that would directly benefit from the improvements.



Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (proposed)	State/Federal Grant*	Other**
B1	Create a crossing point near the Swansea Road bus stop to provide safe access to/from Lillydale Lake and a potential connection path to the Warburton Rail Trail	\$5,000	Medium	\$5,000		
B2	Seating and canopy trees in association with new bike circuit and community event space	\$100,000	Medium	\$50,000	\$50,000	
B3	Replace and/or upgrade sleeper decking structures	\$220,000	Medium	\$110,000	\$110,000	
B4	Investigate opportunities to provide a path link along the Old Gippsland Road reserve to connect the Warburton Rail Trail with the proposed crossing to Lillydale Lake area	\$440,000	Medium	\$240,000	\$200,000	
B5	Add and/or upgrade barbecue and picnic facilities, including accessible paths and tables	\$200,000	Medium	\$80,000	\$120,000	
B6	Upgrade the jetty area to better cater for a variety of water sports while maintaining provision for disability access to watercraft. Shelter and spectator seating to be included	\$250,000	Short	\$120,000	\$125,000	\$5,000
B7	Undertake review and options for carparking layout and upgrades	\$7,500	Medium	\$7,500		
B8	Improve signage and access from the car park to promote increased usage of the southern dog off-leash area	\$3,000	Short	\$3,000		
B9	Upgrade existing public toilets and Changing Places units	\$350,000	Medium	\$250,000	\$100,000	
B10	Playspace Renewal (Regional level) at end of effective life	\$1,200,000	Long	\$600,000	\$600,000	
B11	Review condition of the Community Building, current and future use options, taking into account Fly Fishers extension proposal	\$10,000	Short	\$10,000		
B12	Redevelop 'Activity area' to include fitness equipment (\$150K), Parkour/climbing equipment (\$175K) and a social recreation/multipurpose court area (\$100K)	\$425,000	Medium	\$225,000	\$200,000	
B13	Create pedestrian connection from bus stop to Lillydale Lake area.	\$100,000	Medium	\$10,000	\$90,000	
B14	Extend rock garden/fenceline to the north	\$30,000	Short	\$30,000		
B15	Where feasible provide vegetation and/or fencing barriers between the playspace and the car park	\$25,000	Short	\$25,000		
Sub-total		\$3,365,500		\$1,765,500	\$1,595,000	\$5,000

Area C: South West

LEGEND

- Short term1-5 years
- Medium term6-10 years
- Long term11-15 years

* Government Grants to be sought to co-fund project.
 ** Where applicable, contributions to be sought from groups and organisations that would directly benefit from the improvements.



Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (proposed)	State/ Federal Grant*	Other**
C1	Incorporate new lookout and jetty for water-based activities	\$250,000	Medium	\$100,000	\$150,000	
C2	Improve lake interface with low-level native/indigenous planting (subject to approval by Melbourne Water)	\$50,000	Medium	\$25,000	\$25,000	
C3	Incorporate DDA compliant path from future Kinley development to Lillydale Lake	\$120,000	Medium	\$20,000		\$100,000
C4	Improve signage and wayfinding	\$15,000	Short	\$15,000		
C5	Adjust path grades for DDA compliance	\$95,000	Medium	\$95,000		
C6	Include additional lookouts to wetlands	\$250,000	Long	\$125,000	\$125,000	
C7	Install new picnic benches	\$15,000	Short	\$15,000		
C8	Review planting densities to improve pedestrian sight lines and safety along pathway	\$5,000	Medium	\$5,000		
C9	Remove section of fence to increase connectivity with Box Hill Institute and Kinley development.	\$32,500	Medium	\$10,000		\$22,500
C10	New wetland informative signage	\$12,000	Short	\$6,000	\$6,000	
C11	New beach area (subject to Melbourne Water approval)	\$50,000	Medium	\$25,000		\$25,000
C12	Undertake feasibility study to assess potential locations for an additional accessible toilet facility	Refer to A12	-	-	-	-
Sub-total		\$894,500		\$441,000	\$306,000	\$147,500

Area D: South East

LEGEND

Short term	1-5 years
Medium term	6-10 years
Long term	11-15 years

* Government Grants to be sought to co-fund project.

** Where applicable, contributions to be sought from groups and organisations that would directly benefit from the improvements.



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Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (proposed)	State/ Federal Grant*	Other**
D1	Incorporate additional lookouts to wetlands (subject to approval by Melbourne Water)	\$250,000	Long	\$125,000	\$125,000	
D2	Promote increased usage of dog off-leash area through signage, access and experience improvements	\$20,000	Medium	\$20,000		
D3	Install new shelters with wheelchair accessible picnic benches, including traversable paths	\$100,000	Short	\$50,000	\$50,000	
D4	Trim back vegetation to maintain safe view lines	\$14,000	Medium	\$14,000		
D5	Increase native/indigenous tree plantings	\$15,000	Medium	\$15,000		
D6	Increase native/indigenous tree plantings	\$2,000	Medium	\$2,000		
D7	Create pedestrian connection from bus stop to Lillydale Lake and Bellbird Park	\$10,000	Long	\$5,000	\$5,000	
D8	Resolve drainage issue associated with the car park - northern end	\$40,000	Short	\$40,000		
D9	New path aligned within the Park boundary	\$180,000	Long	\$180,000		
D10	New signage and wayfinding for Olinda Creek pathway	\$12,000	Medium	\$12,000		
D11	Future Climate Arboretum to trial resilient tree species	\$15,000	Short	\$7,500	\$7,500	
Sub-total		\$658,000		\$470,500	\$187,500	
Master Plan Total		\$6,112,500		\$3,284,000	\$2,476,000	\$352,500

Supporting Documentation

The Lillydale Lake Park Master Plan is underpinned by research and extensive consultation, collated in the following documents:

- Lillydale Lake Park Master Plan - Background Report 2024
- Lillydale Lake Park Master Plan - Gender Impact Assessment Report 2024
- Lillydale Lake Park Master Plan 2024-2039: Summary Report



Contact Details



Open Space Strategy and Planning (Design and Place)

Contact: Lynn O'Donnell, Project Manager Recreation Planning

Phone: 1300 368 333

Email: designandplace@yarraranges.vic.gov.au

Write: Open Space Planning - Lillydale Lake Master Plan
PO Box 105, Lilydale Vic 3140

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Lillydale Lake Park

DRAFT MASTER PLAN 2024 - 2039

SUMMARY REPORT

February 2024 / Revision F

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region. We proudly share custodianship to care for Country together.

ACKNOWLEDGMENT OF COUNTRY

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Purpose

The master plan will provide the strategic context to guide Council in making staged improvements at Lillydale Lake Park. It will also enable upgrades to be undertaken to meet the needs and priorities of the local and regional community. This includes a multitude of user groups active within the reserve now and into the future.

The master plan seeks to implement quality public open space and recreation activities, with a focus on providing functional, attractive, accessible, safe and sustainable public spaces.

Context and History

Lillydale Lake and surrounding parklands are situated in the Yarra Ranges, approximately 40km north-east of the Melbourne Central Business District in the suburb of Lilydale. Lilydale is a Major Activity Centre in the Yarra Ranges and the Shire’s first settlement, with a growing population. The usual resident population is 16,532. Based on Australian Bureau of Statistics census data, the estimated population in 2021 was 17,526. The projected population in 2031 is 24,694, and 2046 is 30,950. The projected population increase of 13,424 persons by 2046 represents a change of 77%, peaking in 2027-2031 (Forecast id November 2023).

Consultation

The Master Plan Report has been developed through various stages of consultation including workshops with user groups and council officers, stakeholder consultation through in-person meetings and flyer email feedback, the draft master plan consultation included surveys, direct mailing and community drop-in sessions. The consultation findings have been taken into consideration in the preparation of the master plan and recommendations have been incorporated where appropriate.

Refer to Lillydale Lake Park Background Report 2024 for detailed consultation methodology and findings.

Master Plan and Implementation

The total cost to implement the proposed Lillydale Lake Park Master Plan over the 15+ years is estimated to be \$6,112,500. A summary of the recommendations, approximate cost and time frames for each precinct are listed as follows: Short term 1-5 years, medium term 6-10 years, long term 11-15 years. All costs and time frames are estimates only, subject to further design development, cost refinement and successful funding applications, internal and external to Council.

Implementation Plan Indicative Funding Split

Council funding (unconfirmed)	\$3,284,000
State /Federal Grants (subject to successful applications)	\$2,476,000
Other (unconfirmed)	\$ 352,500

For more detail of the proposed funding split, please refer to the full Lillydale Lake Park Draft Master Plan Report.

Government Grants to be sought to co-fund project.

**** Where applicable, contributions to be sought from groups and organisations that would directly benefit from the improvements.**

General Improvements

Additional to the breakdown of improvement into each of the activity precincts, the Master Plan also recommends an overall improvement to the facilities and amenities within the Reserve, such as the footpaths, general seating, lighting, signage and wayfinding, etc.

Reference	Recommendations	Estimate Cost	Time Frame
-	Undertake review of access signage and wayfinding around Lillydale Lake including opportunities to incorporate directional information to shared trail links and distances to broader destinations	\$50,000	Medium
-	Explore opportunities to interpret indigenous cultural heritage in consultation with the local indigenous community, including educational information referencing the strong links with Olinda Creek and environs.	\$30,000	Medium
-	Explore opportunities to further interpret European cultural heritage and the history of Lillydale Lake in consultation with Lilydale Historical Society.	\$30,000	Medium
-	Undertake review of DDA access and facilities at Lillydale Lake to develop an Action Plan that will guide future improvements.	\$20,000	Short
-	Review and provide recommendations to manage existing and future food/beverage vendors operating from the main carpark at Lillydale Lake and Bellbird Park.	\$15,000	Short
Sub-total		\$145,000	

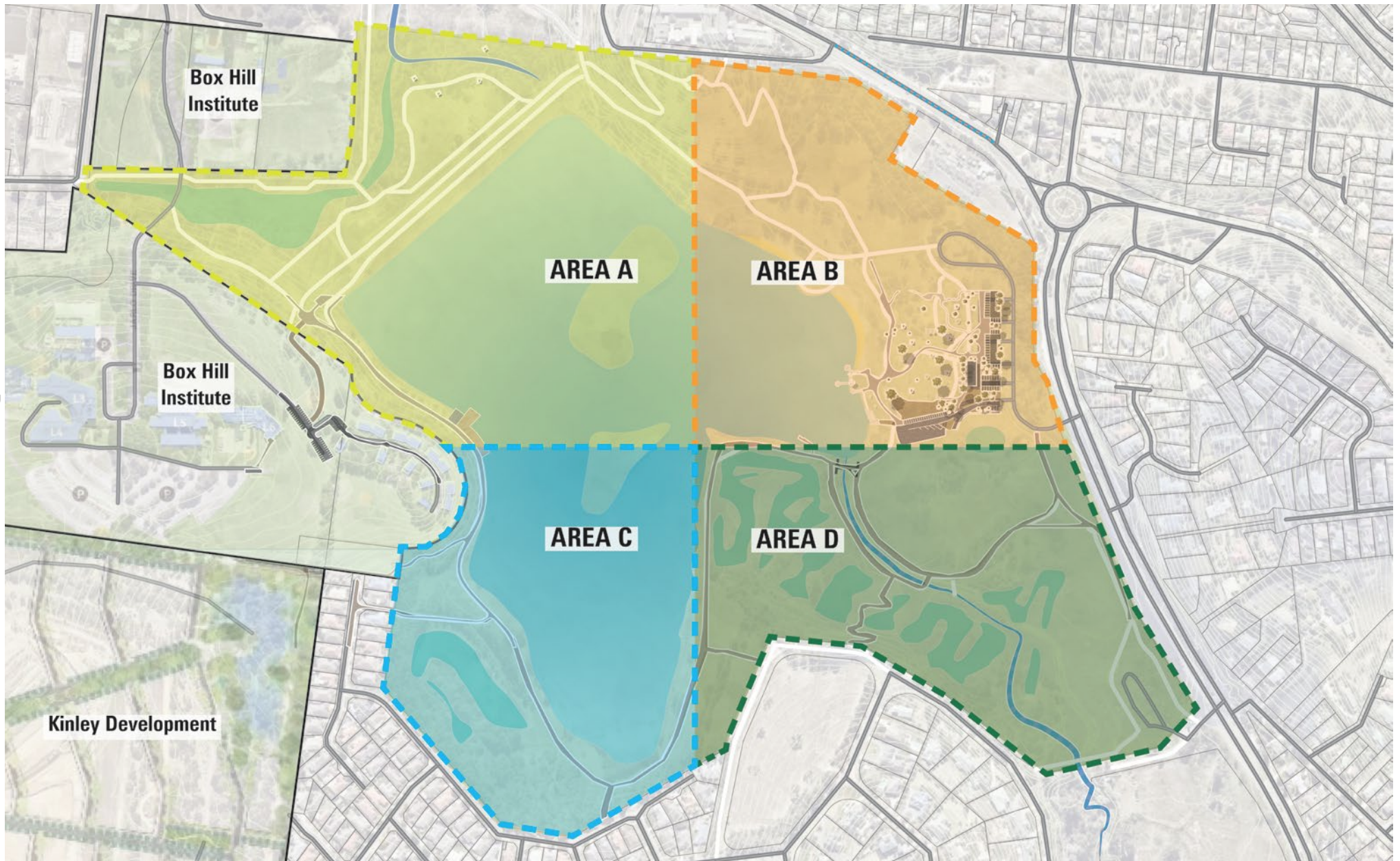


figure 1 *Precinct Plan*















Area A: North West Improvements



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figure 2 Area A: North West



Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (Proposed)	State/ Federal Grant*	Other**
	Undertake arboricultural assessment of mature Elm row for health and safety.	\$12,000	Short	\$12,000		
	New picnic benches	\$15,000	Short	\$15,000		
	Improve the Olinda Creek informal crossing	\$150,000	Short	\$75,000	\$75,000	
	Raise footpath (flood levy) and install new solar lighting to footpath	\$495,000	Medium	\$200,000	\$95,000	\$200,000
	Improve sight lines to heritage site including fencing upgrades. Work with Lilydale and District Historical Society to further promote heritage interpretation	\$12,000	Medium	\$12,000		
	Maintain annual vegetation pruning for safe view lines	\$10,500	Ongoing	\$10,500		
Page 57	 Enhance embankment and improve lake interface with low level easily maintained indigenous planting	\$40,000	Short	\$20,000	\$20,000	
	 Investigate opportunities to improve path gradients at end of the lake wall to make more accessible	\$270,000	Short	\$135,000	\$135,000	
	 Improve interface with Box Hill Institute and signage	\$15,000	Short	\$7,500	\$7,500	
	 Review shelter to provide better shade and protection from the elements	\$10,000	Long	\$10,000		
	Work with Box Hill Institute to provide a DDA compliant path that links with path from Kinley development to Lillydale Lake	TBC				
	Undertake feasibility study to assess potential locations for an additional accessible toilet facility.	\$20,000	Short	\$20,000	-	-
	New access ramp and new jetty to provide additional access for water sports subject to Melbourne Water approval.	Refer to C1	-	-	-	-
	New wetlands to be constructed by others, in accordance with the Former Lilydale Quarry Comprehensive Development Plan October 2021, and to Council's satisfaction.	TBC	Medium	-	-	TBC
	Sub-total	\$1,049,500		\$517,000	\$332,500	\$200,000
















Area B: North East Improvements



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figure 3 Area B: North East



Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (Proposed)	State/Federal Grant*	Other**
	Create a crossing point near the Swansea Road bus stop to provide safe access to/from Lillydale Lake and a potential connection path to the Warburton Rail Trail	\$5,000	Medium	\$5,000		
	Seating and canopy trees for use in association with new bike circuit and community event space	\$100,000	Medium	\$50,000	\$50,000	
	Replace and/or upgrade sleeper decking structures	\$220,000	Medium	\$110,000	\$110,000	
	Investigate opportunities to provide a path link along the Old Gippsland Road reserve to connect the Warburton Rail Trail with the proposed crossing to Lillydale Lake area	\$440,000	Medium	\$240,000	\$200,000	
	Add and/or upgrade barbecue and picnic facilities, including accessible paths and tables	\$200,000	Medium	\$80,000	\$120,000	
	Upgrade the jetty area to better cater for a variety of water sports while maintaining provision for disability access to watercraft. Shelter and spectator seating to be included	\$250,000	Short	\$120,000	\$125,000	\$5,000
	Undertake review and options for carparking layout and upgrades	\$7,500	Medium	\$7,500		
	Improve signage and access from the car park to promote increased usage of the southern dog off-leash area	\$3,000	Short	\$3,000		
	Upgrade existing public toilets and Changing Places units	\$350,000	Medium	\$250,000	\$100,000	
	Playspace Renewal (Regional level) at end of effective life	\$1,200,000	Long	\$600,000	\$600,000	
	Review condition of the Community Building, current and future use options, taking into account Fly Fishers extension proposal	\$10,000	Short	\$10,000		
	Redevelop 'Activity area' to include fitness equipment (\$150K), Parkour/climbing equipment(\$175K) and a social recreation/multipurpose court area (\$100K)	\$425,000	Medium	\$225,000	\$200,000	
	Create pedestrian connection from bus stop to Lillydale Lake area.	\$100,000	Medium	\$10,000	\$90,000	
	Extend rock garden/fenceline to the north	\$30,000	Short	\$30,000		
	Where feasible provide vegetation and/or fencing barriers between the playspace and the car park	\$25,000	Short	\$25,000		
	Sub-total	\$3,365,500		\$1,765,500	\$1,595,000	\$5,000













Area C: South West Improvements

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figure 4 Area C: South West












NTS

Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (Proposed)	State/ Federal Grant*	Other**
	Incorporate new lookout and jetty for water-based activities	\$250,000	Medium	\$100,000	\$150,000	
	Improve lake interface with low-level native/indigenous planting (subject to approval by Melbourne Water)	\$50,000	Medium	\$25,000	\$25,000	
	Incorporate DDA compliant path from future Kinley development to Lillydale Lake	\$120,000	Medium	\$20,000		\$100,000
	Improve signage and wayfinding	\$15,000	Short	\$15,000		
	Adjust path grades for DDA compliance	\$95,000	Medium	\$95,000		
	Include additional lookouts to wetlands	\$250,000	Long	\$125,000	\$125,000	
	Install new picnic benches	\$15,000	Short	\$15,000		
	Review planting densities to improve pedestrian sight lines and safety along pathway	\$5,000	Medium	\$5,000		
	Remove section of fence to increase connectivity with Box Hill Institute and Kinley development	\$32,500	Medium	\$10,000		\$22,500
	New wetland informative signage	\$12,000	Short	\$6,000	\$6,000	
	New beach area (subject to Melbourne Water approval)	\$50,000	Medium	\$25,000		\$25,000
	Undertake feasibility study to assess potential locations for an additional accessible toilet facility	Refer to A12	-	-	-	-
Sub-total		\$894,500		\$441,000	\$306,000	\$147,500

Area D: South East Improvements



figure 5 Area D: South East

Reference	Recommendations	Estimate Cost	Time Frame	Council Funding (Proposed)	State/ Federal Grant*	Other**
 D1	Incorporate additional lookouts to wetlands (subject to approval by Melbourne Water)	\$250,000	Long	\$125,000	\$125,000	
 D2	Promote increased usage of dog off-leash area through signage, access and experience improvements	\$20,000	Medium	\$20,000		
 D3	Install new shelters with wheelchair accessible picnic benches, including traversable paths	\$100,000	Short	\$50,000	\$50,000	
 D4	Trim back vegetation to maintain safe view lines	\$14,000	Medium	\$14,000		
 D5	Increase native/indigenous tree plantings	\$15,000	Medium	\$15,000		
 D6	Increase native/indigenous tree plantings	\$2,000	Medium	\$2,000		
 D7	Create pedestrian connection from bus stop to Lillydale Lake and Bellbird Park	\$10,000	Long	\$5,000	\$5,000	
 D8	Resolve drainage issue associated with the car park - northern end	\$40,000	Short	NA		
 D9	New path aligned within the Park boundary	\$180,000	Long	\$180,000		
 D10	New signage and wayfinding for Olinda Creek pathway	\$12,000	Medium	\$12,000		
 D11	Future Climate Arboretum to trial resilient tree species	\$15,000	Short	\$7,500	\$7,500	
	Sub-total	\$658,000		\$470,500	\$187,500	
	Master Plan Total	\$6,112,500		\$3,284,000	\$2,476,000	\$352,500

Supporting Documentation

The Lillydale Lake Park Master Plan Summary Report is underpinned by research and extensive consultation, collated in the following documents:

- Lillydale Lake Park Master Plan - Background Report 2024
- Lillydale Lake Park Master Plan - Gender Impact Assessment Report 2024
- Lillydale Lake Park Master Plan Report 2024 - 2039



Contact Details



Open Space Strategy and Planning (Design and Place)

Contact: Lynn O'Donnell, Project Manager Recreation Planning

Phone: 1300 368 333

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LILLYDALE LAKE PARK DRAFT MASTER PLAN

Community Engagement
Report Summary

February 2024

PROJECT BACKGROUND

Yarra Ranges Council has developed a draft Master Plan that provides a 15-year strategic approach to improving access to and recreation facilities at Lillydale Lake Park. The Plan developed is in response to identified community needs, opportunities and projected increase in local population. The Lillydale Lake Park Master Plan aims to support increased patronage of the area through modest improvements without losing the treasured relaxed feel of the open space. Active transport to the Lake is encouraged through stronger awareness and connectivity to the network of shared paths radiating from the park.


Initial community and stakeholder engagement was conducted through the research and development phases of the draft master plan.


The resultant draft Lillydale Lake Park master Plan was presented to the community for review and feedback in August - September 2023, seeking further feedback on whether the proposed improvements addressed the community's needs and concerns. This second engagement period was undertaken through a wide range of formats such as drop-in sessions, letterbox drop, social media, presentations to community and advisory groups and a Shaping Yarra Ranges web-page and survey for the project.


This Engagement Report provides a summary of the feedback provided by the community during this consultation and offers a snapshot of the actions Council is recommending for implementation over the 15-years of the master plan. The results have been incorporated into a proposed final draft of the Lillydale Lake Park Master Plan. Officers will seek Council adoption tof the master plan to guide the future revitalisation of Lillydale Lake Park.


WHO WE SPOKE TO


 **Over a 5 week engagement period** (17 August 2023 - 24 September 2023) we received feedback from over 700 people.

 **600 letters were dropped into local resident mailboxes** to inform the community about the engagement, provide details about the project and the open period for feedback.


 Project information including a **QR code** linking to the survey, was circulated to **activity groups** operating from the Lake, for distribution to their members.


 **Drop-in sessions (5): at the Lake, Bellbird Park, Box Hill Institute, Main Street shops, Montrose Festival and QR code handouts. We chatted to approximately 190 people** to provide information, a link to the survey and collect feedback.

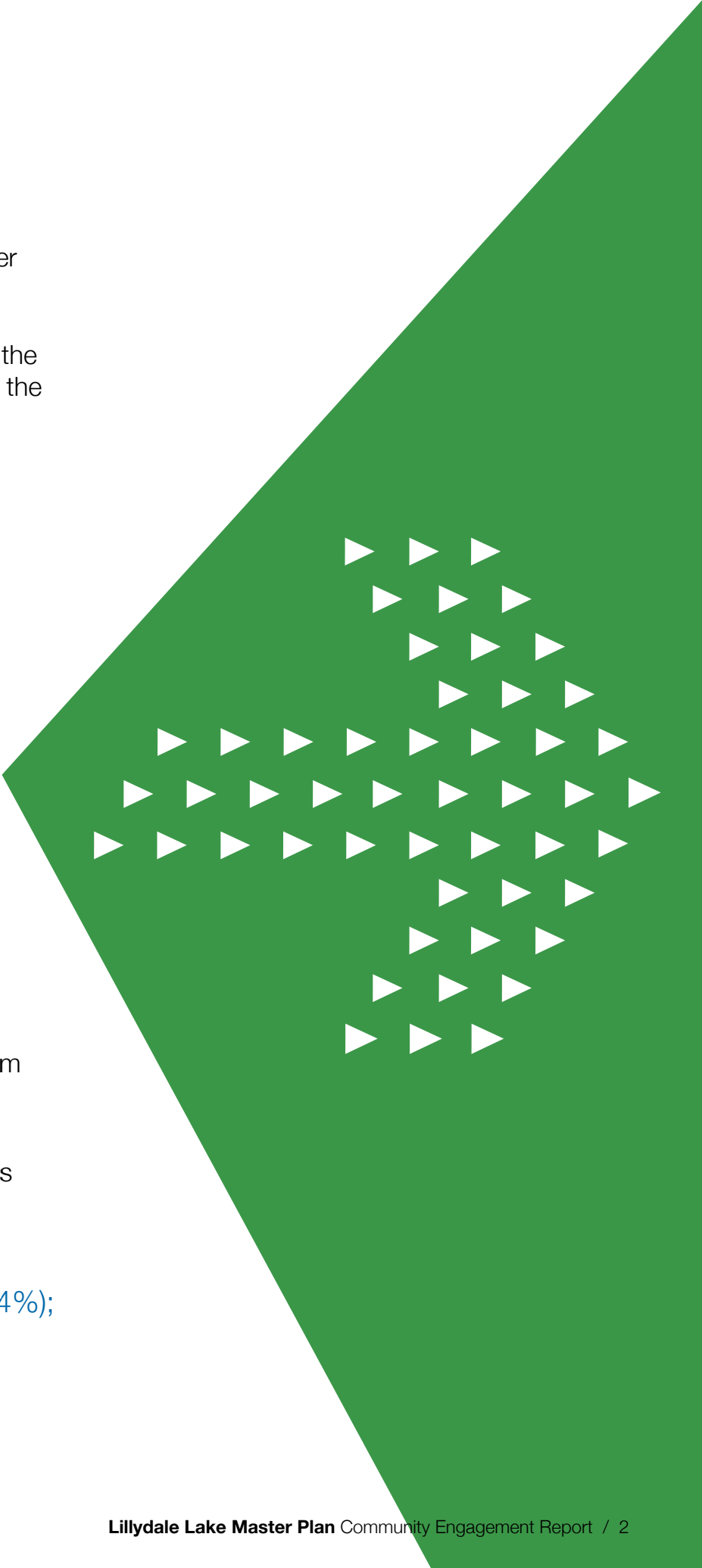
 We also engaged with **an additional 100+ people while walking around the lake or during presentations** to Council's Disability and Health & Wellbeing Advisory Committees and the Lilydale Township Action Group meeting (60 people approx.)

 **4,423 page views** of the Shaping Yarra Ranges Lillydale Lake draft Master Plan page from **2,901 unique visitors**

410 contributions through the Shaping Yarra Ranges page **survey** from **385 contributors**.

 **5 submissions** by email from community interest groups, referral bodies and resident.

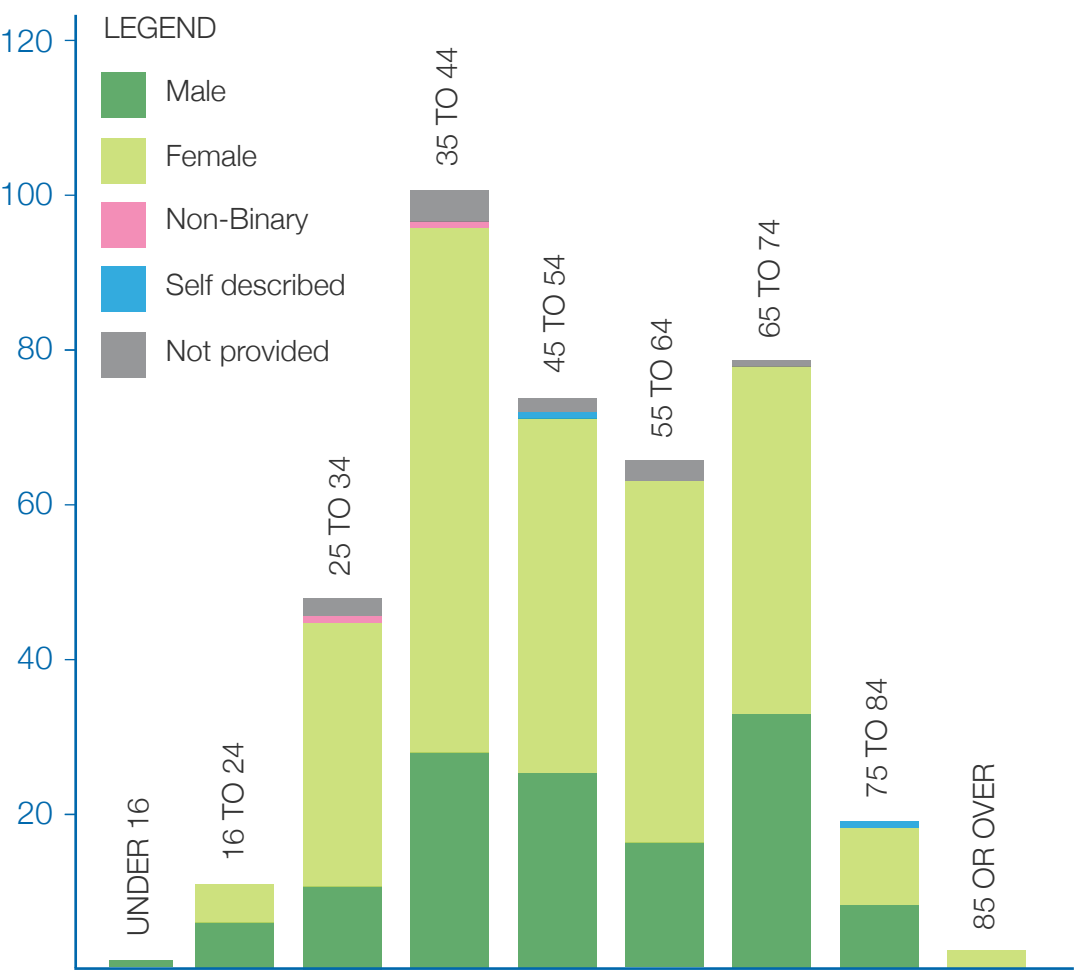
 **Website Visitors** came from: Social Media Channels **(43%)**; Direct to Shaping Yarra Ranges **(21%)**; External Website **(8%)**; Search Engines **(4%)**; and Campaigns **(24%)**



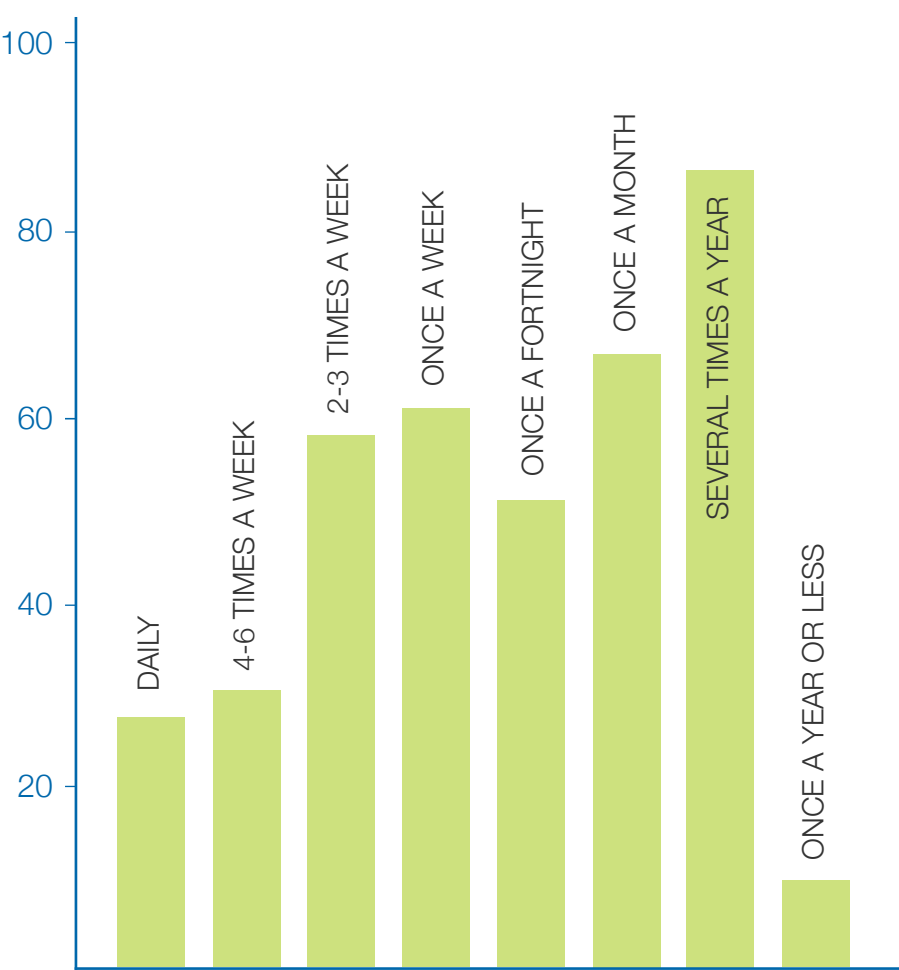
WHAT WE HEARD

We received responses from a spread of people (age and gender) that regularly use the Lillydale Lake Park area for a variety of activities. Of the 385 contributors to the online survey, 256 people left comments that have reinforced the key areas that the community want to be addressed through the master plan, most notably extra toilets. Responses to the survey questions and comments have been reviewed and summarised in the following snapshot graphs.

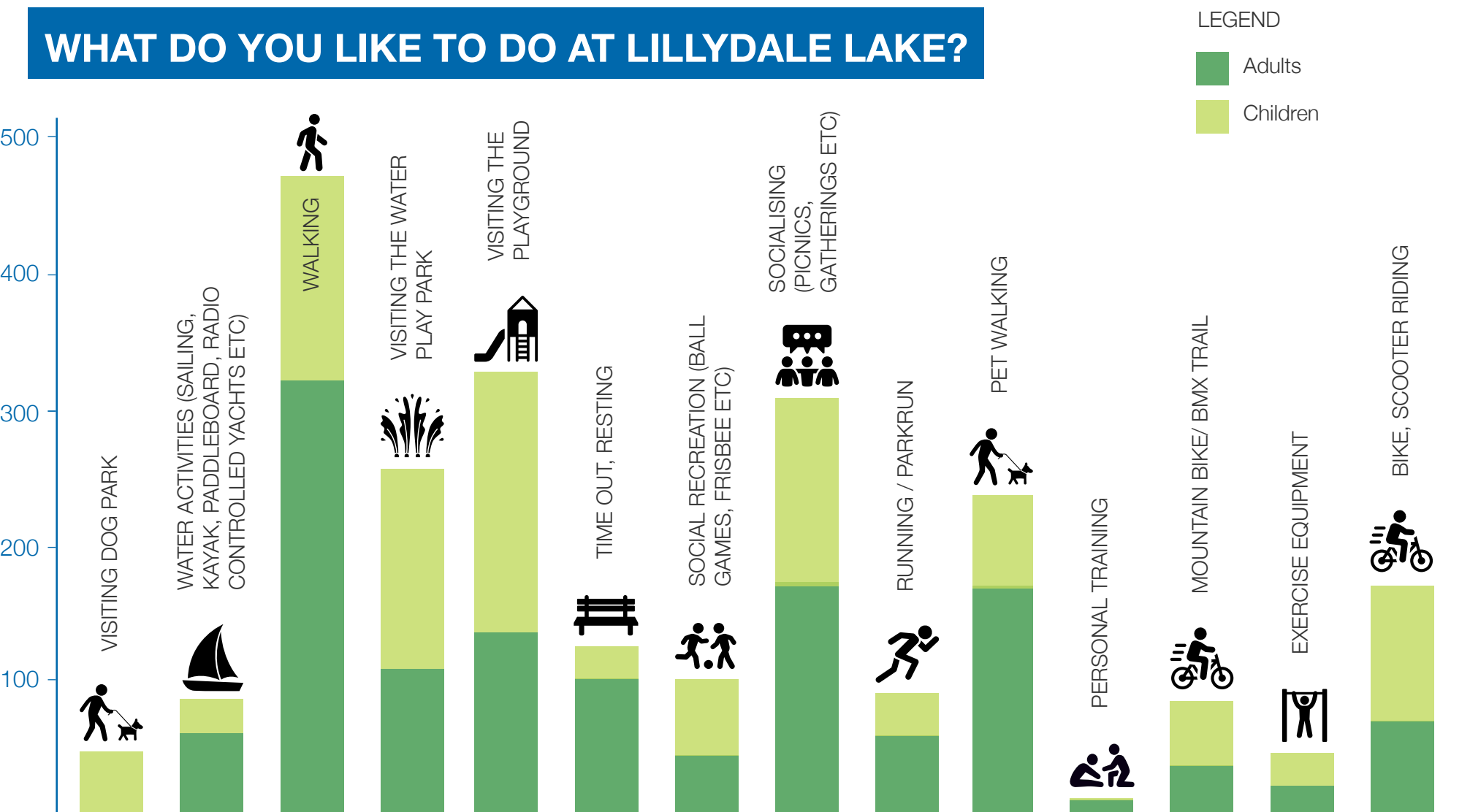
RESPONDENTS BY AGE AND GENDER



HOW OFTEN DO YOU VISIT?

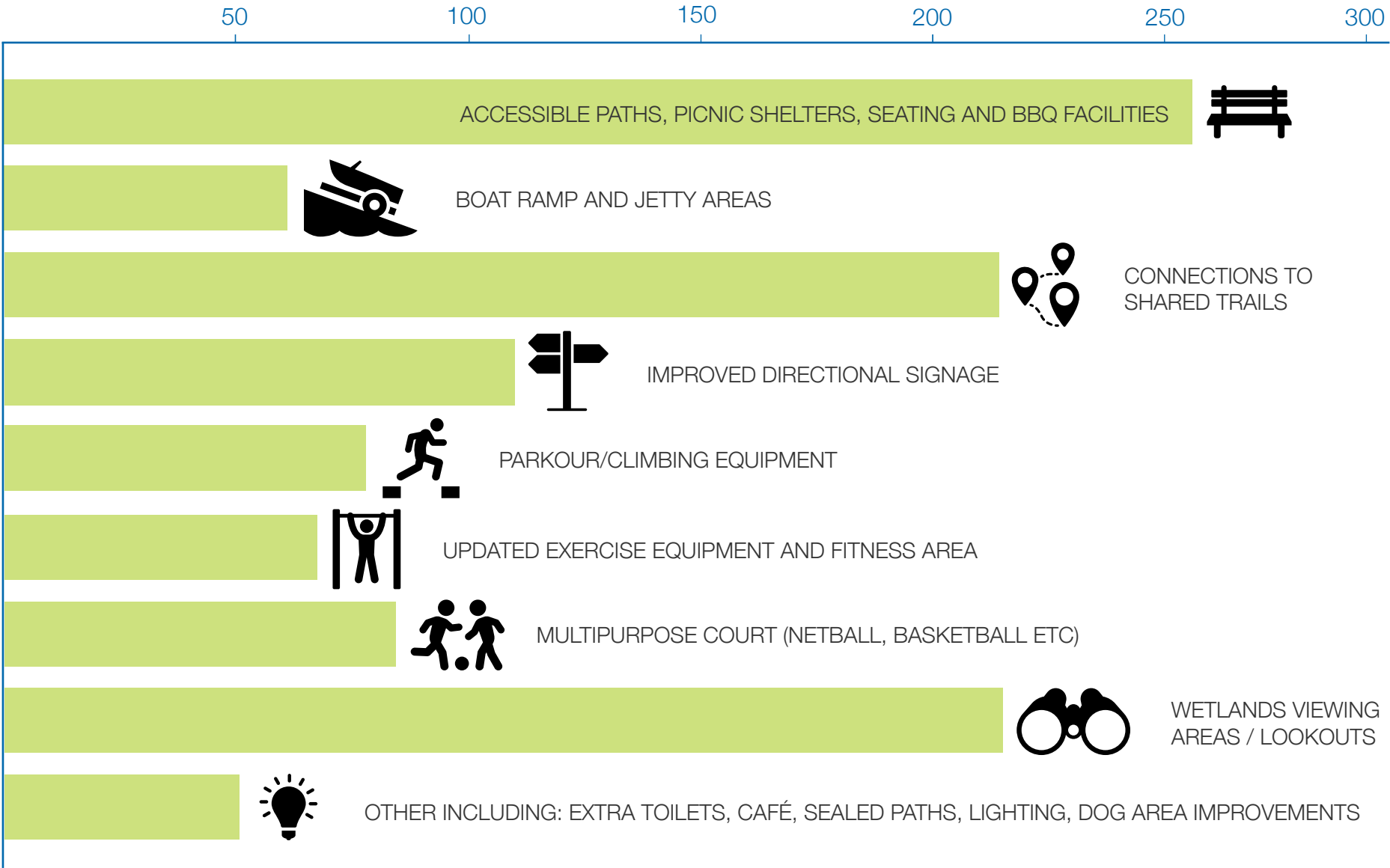


WHAT DO YOU LIKE TO DO AT LILLYDALE LAKE?

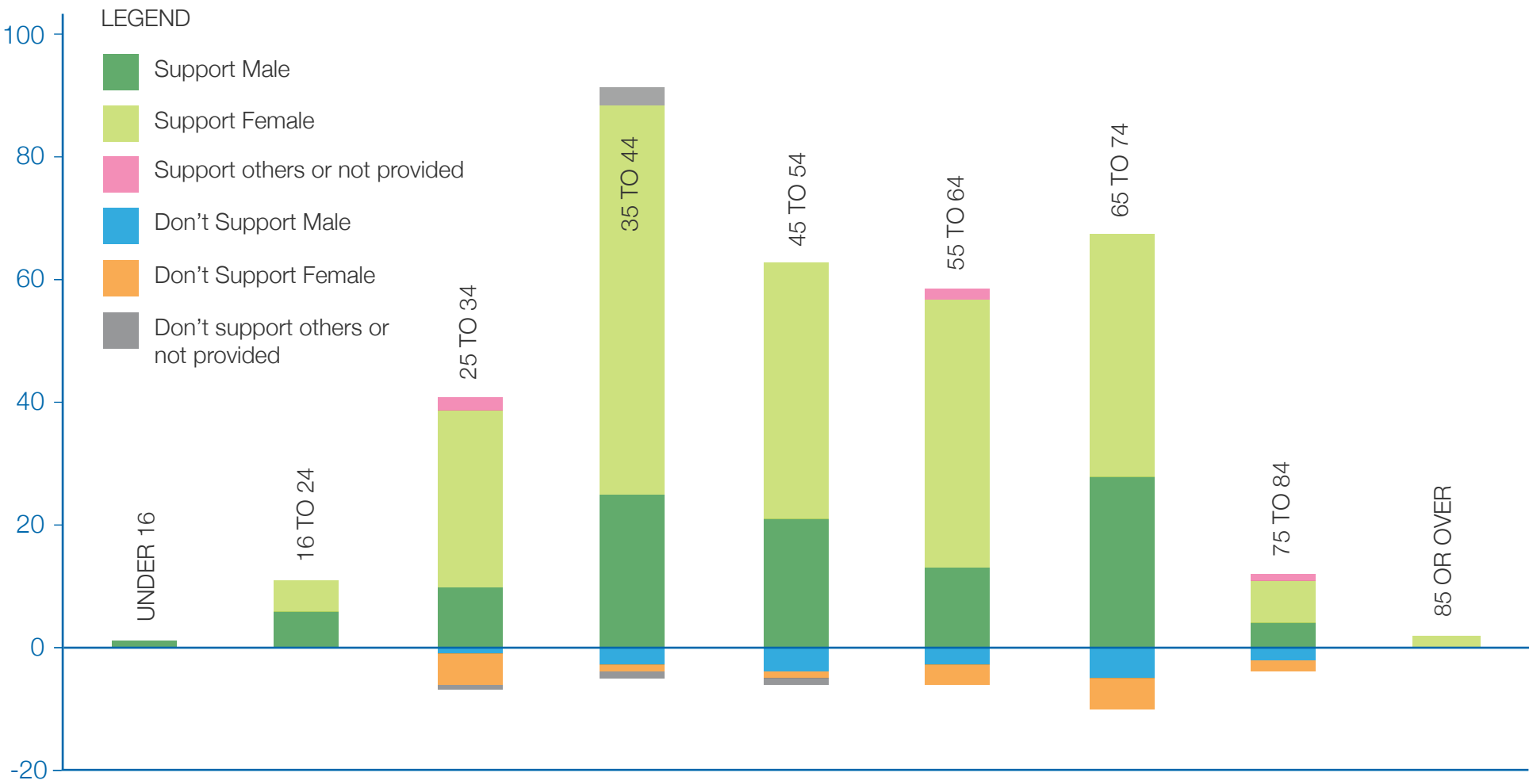


WHAT WE HEARD

PROPOSED IMPROVEMENTS MOST LIKELY TO BE USED



OVERALL 89% SUPPORT FOR THE MASTER PLAN



NEXT STEPS:


The feedback from the community and stakeholders has been reviewed and assessed to ensure that the proposed improvements to the Lillydale Lake Park are appropriate and have broad support. The design approaches associated with the recommendations will be reviewed and, where needed, be revised as part of the implementation of the master plan.

Changes proposed in the master plan received 89% support for adults and 55.5% support, 35% unsure for children. The key themes to emerge from the survey comments and face-to face consultations include:

KEY THEMES

Paths and path connectivity

- Support for improved connectivity throughout the park and connections to surrounding shared paths and residential areas
- Requests for paths to be sealed (uniform surface, increase accessibility)





Parking

- Need for additional parking to cater for current peak times and anticipated increased usage

Toilets

- Need for additional toilets
- Lack of cleanliness and maintenance of existing toilet facilities
- Need for family change facilities to support water play and other water based activities






Activity Space

- General support for the new youth activities area, in particular parkour/climbing, court space and new exercise equipment suitable for all ages and abilities

Playspace

- Not suitable for wide range of children – misses the mark for pre-school and older children
- Request to provide/strengthen barriers to the lake and car park from the playspace



Park furniture

- Call for more shade (shelters and/or trees), seating around the lake, picnic and BBQ facilities

The following key steps will ensure the Lillydale Lake Park Master Plan provides strategic justification to support future funding applications.



REVIEW OF DELEGATIONS MADE TO COUNCIL STAFF

Report Author: Coordinator Governance
 Responsible Officer: Director Corporate Services
 Ward(s) affected: All Wards;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This report is to be considered at a Council meeting that is open to the public.

SUMMARY

Updates have been made to the Instrument of Delegation to members of Council staff (the Instrument) to reflect minor legislative changes. The proposed changes relate to the Instrument of Delegation for the Planning and Environment Act 1987. There are no other changes to the Instrument of Delegation associated with this report. The proposed changes, shown by way of “track changes” in Attachment 1 to the report, ensure that appropriate members of Council staff holding, acting in or performing the duties of the positions described in the Instrument are nominated to act as delegates for the actions listed.

Council is asked to approve the updated Instrument.

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the Instrument of Delegation included at Attachment 1, Council resolves that:

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

RELATED COUNCIL DECISIONS

The current Instrument was approved at the Council meeting on 12 September 2023.

DISCUSSION

Purpose and Background

The power of delegation under section 11 of Local Government Act 2020 (the Act) is a power to delegate Council's powers under that Act or any other Act (with specific exceptions) to the Chief Executive Officer.

Section 47(1) of the Act provides that the Chief Executive Officer may, by instrument of delegation, delegate to a member of the Council staff or members of a community asset committee any power, duty or function of their office, except the power of delegation itself.

Although it may be argued that Council could rely on the general delegation powers in the Act to delegate matters under other Acts and ignore the specific delegation powers in other Acts, there is an appreciable risk in doing so. This would be to ignore a rule of statutory interpretation which dictates that the specific takes priority over the general.

There is a presumption that a power of delegation cannot be sub-delegated in the absence of express authority to do so. The Planning and Environment Act 1987, Food Act 1984 and other Acts contain specific powers of delegation, but do not contain an express power of sub-delegation. Therefore, it is assumed that the power of delegation cannot be sub-delegated.

This means, in respect of the specific legislation included within the Instrument of Delegation at Attachment 1, it is necessary for the delegation to come directly from Council to members of Council staff.

The current Instrument previously approved by Council on 12 September 2023 has been reviewed and the proposed updates to this have been prepared in line with advice provided by Maddocks Lawyers.

KEY ISSUES

The revisions captured in the updated Instrument cover the following:

1. The following changes have been made to the S6 Instrument of Delegation, Council to other Members of Council staff (S6):
 - Sections 125 and 149B of the Planning and Environment Act 1987 have been inserted.

Officer comment: The most relevant officer has been appointed to this provision.

The updates are shown in the Instrument included at Attachment 1 as “track changes”. Once the Instrument has been approved, a “clean” version will be sealed and published to Council’s website, in accordance with Council’s obligations under the Act and the Public Transparency Policy.

Recommended option and justification.

The recommendation is to approve the Instrument of Delegation associated with this report to ensure Council can meet its obligations under the Local Government Act 2020 and other Acts where Council holds authority.

FINANCIAL ANALYSIS

The cost to prepare and adopt the Instrument of Delegation is minimal and can be met from within current operational budgets.

APPLICABLE PLANS AND POLICIES

No regional, state or national plans and policies are applicable to the recommendation in this report.

This report contributes to the following strategic objective(s) in the Council Plan:

High Performing organisation: By Council approving the Delegations made to Council staff the organisation can operate effectively. It is unreasonable for elected Council members to perform all functions and powers required to meet its legislative obligations. Therefore, Council must delegate powers and duties to ensure services are delivered in a timely and coordinated fashion. This Instrument enables the organisation to perform its role, serving the community, in a compliant manner.

RELEVANT LAW

The power of delegation under section 11 of the Local Government Act 2020 (the Act) is a power to delegate Council’s powers under that Act or any other Act (with specific exceptions) to the Chief Executive Officer.

Section 47(1) of the Act provides that the Chief Executive Officer may, by instrument of delegation, delegate to a member of the Council staff or members of a community asset committee any power, duty or function of their office, except the power of delegation itself.

SUSTAINABILITY IMPLICATIONS

There are no economic, social or environmental impacts associated with the delegation of powers by Council.

COMMUNITY ENGAGEMENT

Public consultation is not required in respect of the recommendations in this report.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Consultation has been undertaken with the relevant internal departments in the preparation of the revised Instrument in order to ensure that appropriate officers are appointed to exercise the powers granted.

RISK ASSESSMENT

The Instrument attached to this report is based on a template provided by the Maddocks Delegations and Authorisations Service. The use of such templates ensures Council has compliant appointments, authorisations and delegations to relevant Council staff in place that meet the requirements of the relevant Acts.

This addresses the risk of Council relying on the general delegation powers in the Act to delegate matters under other Acts and ignoring the specific delegation powers contained in those other Acts.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. S6 Instrument of Delegation – Council to Staff – April 2024



Style Definition: TOC 1

Yarra Ranges Shire Council

Instrument of Delegation

to

Members of Council Staff

~~September-April 2024~~³

Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that references in the Schedule to:

BPCO BOPS BSO CEO CSCO DCS DBEI DPSF DCOM EHO PEHL EODC EOSC EOISI EOPS EOGRC EOSP EOUDLA MBS MPB MFIN MIS MCW MDP MSP MPRG PEHC PO PMSP (PS) (SP) SPO PPO TLPO VCAT SUB SSUB	means Building & Planning Compliance Officer means Business Operations (includes: Customer Experience Business Operations Coordinator; Lead Customer Experience Officer - Business Operations, Customer Experience Officer - Business Operations & Business Operations Officer) means Business Support Officer (business unit identified in brackets where relevant) means Chief Executive Officer means Community Safety Coordinator means Director Corporate Services means Director Built Environment and Infrastructure means Director Planning, and Sustainable Futures means Director Communities means Environmental Health Officer means Public & Environmental Health Lead means Executive Officer Development Compliance & Prosecutions means Executive Officer Safer Communities means Executive Officer Infrastructure Strategy & Investigations means Executive Officer Planning Services means Executive Officer Governance, Risk and Compliance means Executive Officer Strategic Planning means Executive Officer Urban Design and Landscape Architecture means Municipal Building Surveyor means Manager Planning and Building means Manager Finance means Manager Infrastructure Services means Manager Community Wellbeing means Manager Design & Place means Manager Strategic Projects means Manager Procurement, Risk & Governance means Public & Environmental Health Coordinator means all Planning Officers means Project Manager Strategic Planning means Planning Services Team means Strategic Planning Team means Senior Planning Officer Principal Planning Officer means Team Leader Planning Services VCAT Lead Subdivision Officer Senior Subdivision Officer
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3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on ~~12 September 2023~~ 9 April 2024
 - 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;
 - 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;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

The COMMON SEAL of YARRA)
RANGES SHIRE COUNCIL was)
hereto affixed on / / 2024³)
in the presence of Tammi Rose)
Chief Executive Officer.)

.....
Tammi Rose
Chief Executive Officer

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s41A(1)	Power to declare a dog to be a menacing dog	DCOM, MCW, EOSC	Council may delegate this power to a Council authorised officer

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DCOM, MCW, EOSC, PEHC, PEHL, EHO	If s 19(1) applies
s19(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	DCOM, MCW, EOSC, PEHC, PEHL, EHO	If s 19(1) applies
s19(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	DCOM, MCW, EOSC, PEHC, PEHL, EHO	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DCOM, MCW, EOSC, PEHC, PEHL, EHO	If s 19(1) applies
s19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	DCOM, MCW, EOSC, PEHC, PEHL, EHO	If s 19(1) applies
s19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	DCOM, MCW, EOSC, PEHC, PEHL, EHO	If s 19(1) applies
s19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19AA(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	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19CB(4)(b)	Power to request copy of records	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19E(1)(d)	Power to request a copy of the food safety program	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19NA(1)	Power to request food safety audit reports	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DCOM, MCW, EOSC, PEHC, PEHL,	
s19UA	Power to charge fees for conducting a food safety assessment or inspection	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s19W(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	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
---	Power to register or renew the registration of a food premises	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority Refusal to grant/ or renew/transfer the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	DCOM, MCW, EOSC, PEHC, PEHL,	Where Council is the registration authority
s38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DCOM, MCW, EOSC, PEHC, PEHL,	Where Council is the registration authority
s38A(4)	Power to request a copy of a completed food safety program template	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38D(3)	Power to request copies of any audit reports	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38E(2)	Power to register the food premises on a conditional basis	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority; Not exceeding the prescribed time limit defined under s 38E(5).
s38E(4)	Duty to register the food premises when conditions are satisfied	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s39A	Power to register, renew or transfer food premises despite minor defects	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	DCOM, MCW, EOSC, PEHC, PEHL, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s40(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>	DCOM, MCW, EOSC, PEHC, PEHL, EHO	
s40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s40D(1)	Power to suspend or revoke the registration of food premises	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	DCOM, MCW, EOSC, PEHC, PEHL, EHO	
s 40F	Power to cancel registration of food premises	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 43	Duty to maintain records of registration	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, or renewing registration of a component of a food business	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s43F(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	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	DCOM, MCW, EOSC, PEHC, PEHL, EHO	
s46(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	DCOM, MCW, EOSC, PEHC, PEHL, EHO	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s116	Power to sub-delegate Executive Director's functions, duties or powers	DPSF	Must first obtain Executive Director's written consent. Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s185L(4)	Power to declare and levy a cladding rectification charge	CEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s4B	Power to prepare an amendment to the Victoria Planning Provisions	Not delegated	If authorised by the Minister
s4G	Function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	MDP, MSP, EOSP, PMSP, PO(SP), BSO(SP)	
s4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, PO(SP), BSO(SP)	
s4I(2)	Duty to make a copy of the Victoria Planning Provisions and other documents available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, PO(SP), BSO(SP)	
s8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	MDP, MSP, EOSP, PMSP, PO(SP)	
s8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	MDP, MSP, EOSP, PMSP, PO(SP)	
s8A(5)	Function of receiving notice of the Minister's decision	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s12(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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EOUDLA	
s12B(1)	Duty to review planning scheme	DPSF, MDP	
s12B(2)	Duty to review planning scheme at direction of Minister	DPSF, MDP	
s12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DPSF, MDP	
s14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO	Must be acted upon in accordance with the officer's position description, as directed by his/her manager or supervisor, and as provided elsewhere in this schedule of delegations
s17(1)	Duty of giving copy amendment to the planning scheme	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s17(2)	Duty of giving copy s 173 agreement	MPB, MDP, MSP, EOPS, EODC, BPCO, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO	
s17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s18	Duty to make amendment etc. available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	Until the proposed amendment is approved or lapsed

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DPSF, MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	A decision to not give notice must only be made by the MDP, MSP, EOSP or PMSP
s19	Function of receiving notice of preparation of an amendment to a planning scheme	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	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.
s20(1)	Power to apply to Minister for exemption from the requirements of s 19	DPSF, MPB, MDP, MSP, EOSP, PMSP	Where Council is a planning authority
s21(2)	Duty to make submissions available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	Until the end of 2 months after the amendment comes into operation or lapses
s21A(4)	Duty to publish notice	MDP, MSP, EOSP, PMSP, BSO(SP)	
s22 (1)	Duty to consider all submissions received before the date specified in the notice	MDP, MSP, EOSP, PMSP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	MDP, MSP, EOSP, PMSP	
s23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	MDP, MSP, EOSP, PMSP	
s23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DPSF, MDP, MSP	A submission must only be referred to a panel without prior consideration by Council where it is either not practicable to do so before a panel hearing commences or where directed by the panel. All submissions must be reported to Council when Council considers whether or not to adopt or not adopt the amendment.
s24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to represent Council at a panel hearing.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DPSF, MDP, MSP	
s26(2)	Duty to keep report of panel available in accordance with public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, BSO(SP)	During the inspection period
s27(2)	Power to apply for exemption if panel's report not received	DPSF, MDP, MSP	Must only be exercised where Council has previously indicated its intention to seek an exemption or where a situation exists that requires urgent action to be taken prior to reporting to Council.
s28(1)	Duty to notify the Minister if abandoning an amendment	DPSF, MDP, MSP, EOSP, PMSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DPSF, MDP, MSP, EOSP, PMSP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DPSF, MDP, MSP, EOSP, PMSP	
s30(4)(a)	Duty to say if amendment has lapsed	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s30(4)(b)	Duty to provide information in writing upon request	DPSF, MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s32(2)	Duty to give more notice if required	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s33(1)	Duty to give more notice of changes to an amendment	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s36(2)	Duty to give notice of approval of amendment	MDP, MSP, EOSP, PMSP	
s38(5)	Duty to give notice of revocation of an amendment	MDP, MSP, EOSP, PMSP	
s39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EOUDLA	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to represent Council at a proceeding
s40(1)	Function of lodging copy of approved amendment	MDP, MSP, EOSP, PMSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation.
s46AW	Function of being consulted by the Minister	DPSF, MDP, MSP	Where Council is a responsible public entity
s46AX	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	DPSF, MDP, MSP	Where Council is a responsible public entity
s46AZC(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	DPSF, MDP, MSP, EOSP, PMSP	Where Council is a responsible public entity
s46AZK	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	DPSF, MDP, MSP, EOSP, PMSP	Where Council is a responsible public entity

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GI(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	DPSF, MDP, MSP, EOSP, PMSP	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DPSF, MDP, MSP	
s46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DPSF, MDP, MSP	
s46GN(1)	Duty to arrange for estimates of values of inner public purpose land	MDP, MSP, EOSP, PMSP	
s46GO(1)	Duty to give notice to owners of certain inner public purpose land	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GP	Function of receiving a notice under s.46GO	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	Where Council is the collecting agency
s46GQ	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	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the minister	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s.46GQ	DPSF, MDP, MSP, EOSP, PMSP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GS(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	DPSF, MDP, MSP, EOSP, PMSP	
s46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DPSF, MDP, MSP, EOSP, PMSP	
s46GT(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	DPSF, MDP, MSP, EOSP, PMSP	
s46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DPSF, MDP, MSP, EOSP, PMSP	
s46GU	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	DPSF, MDP, MSP, EOSP, PMSP	
s46GV(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GV(3)(b)	Power to enter into an agreement with the applicant	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency
s46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GV(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	DPSF, MDP, MSP, EOSP, PMSP	
s46GV(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	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	DPSF, MDP, MSP, EOSP, PMSP	Where Council is the collecting agency
s46GX(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GY(1)	Duty to keep proper and separate accounts and records	DPSF, MDP, MSP, EOSP, PMSP, MFIN	where Council is the collecting agency
s46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GZ(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s46GZ(2)(a)	Function of receiving the monetary component	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those, works, services or facilities	DPSF, MDP, MSP, EOSP, PMSP, MFIN	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

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZ(2)(b)	Function of receiving the monetary component	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s46GZ(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)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	DPSF, MDP, MSP, EOSP, PMSP, MFIN	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
s46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s46GZ(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZ(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	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

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZ(9)	Function of receiving the fee simple in the land	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s46GZA(1)	Duty to keep proper and separate accounts and records	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is a development agency under an approved infrastructure contributions plan
s46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DPSF, MDP, MSP, EOSP, PMSP, MFIN	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)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is a development agency under an approved infrastructure contributions plan
s46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DPSF, MDP, MSP, EOSP, PMSP, MFIN	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
s46GZD(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)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan
s46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZE(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZE(2)	Function of receiving the unexpended land equalisation amount	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZF(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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	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)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan
s46GZF(3)	Function of receiving proceeds of sale	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s46GZF(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)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZH	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	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	DPSF, MDP, MSP, EOSP, PMSP	Where Council is a collecting agency or development agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is a collecting agency or development agency
s46LB(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)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	
s46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DPSF, MDP, MPB, MSP, EOPS, SPO, TLPO, PPO, VCAT, PO	
s46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DPSF, MDP, MSP	
s46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DPSF, MDP, MSP	
s46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	MBS, EODC	
s46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DPSF, MDP, MSP	
s46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DPSF, MDP, MSP	
s46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DPSF, MDP, MSP	
s46Q(1)	Duty to keep proper accounts of levies paid	MFIN	
s46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	DPSF, MDP, MSP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46Q(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.	Not delegated	
s46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Not delegated	Only applies when levy is paid to Council as a 'development agency'
s46Q(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)	Not delegated	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
s46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Not delegated	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	Not delegated	With the consent of, and in the manner approved by, the Minister
s46QC	Power to recover any amount of levy payable under Part 3B	Not delegated	
s46QD	Duty to prepare report and give a report to the Minister	Not delegated	Where Council is a collecting agency or development agency
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, in accordance with the public availability requirements, during the inspection period	Not delegated	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	Not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Not delegated	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Not delegated	
s46Y	Duty to carry out works in conformity with the approved strategy plan	Not delegated	
s47	Power to decide that an application for a planning permit does not comply with that Act	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB	
s49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	MPB, EOPS, PO(PS), BSO(PS)	
s49(2)	Duty to make register available for inspection in accordance with the public availability requirements	MPB, EOPS, SPO, TLPO, PPO, VCAT, PO, BSO(PS)	
s50(4)	Duty to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s50(5)	Power to refuse to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s50(6)	Duty to make note of amendment to application in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, PO, SPO, PPO, VCAT, TLPO, BSO	
s50A(1)	Power to make amendment to application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO	
s50A(4)	Duty to note amendment to application in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, BSO	
s51	Duty to make copy of application available for inspection in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, BSO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s52(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, , SPO, TLPO, PPO, VCAT, PO	In case of a decision not to give notice of an application, this delegation must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO
s52(1)(b)	Duty to give notice of the application to other municipal councils where appropriate	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(3)	Power to give any further notice of an application where appropriate	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s53(1A)	power to require the applicant to give the notice under s 52(1AA)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s54(1)	Power to require the applicant to provide more information	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s54(1A)	duty to give notice in writing of information required under s 54(1)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s54(1B)	Duty to specify the lapse date for an application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s54A(3)	Power to decide to extend time or refuse to extend time to give required information	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, PPO, VCAT, PO, SSUB, SUB, SPO	<p>A decision to extend time in response to a first request pursuant to s 54A(1) may be exercised by all delegated officers.</p> <p>A decision to extend time in response to a second request pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO or TLPO.</p> <p>A decision to extend time in response to a third request pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.</p> <p>A decision to extend time for any subsequent requests pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP.</p> <p>A decision to refuse to extend time in response to any request pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS or EOSP, TLPO, PMSP.</p>
s54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s57(3)	Function of receiving name and address of persons to whom notice of decision is to go	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s57A(5)	Power to refuse to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s57A(6)	Duty to note amendments to application in register	MPB, MDP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s57B(1)	Duty to determine whether and to whom notice should be given	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, PPO, VCAT, PO, SSUB, SUB	A decision to not give notice must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.
s57B(2)	Duty to consider certain matters in determining whether notice should be given	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, PPO, VCAT, PO, SSUB, SUB	A decision to not give notice must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.
s57C(1)	Duty to give copy of amended application to referral authority	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s58	Duty to consider every application for a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s58A	Power to request advice from the Planning Application Committee	DPSF, MPB, MDP, MSP	
s60	Duty to consider certain matters	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s60(1A)	Duty to consider certain matters	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, VCAT	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>A decision to refuse to issue a permit must only be exercised by MPB, MDP, MSP, EOPS, EOSP or PMSP</p> <p>Must not be exercised for approval if any of the following conditions* apply:</p> <p>A – Objections</p> <p>B – Major development</p> <p>C – Call in by relevant ward councillor</p> <p>Must not be exercised for refusal if any of the following conditions* apply:</p> <p>A – Objections</p> <p>B – Major development</p> <p>C – Call in by relevant ward councillor</p> <p>* The above conditions do not apply in circumstances described in the following conditions</p> <p>D – Call out by relevant ward councillor</p> <p>E – Summer recess and emergency delegations</p> <p>Decision must be dual signed by PO and Delegate.</p>
s61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Must only be exercised in a manner consistent with the delegations applicable to s 61 decisions.
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	-	Not applicable – no coastal land in the Municipality
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s62(1)	Duty to include certain conditions in deciding to grant a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(2)	Power to include other conditions	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s64(3)	Duty not to issue a permit until after the specified period	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s64(5)	Duty to give each objector a copy of an exempt decision	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s64A	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	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
s66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	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
s69(1)	Function of receiving application for extension of time of permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s69(1A)	Function of receiving application for extension of time to complete development	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s69(2)	Power to extend time	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO	<p>Must not be exercised if any of the following conditions apply:</p> <p>C - Call in by relevant ward Councillor</p> <p>A decision to extend the time of a permit under a 2nd request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.</p> <p>A decision to extend the time of a permit under a 3rd request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.</p> <p>A decision to extend the time of a permit under a 4th or subsequent request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP or PMSP.</p> <p>Power to refuse to extend time must only be exercised by the DPSF, MPB, MDP, MSP, EOPS, EOSP or PMSP</p>
s70	Duty to make copy permit available in accordance with public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s71(1)	Power to correct certain mistakes	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO	A mistake made by an individual officer must only be corrected by a different officer.
s71(2)	Duty to note corrections in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s73	Power to decide to grant amendment subject to conditions	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, VCAT	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>Must not be exercised if any of the following conditions apply:</p> <p>A - Objections</p> <p>C - Call in by relevant ward Councillor</p> <p>The above conditions do not apply in circumstances described in the following conditions:</p> <p>D - Call out by relevant ward Councillor</p> <p>E - Summer recess and emergency delegations.</p> <p>Decision must be dual signed by PO & Delegate.</p>
s74	Duty to issue amended permit to applicant if no objectors	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	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

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	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
s76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	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
s76D	Duty to comply with direction of Minister to issue amended permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s83	Function of being respondent to an appeal	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	The DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP may appoint a consultant or legal representative to represent Council at a proceeding
s83B	Duty to give or publish notice of application for review	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO	Must only be exercised in a manner consistent with the delegations applicable to Section 61 decisions.
s84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	MPB, MDP, MSP, EOPS, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s84(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s84(6)	Duty to issue permit on receipt of advice within 3 business days	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s84AB	Power to agree to confining a review by the Tribunal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, VCAT	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s86	Duty to issue a permit at order of Tribunal within 3 business days	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO, VCAT	
s87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DPSF	Must only be exercised where Council has previously indicated its intention to apply for cancellation or amendment, or where an extraordinary situation exists that requires action to be taken prior to reporting the matter to Council.
s90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, VCAT, PO	The DPSF, MPB, MDP or MSP, EOPSmay appoint a consultant or legal representative to represent Council at a proceeding.
s91(2)	Duty to comply with the directions of VCAT	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, EODLA, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s91(2A)	Duty to issue amended permit to owner if Tribunal so directs	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s93(2)	Duty to give notice of VCAT order to stop development	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s95(3)	Function of referring certain applications to the Minister	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s95(4)	Duty to comply with an order or direction	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s96(1)	Duty to obtain a permit from the Minister to use and develop its land	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DPSF, MPB, MDP, MSP	Must only be exercised where the use, works or development has been approved by Council and where the written agreement of the manager responsible for the management of the land is given.
s96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DPSF, MDP, MSP, EOSP, PMSP	
s96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s96F	Duty to consider the panel's report under s 96E	Not delegated	
s96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Not delegated	
s96H(3)	Power to give notice in compliance with Minister's direction	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s96J	Duty to issue permit as directed by the Minister	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s96K	Duty to comply with direction of the Minister to give notice of refusal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s96Z	Duty to keep levy certificates given to it under ss 47 or 96a for no less than 5 years from receipt of the certificate	MPB, MDP, MSP	
s97C	Power to request Minister to decide the application	DPSF	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	MPB, MDP, MSP, EOPS, EOSP, PMSP, EOUDLA, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, BPCO, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97L	Duty to include Ministerial decisions in a register kept under s 49	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97MH	Duty to provide information or assistance to the Planning Application Committee	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s97O	Duty to consider application and issue or refuse to issue certificate of compliance	DPSF, MPB, MDP, MSP, EOPS, EODC, BPCO, SPO, TLPO	<p>A decision to refuse to issue a certificate of compliance must only be exercised by DPSF, MPB, MDP, MSP, EOPS or EOSP, PMSP</p> <p>Must not be exercised if any of the following conditions apply:</p> <p>C - Call in by relevant ward Councillor</p> <p>D - Call out by relevant ward Councillor</p>
s97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	MPB, MDP, MSP, EOPS, EODC, BPCO, SPO, TLPO, PPO, BSO, VCAT	
s97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	MPB, MDP, MSP, EOPS, EODC, BPCO, PPO, SPO, TLPO, PO, VCAT	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to represent Council at a proceeding.

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s97Q(4)	Duty to comply with directions of VCAT	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PO, BSO, PPO, VCAT	
s97R	Duty to keep register of all applications for certificate of compliance and related decisions	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DPSF, MPB, MDP, MSP,	
s98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DPSF, MPB, MDP, MSP, EOSP, PMSP, PO(SP)	
s101	Function of receiving claim for expenses in conjunction with claim	DPSF, MPB, MDP, MSP	
s103	Power to reject a claim for compensation in certain circumstances	DPSF	
s107(1)	Function of receiving claim for compensation	DPSF, MDP, MSP, EOSP, PMSP	
s107(3)	Power to agree to extend time for making claim	DPSF	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DPSF, MPB, MDP, EOSP, EOPS	
s114(1)	Power to apply to the VCAT for an enforcement order	DPSF, MPB, EODC	
s117(1)(a)	Function of making a submission to the VCAT where objections are received	EODC, BPCO	The EODC may appoint a consultant or legal representative to represent Council at a proceeding.
s120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DPSF, MPB, EODC	
s123(1)	Power to carry out work required by enforcement order and recover costs	DBEI, DPSF, EODC	
s123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DBEI, DPSF	Except Crown Land

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	DPSF, MPB, MDP, MSP, EODC	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.
s129	Function of recovering penalties	MPB, EODC, BPCO	
s130(5)	Power to allow person served with an infringement notice further time	MPB, EOPS, EODC	
s149A(1)	Power to refer a matter to the VCAT for determination	DPSF, MPB, MDP, MSP, EOPS, EODC	
s149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DPSF, MPB, MDP, MSP, EODC	
s 149B	Power to apply to the Tribunal for a declaration.	DPSF, MPB, MDP, MSP, EODC, EOPS, EOSP	
s156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DPSF, MDP, MSP, EOSP, PMSP	Where Council is the relevant planning authority
s171(2)(f)	Power to carry out studies and commission reports	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s171(2)(g)	Power to grant and reserve easements	DPSF, MPB, MSP, EOPS	
s172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Where Council is a development agency specified in an approved infrastructure contributions plan
s172D(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)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Where Council is a collecting agency specified in an approved infrastructure contributions plan

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s172D(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)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Where Council is the development agency specified in an approved infrastructure contributions plan
s173(1)	Power to enter into agreement covering matters set out in s 174	DPSF, MPB, MDP, MSP, EOPS	
s173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DPSF, MPB, MDP, MSP, EOPS	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, TLPO, VCAT	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DPSF, MPB, MDP, MSP, EOPS and EOSP, PMSP	
s177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DPSF, MPB, MDP, MSP, EOPS	
s178	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	DPSF, MPB, MDP, MSP, EOPS	
s178A(1)	Function of receiving application to amend or end an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178A(5)	Power to propose to amend or end an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, SSUB	
s178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178C(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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178C(4)	Function of determining how to give notice under s 178C(2)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178E(1)	Duty not to make decision until after 14 days after notice has been given	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DPSF, MPB, MDP, MSP, EOPS	If no objections are made under s 178D Must consider matters in s 178B Must not be exercised if any of the following conditions apply: C - Call in by relevant ward Councillor
s178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DPSF, MPB, MDP, MSP, EOPS	If no objections are made under s 178D Must consider matters in s 178B Must not be exercised if any of the following conditions apply: C - Call in by relevant ward Councillor

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s178E(2)(c)	Power to refuse to amend or end the agreement	DPSF, MPB, MDP, MSP, EOPS	If no objections are made under s 178D Must consider matters in s 178B Must not be exercised if any of the following conditions apply: C - Call in by relevant ward Councillor
s178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178E(3)(d)	Power to refuse to amend or end the agreement	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s178F(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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s178G	Duty to sign amended agreement and give copy to each other party to the agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP,	
s178H	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, VCAT	
s178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s181	Duty to apply to the Registrar of Titles to record the agreement and	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s182	Power to enforce an agreement	DPSF, MPB, MDP, MSP, EODC, EOPS, EOSP, PMSP	
s183	Duty to tell Registrar of Titles of ending/amendment of agreement	DPSF, MPB, MDP, MSP, EODC, PPO, VCAT, PO, SSUB, SUB, EOPS, EOSP, PMSP, BSO	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s184F(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	DPSF, MPB, MDP, MSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s184F(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s184F(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s184G(2)	Duty to comply with a direction of the Tribunal	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s184G(3)	Duty to give notice as directed by the Tribunal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s198(1)	Function to receive application for planning certificate	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s199(1)	Duty to give planning certificate to applicant	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s201(1)	Function of receiving application for declaration of underlying zoning	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s201(3)	Duty to make declaration	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, EODC, TLPO	
	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, TLPO	<p>The decision must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>Must not be exercised if any of the following conditions apply:</p> <p>C – Call in by relevant ward Councillor</p> <p>The above conditions do not apply in circumstances described in the following conditions:</p> <p>D – Call out by relevant ward Councillor</p> <p>E – Summer recess and emergency delegations.</p>
	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, TLPO, PO	
-	Power to give written authorisation in accordance with a provision of a planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s201UAB(1)	Function of providing the Victorian Planning Authority with information relating to any land within municipal district	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s201UAB(2)	Duty to provide the Victorian Planning Authority with information requested under s 201UAB(1) as soon as possible	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s522(1)	Power to give a compliance notice to a person	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s525(4)	Duty to issue identity card to authorised officers	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s526(5)	Duty to keep record of entry by authorised officer under s 526	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s526A(3)	Function of receiving report of inspection	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s527	Power to authorise a person to institute proceedings (either generally or in a particular case)	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s11(1)	Power to declare a road by publishing a notice in the Government Gazette	DBEI, DCS	Obtain consent in circumstances specified in s 11(2)
s11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	EOGRC, MIS, MPRG	
s11(9)(b)	Duty to advise Registrar	EOGRC, MIS, MPRG	
s11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	EOGRC, MIS, MPRG	Subject to s 11(10A)
s11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	MIS, EOISI	Where Council is the coordinating road authority
s12(2)	Power to discontinue road or part of a road	MIS, EOISI	Where Council is the coordinating road authority Delegation relates to publishing notice in Government Gazette; power of coordinating road authority to discontinue road is not delegated.
s12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	MIS, EOISI	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s12(5)	Duty to consider written submissions received within 28 days of notice	Not delegated	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s12(6)	Function of hearing a person in support of their written submission	Not delegated	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	MIS, EOISI	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s12(10)	Duty to notify of decision made	MIS, EOISI	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the minister

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	MIS	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s14(4)	Function of receiving notice from the Head, Transport for Victoria	DBEI	
s14(7)	Power to appeal against decision of the Head, Transport for Victoria	DBEI, MIS	
s15(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	DBEI	
s15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DBEI, MIS	
s15(2)	Duty to include details of arrangement in public roads register	MIS	
s16(7)	Power to enter into an arrangement under s 15	DBEI	
s16(8)	Duty to enter details of determination in public roads register	MIS	
s17(2)	Duty to register public road in public roads register	MIS	Where Council is the coordinating road authority
s17(3)	Power to decide that a road is reasonably required for general public use	MIS	Where Council is the coordinating road authority
s17(3)	Duty to register a road reasonably required for general public use in public roads register	MIS	Where Council is the coordinating road authority
s17(4)	Power to decide that a road is no longer reasonably required for general public use	MIS	Where Council is the coordinating road authority
s17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	MIS	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
s18(1)	Power to designate ancillary area	MIS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s18(3)	Duty to record designation in public roads register	MIS	Where Council is the coordinating road authority
s19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	MIS	
s19(4)	Duty to specify details of discontinuance in public roads register	MIS	
s19(5)	Duty to ensure public roads register is available for public inspection	MIS	
s21	Function of replying to request for information or advice	MIS	Obtain consent in circumstances specified in s 11(2)
s22(2)	Function of commenting on proposed direction	DBEI	
s22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	DBEI	
s22(5)	Duty to give effect to a direction under this section.	DBEI	
s40(1)	Duty to inspect, maintain and repair a public road	DBEI	
s40(5)	Power to inspect, maintain and repair a road which is not a public road	DBEI	
s41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DBEI	
s42(1)	Power to declare a public road as a controlled access road	DBEI	Power of coordinating road authority and sch 2 also applies
s42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DBEI, MIS	Power of coordinating road authority and sch 2 also applies
s42A(3)	Duty to consult with the Head, Transport for Victoria and Minister for Local Government before road is specified	DBEI, MIS	Where Council is the coordinating road authority If road is a municipal road or part thereof

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DBEI	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
s48EA	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)	MIS	Where Council is the responsible road authority, infrastructure manager or works manager
s48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	MIS	
s49	Power to develop and publish a road management plan	MIS	
s51	Power to determine standards by incorporating the standards in a road management plan	MIS	
s53(2)	Power to cause notice to be published in Government Gazette of amendment etc. Of document in road management plan	MIS	
s54(2)	Duty to give notice of proposal to make a road management plan	MIS	
s54(5)	Duty to conduct a review of road management plan at prescribed intervals	MIS	
s54(6)	Power to amend road management plan	MIS	
s54(7)	Duty to incorporate the amendments into the road management plan	MIS	
s55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	MIS	
s63(1)	Power to consent to conduct of works on road	MIS	Where Council is the coordinating road authority
s63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	MIS	Where Council is the infrastructure manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s64(1)	Duty to comply with cl 13 of sch 7	MIS	Where Council is the infrastructure manager or works manager
s66(1)	Power to consent to structure etc	MIS	Where Council is the coordinating road authority
s67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	MIS	Where Council is the coordinating road authority
s67(3)	Power to request information	MIS	Where Council is the coordinating road authority
s68(2)	Power to request information	MIS	Where Council is the coordinating road authority
s71(3)	Power to appoint an authorised officer	DBEI	
s72	Duty to issue an identity card to each authorised officer	DBEI, MIS	
s85	Function of receiving report from authorised officer	MIS	
s86	Duty to keep register re s 85 matters	MIS	
s87(1)	Function of receiving complaints	MIS	
s87(2)	Duty to investigate complaint and provide report	MIS	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	MIS, MPB, MCW	
s112(2)	Power to recover damages in court	DBEI	
s116	Power to cause or carry out inspection	MIS	
s119(2)	Function of consulting with the Head, Transport for Victoria	DBEI, MIS	
s120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	MIS	
s120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	MIS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s121(1)	Power to enter into an agreement in respect of works	MIS	
s122(1)	Power to charge and recover fees	MIS	
s123(1)	Power to charge for any service	DBEI, MIS	
Schedule 2 Clause 2(1)	Power to make a decision in respect of controlled access roads	DBEI	
Schedule 2 Clause 3(1)	Duty to make policy about controlled access roads	DBEI	
Schedule 2 Clause 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MIS	
Schedule 2 Clause 4	Function of receiving details of proposal from the Head, Transport for Victoria	MIS	
Schedule 2 Clause 5	Duty to publish notice of declaration	MIS	
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	MIS	Where Council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	MIS	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	MIS	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	MIS	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 sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	MIS	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	MIS	Where Council is the coordinating road authority
Schedule 7 Clause 12(3)	Power to take measures to ensure reinstatement works are completed	MIS	Where Council is the coordinating road authority
Schedule 7 Clause 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MIS	Where Council is the coordinating road authority
Schedule 7 Clause 12(5)	Power to recover costs	MIS	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 sch 7, cl 13(2)	MIS	Where Council is the works manager
Schedule 7 Clause 13(2)	Power to vary notice period	MIS	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 sch 7, cl 13(1)	MIS	Where Council is the infrastructure manager
Schedule 7 Clause 16(1)	Power to consent to proposed works	MIS	Where Council is the coordinating road authority
Schedule 7 Clause 16(4)	Duty to consult	MIS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	Power to consent to proposed works	MIS	Where Council is the coordinating road authority
Schedule 7 Clause 16(6)	Power to set reasonable conditions on consent	MIS	Where Council is the coordinating road authority
Schedule 7 Clause 16(8)	Power to include consents and conditions	MIS	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	MIS	Where Council is the coordinating road authority
Schedule 7 Clause 18(1)	Power to enter into an agreement	DBEI, MIS	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 19(1)	Power to give notice requiring rectification of works	MIS	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	MIS	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	MIS	Where Council is the coordinating road authority
Schedule 7A Clause 2	Power to cause street lights to be installed on roads	MIS	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	MIS	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	MIS	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 cls 3(2) and 4	MIS	Duty of Council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	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.

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
r25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	MDP, MSP, EOSP, PMSP	Where Council is the responsible authority
r25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	MDP, MSP, EOSP, PMSP	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	MDP, MSP, EOSP, PMSP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DPSF, MDP, MSP, EOSP, PMSP	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DPSF, MDP, MSP, EOPS	
r21	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r7	Power to enter into a written agreement with a caravan park owner	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r10	Function of receiving application for registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO, BOPS	
r 11	Function of receiving application for renewal of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO, BOPS	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(4) & (5)	Duty to issue certificate of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 14(1)	Function of receiving notice of transfer of ownership	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 14(3)	Power to determine where notice of transfer is displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 15(1)	Duty to transfer registration to new caravan park owner	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 15(2)	Duty to issue a certificate of transfer of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 17	Duty to keep register of caravan parks	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 18(6)	Power to determine where certain information is displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 22(2)	Duty to consult with relevant emergency services agencies	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 25(3)	Duty to consult with relevant floodplain management authority	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 26	Duty to have regard to any report of the relevant fire authority	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 41(4)	Function of receiving installation certificate	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
Schedule 3 clause 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DSED, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r8(1)	Duty to conduct reviews of road management plan	MIS	
r9(2)	Duty to produce written report of review of road management plan and make report available	MIS	
r9(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)	MIS	Where Council is the coordinating road authority
r10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	MIS	
r13(1)	Duty to publish notice of amendments to road management plan	MIS	Where Council is the coordinating road authority
r13(3)	Duty to record on road management plan the substance and date of effect of amendment	MIS	
r16(3)	Power to issue permit	MIS	Where Council is the coordinating road authority
r18(1)	Power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	MIS	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
r23(2)	Power to make submission to Tribunal	DBEI	Where Council is the coordinating road authority
r23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MIS	Where Council is the coordinating road authority
r25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	MIS	Where Council is the responsible road authority
r25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with r 25(3))	MIS	Where Council is the responsible road authority
r25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	MIS	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r15	Power to exempt a person from requirement under cl 13(1) of sch 7 to the Act to give notice as to the completion of those works	MIS	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r22(2)	Power to waive whole or part of fee in certain circumstances	MIS	Where Council is the coordinating road authority

PLANNING AND ENVIRONMENT ACT 1987

Conditions that apply to specific delegations in Schedule

Interpretation of conditions A to E

For the purposes of these conditions:

- use and development definitions are as defined in the Yarra Ranges Planning Scheme;
- 'application' means a planning permit application, planning permit amendment application, or secondary consent application;
- 'objection' means a submission or petition objecting to the approval of an application. Each signature on a petition is counted as an objection;
- 'relevant Ward Councillor' means the Councillor representing the ward in which all or part of the subject land is located;
- 'Mayor' includes the Deputy Mayor if the Mayor is the relevant Ward Councillor or absent on official leave;

A - Objections

The application has received more than 10 objections.

B - Major development

The application is to develop land where the estimated value of development is greater than three million dollars.

C - Call in by relevant Ward Councillor

Applies to any application or other matter (where the conditions or limitations specified in the instrument provide a call in provision), nominated by the relevant Ward Councillor by written notice.

The notice must include a statement of reasons for the call-in. The notice must be signed by the relevant Ward Councillor, seconded by at least one other Councillor and submitted to the Manager Planning and Building before a decision is made under delegated authority. The Mayor shall also have authority to call in any application for any Ward by written notice with the signature of a second Councillor. The Manager Planning and Building (or delegate) must attach the original notice to the application file and record in the Council report that the application has been called in for a decision by Council.

D- Call out by relevant Ward Councillor

The power to determine any application or other matter normally determined by Council under Conditions A and B may be delegated to the Manager Planning and Building by written notice. The notice must include a statement of reasons for the call-out. The notice must be signed by the relevant Ward Councillor, seconded by the Mayor and submitted to the Manager Planning and Building before a report on the application is included on the Council Agenda. The Manager Planning and Building (or delegate) must attach the original notice to the application file and record in the delegate report that the application has been called out for a decision by Manager Planning and Building.

E - Summer recess and emergency delegations

The power to determine any application normally determined by Council under Conditions A and B is delegated to the Director Planning, Design and Development and the Manager Planning and Building during the following periods:

- between the final Council meeting of the calendar year and the first Council meeting of the following calendar year;
- during the activation of the Municipal Emergency Coordination Centre, business continuity plan or crisis management plan.

Before determining any application under this condition, the Director Planning, Design and Development or Manager Planning and Building must consult with the relevant Ward Councillor about the recommendation. The relevant Ward Councillor may call in the application in accordance with Condition C.

AQUATICS AND LEISURE STRATEGY COMMUNITY CONSULTATION OUTCOMES AND ADOPTION

Report Author: Manager Recreation Parks & Facilities
 Responsible Officer: Director Built Environment & Infrastructure
 Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

This report:

- Provides a review of the outcomes of the final phase of community consultation to inform the draft Aquatics and Leisure Strategy,
- Provides the proposed Yarra Ranges Aquatics and Leisure Strategy that considers the outcomes of community consultation; and
- Seeks adoption of the Yarra Ranges Aquatics and Leisure Strategy generally in accordance with the strategy presented.

The project team presented the first draft of the Yarra Ranges Aquatics Strategy (draft Strategy) at a special Forum meeting on 13 August 2022. The draft Strategy was then further developed through comprehensive data analysis, a community needs assessment, industry expertise and technical knowledge of industry leaders.

Council approved the communication and engagement plan for the draft Strategy on 7 February 2023. Council undertook phases 1 and 2 of the community consultation between 27 February and 28 April 2023. Phase 3 of consultation occurred from October 2023 until January 2024 and included online consultation (from 25 October - 15 December), focus groups and face to face community pop ups. A full consultation summary report is available on the Yarra Ranges Shaping Page. A summary of the campaign completed for phase 3 is provided in attachment 1. Minor changes have been suggested to the draft strategy in response to community consultation, Councillor feedback and the Council decision to support the permanent closure of Kilsyth Centenary Pool.

RECOMMENDATION

That Council

1. ***Note the community responses to the recent consultation on the Draft Yarra Ranges Aquatic and Leisure Strategy.***
2. ***Note the updates to the draft of Yarra Ranges Aquatic and Leisure Strategy.***
3. ***Note the Yarra Ranges Aquatic and Leisure Strategy includes review points, including an annual review of the implementation plan to allow Council to respond to changing circumstances.***
4. ***Endorse the Yarra Ranges Aquatic and Leisure Strategy included at Attachment 2.***

RELATED COUNCIL DECISIONS

The Development of the draft Strategy has been discussed at the following Council briefings:

- 24 October 2023– Council Meeting – Approval of the Draft Aquatics and Leisure Strategy for Consultation and endorsement of decision to permanently close Kilsyth Centenary Pool.

DISCUSSION

Purpose and Background

The purpose of this report is to:

- present the results from the final phase of the community consultation.
- detail the changes to the draft Aquatic and Leisure Strategy in response to consultation and the permanent closure of Kilsyth Centenary Pool, and,
- seeks formal adoption of the Yarra Ranges Aquatics and Leisure Strategy generally in accordance with the attached document (attachment 2).

Community consultation phase 3

Feedback from phase 1 and 2 of community consultation was considered during the development of the draft strategy along with detailed data analysis, and expert industry knowledge. Outcomes of this consultation can be viewed on Councils *Shaping Yarra Ranges* website.

Phase 3 of the community consultation was undertaken to seek feedback on the draft Aquatics and Leisure Strategy. The summary report (attachment 1) provides a summary of the phase 3 of consultation on the draft Aquatics and Leisure Strategy.

Council endorsed the release of the draft strategy on 24 October 2023. Consultation on the draft strategy was undertaken from 25 October 2024 to January 2024. Activities during phase 3 engagement included:

- Shaping Yarra Ranges – online survey (252 responses received)
- Advisory Group meetings
- Pop up sessions at key locations
- Social media posts
- Written submissions

During the consultation period stakeholders across various groups expressed positive sentiments towards the draft aquatic strategy, recognising its good intentions for community well-being. There is agreement on the importance of focusing on health, well-being, education, fitness, and play experiences for the community.

Results of the consultation indicate high support for the strategy vision with 66% of the respondents rating it between four and five (out of five), followed by 25.2% rating it between one and two and 8.6% rating it three. There was also strong support for the strategy objectives, with 69.3% of the respondents rating the objectives between four and five (out of five), followed by 22.3% rating them between one and two and 8.3% rating them at three. A complete summary of key themes regarding the vision and strategic objectives can be found on Councils shaping Yarra Ranges website.

Overall, the feedback provides positive recognition for the strategy's intentions, vision, objectives, and actions, however, the following points were notable areas of discussion:

- Kilsyth closure: A significant portion of the feedback highlights negative sentiments, particularly regarding the closure of Kilsyth Centenary Pool.
- Council transparency: There is a perceived lack of transparency, with some feeling that decisions to close Kilsyth Centenary Pool was made without sufficient consideration of community input.
- 10-year timeframe: Feedback includes specific concerns and suggestions including the urgent need for hydrotherapy and physiotherapy warm water pools, and the desire for gyms and social spaces in the proposed aquatic facility. The 10-year plan is seen as being too distant and potentially not addressing immediate needs of the community.

Revised Yarra Ranges Aquatic and Leisure Strategy

As a result of the extensive engagement and consultation process the following changes are suggested to the strategy:

- The inclusion of the word 'safe' in the first objective to now read: Participation, Inclusion and Wellbeing: *Provide accessible, affordable, safe, and inclusive*

aquatic and leisure facilities that support diverse participation opportunities and key programming needs.

- Re-wording of recommendation 1 'Development of a Major integrated indoor aquatic and leisure hub that services the key aquatic and well-being needs of the Shire, subject to a detailed business case' to include 'The preferred location for this facility is Lilydale. If no suitable site can be located other locations within the urban area should be considered.'
- Re-wording of recommendation 2 'Permanent closure of Kilsyth Centenary Pool' and removal of first action as the decision was made prior to adoption of strategy.
- Removal of percentages in success measures of objectives and replaced to align with industry benchmarks.
- Updating of Monbulk Pool Hall closure dates.
- Recognition of the different kinds of management models in operation in Yarra Ranges and the increase in participation at Olinda Community Pool in response to the Olinda Pool Committee of management Submission.
- Removal of the reference to individual private facilities.
- Updated consultation summary page to include phase 3 information.
- Entire strategy reviewed and updated to make the document easier to read.

Options considered

Feedback from the community included a range of different views and suggestions. Where appropriate, comments and suggestions that aligned with the objectives of the strategy have been reflected in the updated draft. Feedback that did not support the objectives of the strategy was considered and each submitter responded to and provided with an explanation. Table 9 on Page 4 of the consultation report (available on Yarra Ranges Shaping Page) provides a breakdown of key feedback and the response/implication for the draft strategy.

Recommended option and justification

Changes to the strategy have been recommended due to their alignment with the strategy vision and objectives. The strategy was developed following extensive research, consultation and engagement to determine the best provision of facilities and services within the Yarra Ranges. It is recommended that the strategy is referred to an upcoming Council meeting to seek formal adoption.

FINANCIAL ANALYSIS

While detailed master planning would be required to determine the cost of strategy implementation, the preferred option will represent a significant investment. A business case for the urban facility and feasibilities and master planning for district

upgrades is proposed to be undertaken for the first two years of implementation. The cost of business cases and master planning to facilitate investment (across an Urban facility, Monbulk Aquatic Centre Yarra Centre and Healesville Outdoor Pool) is estimated to be \$400,000. The budget for the Urban facility business case is proposed at \$150,000 and has been included in the proposed operating budget for FY 24/25.

The estimated full cost of the strategy implementation including the Urban facility, and upgrades to the district facilities (Monbulk Aquatic Centre and Yarra Centre), Healesville Outdoor Pool and minor improvements to other outdoor facilities may be in the order of \$100M plus.

Once complete, the implementation of the strategy is suggested to be undertaken in stages and will be subject to successful grant funding. The possibility for public private partnerships to help deliver this infrastructure should be investigated.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s):

Yarra Ranges Council Plan: 2021-2025

- High Quality Infrastructure: Quality facilities and infrastructure meets current and future needs. Places are well planned hubs of activity that foster wellbeing, creativity and innovation.
- High Performing Organisation: An innovative, responsive organisation that listens and delivers quality, value for money services to our community.

The proposed provision of aquatics facilities within the draft Strategy stipulates that all infrastructure will be high quality and respond to sustainability requirements. In reviewing our aquatics offer and determining the optimal service provision we can provide these facilities in the best possible way that suit our community both now and in the future. Reduction in ongoing operational cost while providing the community with health and wellbeing benefits will assist Council in becoming a high performing organisation.

Health and Wellbeing Plan 2021-2025:

- Priority 4 - Increase physical activity: People have capacity to walk and be physically active in an inclusive culture; and
- Priority 5 – Improve mental wellbeing and social connections.

Aquatic and Leisure facilities provided by Council often provide low-cost options for the community to engage in physical activity. Council leisure facilities include inclusive and all ability options, not often found in other privately operated Leisure facilities. Aquatics provide a low intensity exercise option for the whole community. With greater focus on the provision of social spaces such as cafes and group fitness options, these facilities foster opportunities for social connections.

Recreation and Open Space Strategy (2013 - 2023)

The Yarra Ranges' Recreation and Open Space Strategy (ROSS) 2013-2023, supports the management of sustainable aquatic and recreational facilities in Yarra Ranges and recognises swimming as a popular sport within the municipality.

Shire of Yarra Ranges Aquatic Facilities Strategic Plan 2001 – 2017

Indoor and Outdoor aquatic facilities will be maintained at their current service levels, providing the community with recreational swimming opportunities.

Asset Management Policy 2022-2032

Sound asset management is necessary to enable the Council to meet its responsibilities by planning to provide services to the current and future communities; encouraging and supporting the economic, environmental, social and cultural development of the municipality; providing high quality community infrastructure as an integral factor in providing liveable places that support community connection and developing assets that are responsive to the changing environment in which we live.

Eight principles are identified in this policy to guide decisions on how Council invests in the assets that support services. These are:

- Evidence based
- Appropriate Quality
- Sustainability
- Community Vision
- Fairness
- Health and Wellbeing
- Safety and Resilience; and
- Continuous Improvement.
- Community Engagement Policy 2021.

RELEVANT LAW

A Gender Impact Assessment is required as per the Gender Equality Act 2020. All data collected through consultation to date has been disaggregated to facilitate this requirement. The full Gender Impact Assessment has been completed. The GIA recommends that the following elements are considered with a gender lens during the implementation of the strategy: education, programming, financial support, and safety.

SUSTAINABILITY IMPLICATIONS

Economic Implications

As suggested above, the implementation of the strategy will have significant short term economic impacts with significant investment identified. Over the long term, the investment will have a positive impact to the economy during the construction period and with the creation of permanent long term employment opportunities for Yarra Ranges residents. When fully realised, the strategy should significantly reduce the operating costs associated with the provision of Aquatic and Leisure facilities and programs.

Social Implications

The strategy aims to maximise the health and wellbeing benefits of aquatic and leisure facilities to the community. The proposed upgrades to the Yarra Centre and to the Monbulk Aquatic Centre facilitate social connection and provide for social spaces to be utilised by the community.

Environmental Implications

A thorough review of current facilities has given Council a good understanding of what needs to be changed regarding the operation and the provision of current facilities in order to become more sustainable. The proposed facility provision, as well as the guiding principles contained within the draft Strategy surrounding financial and environmental viability, will allow us to contribute to climate action by lowering emissions and reducing utility usage.

COMMUNITY ENGAGEMENT

Community engagement has occurred twice during the development of the strategy.

The first round of community consultation resulted over 2,000 community surveys and 11 responses to our school survey completed. The project team engaged with 523 residents throughout six face-to-face information sessions as part of the consultation and engagement roadshow and interviewed a further 47 residents across 6 focus group sessions.

The second round of public consultation resulted in over 200 submissions to the online survey and engagement of over 450 community members through focus groups and at community pop up sessions.

The outcomes of the community engagement and how they have informed the development of the strategy can be seen in the consultation reports available on Councils shaping Yarra Ranges Shaping website.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

The project team has collaborated with numerous Councils during the development of the Strategy including Mornington Peninsula and Brimbank Councils to learn

about the different operating models and lessons learnt from recently constructed aquatic and leisure centres. Extensive internal collaboration has also been undertaken during the development of the strategy.

RISK ASSESSMENT

Councils reputational risk from the proposed strategy is significant. Closure of pools and identification of significant future investment in Aquatic and Leisure facilities can impact Councils reputation. There is a risk that Council will not secure the funds required to implement the strategy which may further damage Councils reputation.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Draft Yarra Ranges Aquatics and Leisure Strategy Phase 3 Consultation – Digital Summary
2. Yarra Ranges Draft Aquatic and Leisure Strategy



DRAFT AQUATICS & LEISURE STRATEGY

PHASE 3 CONSULTATION SUMMARY



[Consultation and Engagement period](#) - October 2023 until January 2024 (14 week period)



[Shaping Yarra Ranges Page](#) - 252 responses to online survey

[Social Media](#) - 6 Facebook posts with 34,673 impressions with 1048 link clicks, 6 instagram posts with a reach of 4165 and 3 YRLocal inclusions resulting in 881 link clicks



[In person Pop Ups](#) - 5 sessions with 440 people spoken to at various locations around the municipality



[Advisory Group Sessions](#) - 5 sessions held with key advisory groups and focus groups member (established in phase 1 and 2 of consultation)



[Key Themes from Consultation](#)

- There is an overall support in favour of accessible, affordable, and inclusive aquatic facilities, with a shared understanding of the positive impact on community wellbeing, health, and youth activities.
- Positive response towards the overall vision, with agreement that a focus on health, well-being, education, fitness, and play experiences is important for the community.
- Strong support was raised for access to all year-round aquatic facilities to achieve the strategy's objectives.
- Disappointment around closure of Kilsyth Centenary Pool citing concerns about its negative effects on community access and increased travel costs.



Yarra Ranges Council

Draft Aquatic and Leisure Strategy 2023–2033

PART A



Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region.

We proudly share custodianship to care for Country together.



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Introduction

The Yarra Ranges Aquatic and Leisure Strategy 2023 to 2033 (the Strategy) provides a 10-year road map towards a diverse network of aquatic and leisure facilities. Our facilities will deliver adventure, leisure, education, health and fitness and therapy-based programs, and participation opportunities for our community. The Strategy was developed using market research information, facility operating information, and community consultation. It considers the upgrade and renewal requirements of the existing facilities, the current and future needs of residents, population growth and demographic influences, emerging participation, usage and facility trends, and the financial impact on Council. The Strategy defines the role aquatic facilities play in providing aquatic and leisure services across the Yarra Ranges.

The Strategy is presented in two parts:

- Part A: Yarra Ranges Aquatic and Leisure Strategy 2023 to 2033
- Part B: Yarra Ranges Aquatic and Leisure Strategy Supporting Document.

Why do we need a Strategy?

Yarra Ranges Council is committed to supporting active and healthy lifestyles and improving the health and well-being of residents. Council recognises that programs and services provided at aquatic and leisure centres play an important role in promoting holistic health, including physical, mental, and emotional wellbeing. The programs and facilities create safe and accessible spaces for community members to come together to build social networks and connections, and develop core life skills. Council has invested significant funds into the development and operation of aquatic and leisure facilities over many years. Some of these facilities are nearing the end of their useful life and many do not meet the identified needs for contemporary facilities to support health and wellbeing outcomes, such as warm water pools. The current aquatic and leisure facilities also have a significant impacts on the environment through the use of gas for heating and high water use. Significant investment is required in aquatic and leisure to ensure facilities remain relevant, are more financially sustainable, and address the environmental impact to achieve Council's climate targets.

The development of the Yarra Ranges Aquatic and Leisure Strategy 2023 to 2033 focuses on supporting the physical health and mental wellbeing of residents while also addressing ageing infrastructure, and environmental and financial sustainability. It acknowledges the large geographical area of the municipality, and pockets of disadvantage aiming for equity in service provision and access. The Strategy will enable Council to continue to have a positive impact on the health and wellbeing of residents.

What facilities do we have?

Council currently supports aquatic services through the provision of two indoor aquatic and leisure facilities, five aquatic facilities, and three water play facilities offering the community diverse water experiences. Council is also currently managing the Jack Hort Memorial Pool located on Department of Education and Training (DET) land at Healesville High School for a trial period.



Aquatics & Leisure Facilities

- Monbulk Aquatic Centre (MAC)
- Yarra Centre (Yarra Junction)



Aquatics Facilities

- Belgrave Outdoor Pool
- Healesville Outdoor Pool
- Jack Hort Pool (Healesville)
- Lilydale Outdoor Pool
- Olinda Outdoor Pool



Water Play Facilities

- Lillydale Lake Water Play
- Seville Water Play
- Warburton Water World

Our Planning Districts

This map shows the Yarra Ranges planning districts - **Urban**, **Hills**, **Yarra Valley** and **Upper Yarra Valley** - and the aquatic facility locations within each district.

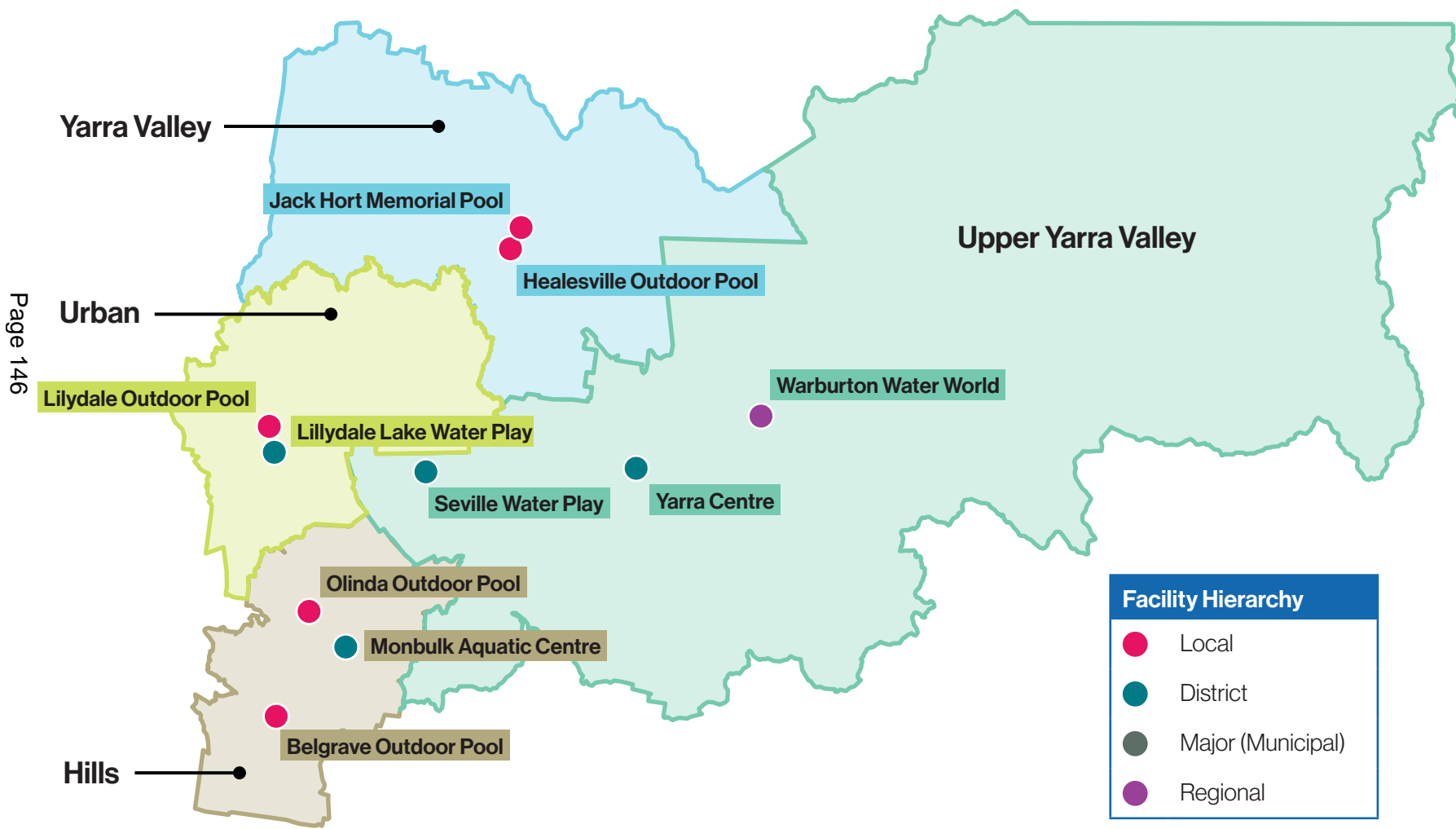


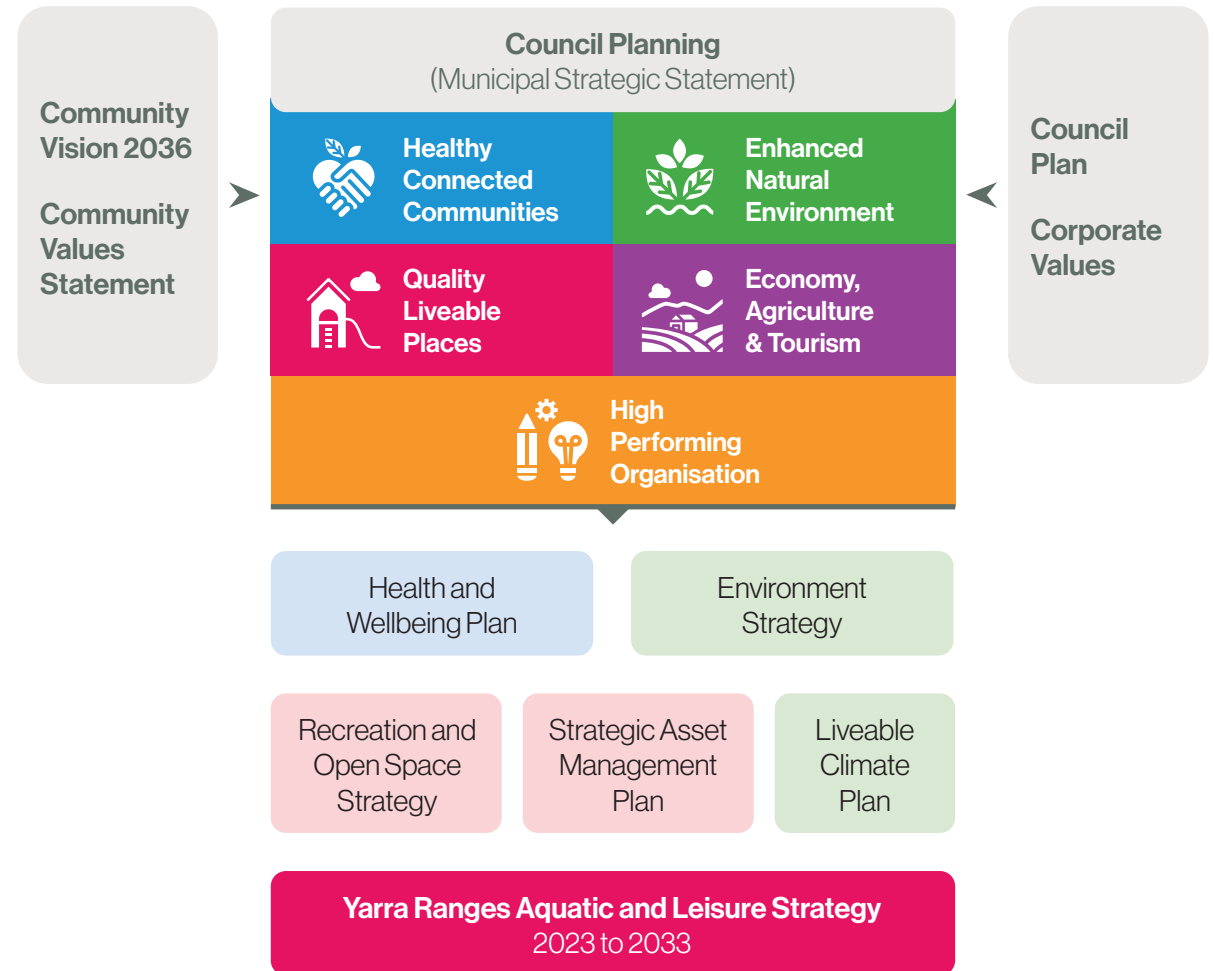
Figure 1: Current Yarra Ranges aquatic facility provision and hierarchy

Strategic Context

Yarra Ranges Council is proud of its integrated planning framework. A continuous review of the framework ensures Council's plans, strategies and resources are more closely aligned and increase the connection between what the community values, their priorities, and the Council's planning processes.

One of the priorities of the Yarra Ranges Council Plan 2021-2025 is 'Quality Infrastructure and Liveable Places', ensuring the facilities and infrastructure meet the current and future needs of the community. It states that 'Places should be well-planned hubs of activity that foster wellbeing, creativity and innovation' and that community assets will be welcoming, will respond to the needs of the community, and will be well-maintained for future generations. The Aquatics and Leisure Strategy will guide Council on the best provision of aquatics facilities for the community in order to achieve this priority.

The diagram shows the strategic relationship between Yarra Ranges Council's strategic landscape and the Yarra Ranges Aquatic and Leisure Strategy 2023 to 2033.



Vision

To provide a diverse and sustainable network of aquatic and leisure facilities, bringing Yarra Ranges residents together to access and enjoy health and wellbeing, education, fitness, leisure and play experiences.

The pivotal role aquatic and leisure centres play in enhancing holistic health, including physical, mental, and emotional wellbeing is the primary reason for Council's commitment to the provision and advancement of these facilities. The priority is to maximise the benefits the programs and services offer while concurrently creating safe and inclusive spaces where community members can convene, forge social connections, and nurture core life skills.

Furthermore, Council is dedicated to environmental sustainability and understands the substantial energy footprint associated with aquatic and leisure facilities, making them one of the highest energy consumers. Addressing these environmental concerns and attaining Council's established sustainability targets is another key focus.

Considering the substantial investments required to operate and maintain these facilities, it is imperative to ensure future investments align with key business objectives, prioritising increased participation and financial returns. Additionally, future investments must also underpin broader economic, health, and social impacts for the Yarra Ranges community, including creation of employment opportunities.

Objectives



Participation, Inclusion and Wellbeing

Provide accessible, affordable, safe, and inclusive aquatic and leisure facilities that support diverse participation opportunities and key programming needs.



Environmental Sustainability

Provide environmentally sustainable and universally designed aquatic and leisure facilities including adapting to climate change.



Financial Sustainability

Deliver well-managed, maintained and financially sustainable facilities that are provided for, within the capacity of the Yarra Ranges recurrent and long-term financial plan.



Economic Benefits

Deliver a diverse network of complementary aquatic and leisure facilities across the Yarra Ranges that support economic and employment opportunities.

How do we achieve our vision and objectives?



Participation, Inclusion and Wellbeing

Will be achieved by:

- Access to an aquatic and leisure facility within a reasonable travel distance of their home.
- Access to purpose-built warm water pools and programs pools at key indoor facility locations to support therapy, rehabilitation and learn to swim activities.
- Development of a business case to further investigate an integrated health and leisure facility in the urban area to support the anticipated population growth.

How we measure our success:

- Increase in participation.
- Access to Aquatic facility within a 20min travel time.
- Construction of warm water pools within Yarra Ranges.
- Completion of business case for Integrated Aquatic Facility.



Environmental sustainability

Will be achieved by:

- Discontinuing gas use within aquatic facilities in line with the targets of Council's Livable Climate Plan.
- Reduction over time of facilities that do meet the environmental objectives of council.
- Future design for development or redevelopment will include best practice in environmentally sustainable design. For example:
 - Rainwater harvesting system.
 - Energy efficient boiler.
 - Thermal insulation around the pool shell.
 - High levels of air tightness to improve the efficiency of the heating and cooling systems.
 - Building Management System that allows for monitoring and control of all major systems.
 - Energy-efficient lighting, which uses less energy and needs replacing less often.
 - Double and clear glazing windows let heat into the building during winter.

How we measure our success:

- Removal of gas and replacement with renewable energy source.
- Achievement of Council's livable climate plan targets.
- Deletion of single use plastic.
- Capital investment attributable to Environmentally Sustainable Design (ESD) initiative in line with current best practice.



Financial Sustainability

Will be achieved by:

- Significantly reducing Council's subsidy for the operation of aquatic and leisure portfolio.
- Recommending upgrades or new developments that are supported by an evidence based business case and support financially sustainable targets.
- Providing a range of services and programs, including some high-yield programs that have the capacity to cross-subsidise high-cost components.
- Reducing programs and services and facility components that do not achieve financial targets.

How we measure our success:

- Reduction in Council financial subsidy to manage and operate network of Aquatic and Leisure facilities to meet industry benchmark.
- Completion of Business case for Lilydale, MAC and Yarra Centre.



Economic Benefits

Will be achieved by:

- Providing a range of services and programs to improve productivity and assist in reducing preventative health costs.
- Providing employment opportunities for residents.
- Where appropriate, optimising facilities may provide a wider regional economic impact through both the construction and operational phases.

How we measure our success:

- Increase in EFT within the Aquatic network.
- Increase of construction employment during the development of redevelopment of Aquatic Facilities.
- Increase to wider economic benefit to the Yarra Ranges region.

Strategic Direction

Given operational and financial performance of existing facilities, along with catchment analysis, industry trends, and extensive community engagement, indicates there is significant demand and interest from key stakeholders across the Yarra Ranges.

The feedback gathered indicates pools are highly valued. However, many are ageing and are not fit for the purpose of addressing community sector needs. There is strong support for facilities that deliver inclusive and accessible services and programs that focus on maximising health and wellbeing outcomes and are environmentally and financially sustainable.

The recommended strategic direction for aquatic facilities and services in the four Council planning districts is as follows:

Urban District

Investigate Opportunities for an Integrated Aquatic and Leisure Centre

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Develop a business case to support planning for a major (municipal level) integrated indoor aquatic and leisure facility that services the widest population growth and catchment needs of the Yarra Ranges. The facility is to be situated on a visible and accessible site within proximity to public transport and other key activity nodes. If no suitable site can be located in Lilydale, other locations within the urban area should be considered.

The key components of the facility may include:

Aquatics

Indoor lap pool

Program pool (learn to swim)

Warm water pool – including spa

Interactive leisure water

Steam and sauna

Dry health and leisure

Group fitness rooms

Gym

Social space

Café

Community meeting spaces

Permanent closure of the Kilsyth Centenary Pool

The age and condition of the Kilsyth Centenary Pool resulted in the need to close the facility for the safety of both facility users and staff. The location of the facility on the border of the Yarra Ranges results in significant overlapping and competing population catchments with Aquahub Croydon. The facility had a declining usage and lacks a number of essential components now seen in contemporary aquatic and leisure centres to meet identified needs.

Retention of Lilydale Outdoor Pool

Retention of the existing outdoor pool in Lilydale until the proposed indoor integrated facility is built in the Urban area or the pool fails. Funds will be provided for maintenance and minor renewals to support the pool's function.

Hills District

Upgrade of the Monbulk Aquatic Centre (MAC)

Upgrade the MAC to improve disability and inclusion access and to support the diverse needs of the community. Subject to a detailed business case the upgrade may include the following key components:

- Additional program pool
- Extension of the gym
- Upgrade to leisure water
- New program room

Retain the Belgrave Outdoor Pool and Olinda Community Pool

Retain and monitor the ongoing usage of the facilities and provide funding for maintenance. The future of the pools will be reviewed once the upgrades to the MAC are completed.

Yarra Valley District

Continue management and operations of Jack Hort Memorial Pool in the short term and investigate the opportunity for a district facility in the long term.

The facility components at Jack Hort Memorial Pool are limited and do not meet the aquatic service level of a district facility. In the short-term, Council will investigate possible alternate operating models and monitor ongoing usage and maintenance requirements. In the longer-term Council will investigate opportunities to provide access to a district-level facility to service the Yarra Valley District.

Master plan for the Healesville Outdoor Pool

The 50m pool is highly valued by the community it serves, and provides a 50m pool for schools in the Yarra Ranges to hold carnivals and events. The infrastructure is ageing and needs to be upgraded to meet identified future needs. A master plan will be developed that investigates:

- Condition and life of the 50M pool shell
- Upgrade to the changerooms
- Heating of the pool
- Opportunities for the inclusion of a small interactive water play feature.

Upper Yarra Valley District

Upgrade of the Yarra Centre

Upgrade the Yarra Centre to support the diverse needs of the community. Subject to a detailed business case the upgrade may include the following key components:

- New entry and café
- Extension of the pool hall to incorporate a new warm water pool, spa and accessible change facilities
- Redevelopment and expansion of gym and program rooms
- Development of an external fitness zone.

Water Play Areas

The Seville Water Play area, Warburton Water World and Lillydale Lake Water Play have proved to be extremely successful, attracting high visitation per annum. Use and access to water play will continue to be monitored over the life of the strategy to respond to community need and appropriate business case.

Future Aquatic and Leisure Facility Catchments

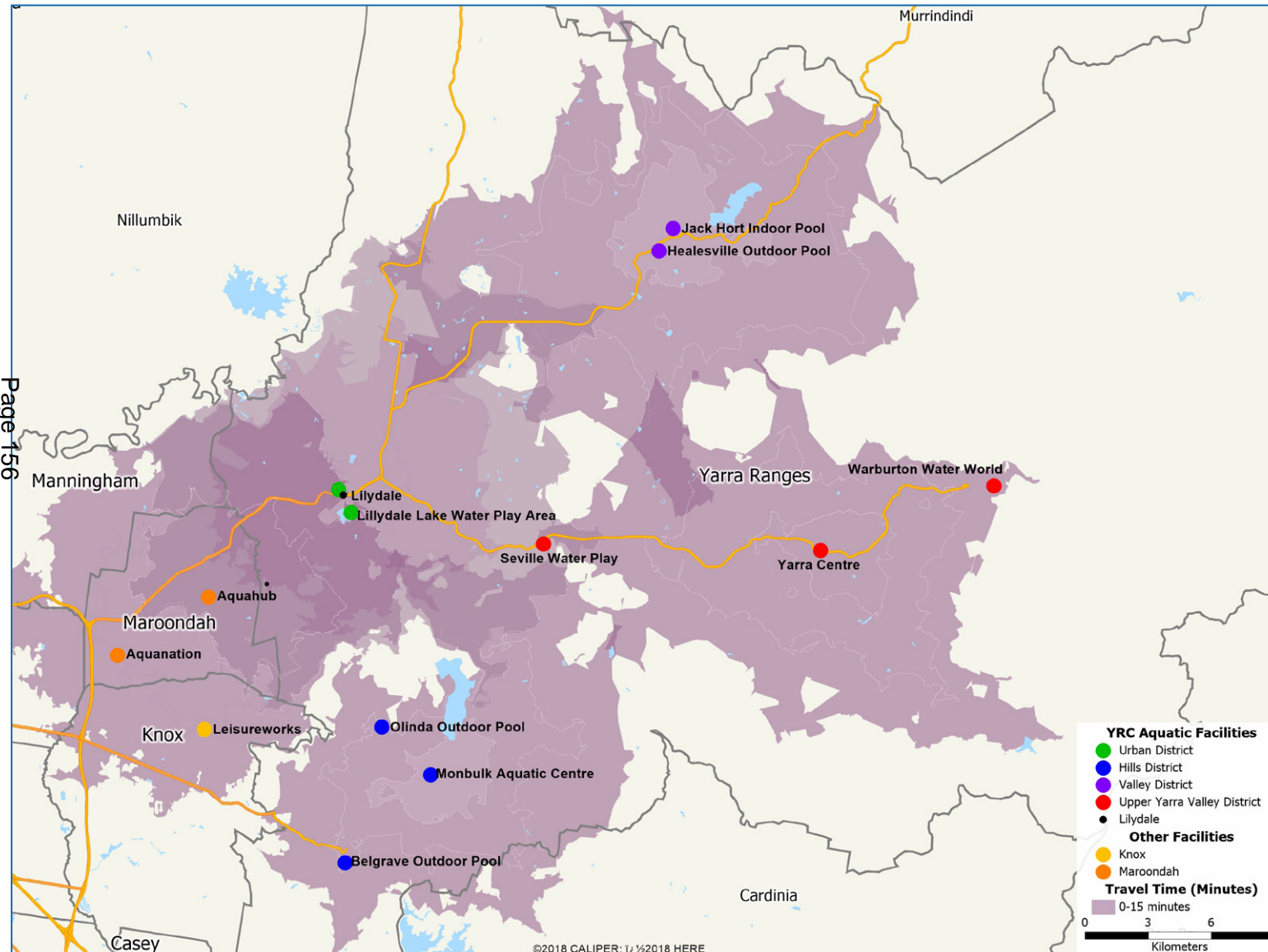

















Figure 2: Areas of Yarra Ranges Council within a 15 minute drive of an Indoor Aquatic and Leisure Facility following the implementation of the strategy recommendations.

Recommendations and Actions














The following table provides recommendations and actions for the four planning districts - Urban, Hills, Yarra Valley and Upper Yarra Valley to implement the strategic directions.









Objective				Priority		
 Participation, Inclusion and Wellbeing	 Environmental Sustainability	 Financial Sustainability	 Economic Benefits	Short Term: 1 to 2 years	Medium Term: 3 to 4 years	Long Term: 5+ years

Recommendation	Objective	Action	Priority	Estimate Resource
Urban District				
1. Development of a Major integrated indoor aquatic and leisure hub that services the key aquatic and well-being needs of the Shire, subject to a detailed business case	   	That Council prepares a business case for the development of the integrated aquatic and leisure centre to understand site options, capital cost operational costs, usage and economic and health impacts. Based on population growth and catchment data the preferred location for this facility is Lilydale. If no suitable site can be located other locations within the urban area should be considered.	Short	\$250K - \$300K
		That Council develops a funding strategy that considers the potential internal and external (state and federal governments, private partnerships) to support the development of an integrated aquatic and wellbeing centre	Medium	Internal resources
2. Permanent Closure of Kilsyth Centenary Pool	 	The site of Kilsyth Centenary Pool is restored for general use while a Master Plan is completed to determine the future use of the land. The Master Plan will investigate opportunities for a water play area.	Short	\$1M
		That Council investigates opportunities with the private sector to establish dedicated learn-to-swim facilities within the urban area.	Short	Internal resources
3. Retention of Lilydale Pool until a new urban pool constructed or pool failure		That Council provides funding to enable the Lilydale Pool to remain open until the proposed new facility is developed, or the pool plant and pool shell equipment fails.	Ongoing	150k per year approx.

Recommendation	Objective	Action	Priority	Estimate Resource
Hills District				
4. Expand Monbulk Aquatic Centre		That Council prepares a business case and Master Plan for the redevelopment of the Monbulk Aquatic Centre to understand the capital costs, operational costs, usage and Council subsidy.	Short	\$150K
		That Council develops a funding strategy that considers the potential internal and external (state and federal governments, private partnerships) to support the development of the Monbulk Aquatic Centre.	Short	Internal resources
		MAC is upgraded in line with the Master Plan and business case.	Long	\$40M - \$50M
5. Electrification of Plant		That the cost and feasibility of removing the use of gas and replacing with a renewable energy source is undertaken for Monbulk Aquatic Centre.	Short	\$50K
		MAC transferred to electricity and renewable energy sources.	Long	\$2M
6. Maintain provision at Belgrave Outdoor		That Council identifies minor renewal costs and implements works associated with the operation and maintenance of the Belgrave Outdoor Pool.	Medium	Ongoing 200k per year approx.
7. Maintain provision at Olinda Outdoor Community Pool		That Council identifies minor renewal costs and implements works associated with the operation and maintenance of Olinda Outdoor Community Pool. Council continues to monitor the use and management arrangements of the Olinda Community Pool.	Medium	Ongoing 150k per year approx

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Recommendation	Objective	Action	Priority	Estimate Resource
Yarra Valley District				
8. Investigate operational management in the short term of Jack Hort Memorial Pool	 	That Council works with the Department of Education and Training to determine the management and maintenance responsibilities of the facility in the short and long term.	Short	Internal resources
9. Investigate opportunities to develop a District Level facility to support the Yarra Valley District in the long term.	   	That Council further investigates the feasibility of developing a district level facility at Healesville.	Medium	\$60K - \$80K
10. Upgrade of the Healesville Outdoor pool	 	Development of a business case and Master Plan for the redevelopment of the Healesville Outdoor Pool.	Short	\$60K - \$80K
		Upgrades to Healesville Outdoor Pool are completed in line with the Master Plan.	Short	\$5M
Upper Yarra Valley District				
11. Expand Yarra Centre	   	That Council prepares a business case and Master Plan for the upgrade of the Yarra Centre to understand the capital costs, operational costs, usage, and Council subsidy.	Medium	\$150K
		That Council develops a funding strategy that considers the potential internal and external (state and federal governments, private partnerships) to support the redevelopment of the Yarra Centre.	Medium	Internal resources
		Yarra Centre is upgraded in line with the master plan and business case	Long	\$25M - \$35M
12. Electrification of Plant		That the cost and feasibility of removing the use of gas and replacing with a renewable energy source is undertaken for the Yarra Centre.	Short	50K
		Yarra Centre transferred to electricity and renewable energy sources	Long	\$2M

Recommendation	Objective	Action	Priority	Estimate Resource
Water Play Areas				
13. Maintain provision of water play at Warburton, Seville and Lilydale	   	That Council continues to monitor the usage of water play to align with community needs.	Short	Internal resources
		Review water play provision in line with community need (ongoing)	Short	Internal resources
Aquatic Facilities				
14. Develop asset management plan for aquatic facilities	   	Council captures current asset data, assesses asset condition and monitors performance to assign an appropriate renewal value to maintain assets.	Short	Internal resources

Strategy Review

The network of Yarra Ranges aquatic and leisure facilities requires regular review to assess usage and performance against the Strategy vision, progress against Strategy objectives, and the ongoing alignment of actions to the Council's objectives.

This strategy represents the most appropriate provision of aquatic and leisure facilities to service our community at this time. Council acknowledges the social benefits of outdoor pools, however, also recognises the ageing infrastructure, rising costs, and environmental impacts of these assets. Priority for investment will be directed to year round indoor facilities.

Monitoring, reporting and evaluation are required to understand effectiveness, identify areas for improvement and enhance the evidence base for current and future work in this space. The implementation of the strategy depends on investment from State and Federal Governments and should consider the potential for private investment.

A mid-term review of the strategy at year five will be undertaken and a review of the implementation plan will occur annually to allow Council to respond to changing circumstances. This approach will ensure the strategic direction for aquatic services remains relevant to the needs of the community.





Yarra Ranges Council

Aquatic and Leisure Strategy

Supporting Document

PART B

Supporting Information

The Yarra Ranges Aquatic and Leisure Strategy 2023 to 2033 (Strategy) provides a 10-year road map towards a diverse network of aquatic and leisure facilities. Our facilities will deliver adventure and leisure, education, health and fitness and therapy-based programs and participation opportunities for our community.

Yarra Ranges Council is committed to supporting active and healthy lifestyles and improving the health and well-being of residents. Council recognises that the programs and services provided at aquatic and leisure centres play an important role in promoting holistic health, including physical, mental and emotional well being. The programs create safe and accessible spaces for community members to come together to build social networks and connections and develop core life skills.

The supporting document provides evidenced based research and data helping guide the key strategic directions and recommendations detailed within the Strategy and includes:

- Aquatic service hierarchy
- Current facilities operating performance trends
- Demographic profile
- Community engagement feedback and findings
- Industry trends
- Value of the Aquatic Industry
- The future of outdoor pools
- Aquatic centre catchments.



Aquatic Service Hierarchy

Access to aquatic facilities will be provided through a combination of:

- Council-owned aquatic and leisure facilities and water play parks
- Community-managed aquatic and leisure facilities
- Facilities/services available from the private sector (e.g., swim school, fitness centres and personal training studios)
- Regional aquatic facilities offered by adjoining municipalities in Maroondah (Croydon Aquahub and Ringwood Aquanation) and Knox City Council (Knox Leisureworks).

The Yarra Ranges Aquatic and Leisure Strategy 2023 to 2033 seeks to provide a full range of harmonious, diverse and unique water experiences in Yarra Ranges.

The following table shows the service hierarchy for Yarra Ranges and other neighbouring major aquatic and leisure facilities that relate to the ‘industry’ standards for catchment sizes. The postcode analysis of casual visits, memberships for learn to swim and health and fitness at Yarra Ranges Aquatic Facilities align with the industry catchment size for each facility within the service hierarchy. There are a number of commercially operated facilities that provide learn to swim and health and fitness services that help address community need.

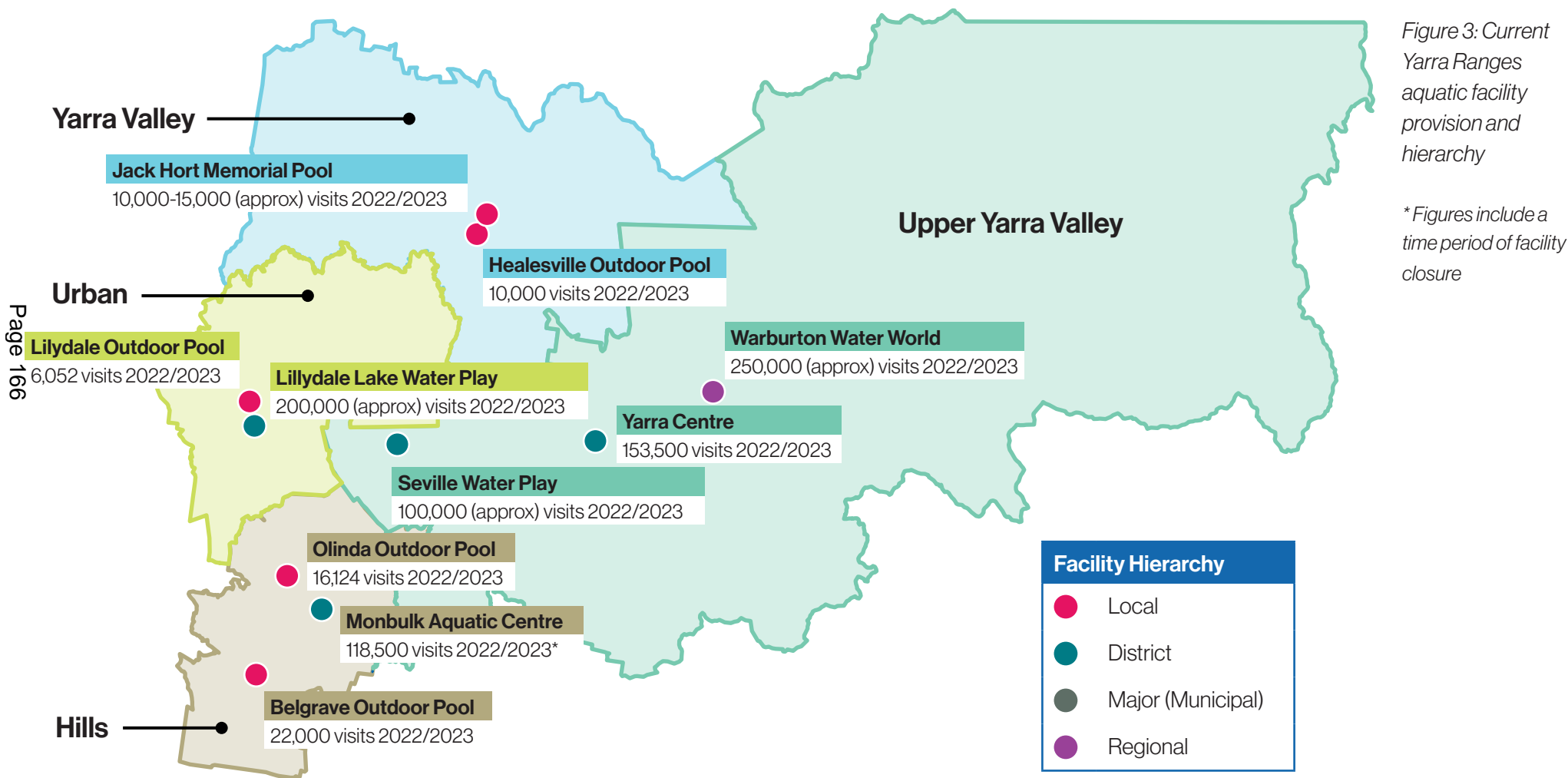
Table 1: Yarra Ranges Aquatic Facility Hierarchy

Service Hierarchy	Service Level Objective	Yarra Ranges Pools	Other Council managed Local and Regional Facilities
Local 10,000 - 40,000 Catchment Population	<ul style="list-style-type: none"> • Ability to provide limited program water combined with leisure water. • Limited dry/gym facilities. 	<ul style="list-style-type: none"> • Belgrave Outdoor Pool • Olinda Outdoor Pool • Lilydale Outdoor Pool • Healesville Outdoor Pool • Jack Hort Memorial Pool (Healesville) 	<ul style="list-style-type: none"> • Casey ARC (Narre Warren) • Croydon Outdoor Memorial Pool (Croydon)

Service Hierarchy	Service Level Objective	Yarra Ranges Pools	Other Council managed Local and Regional Facilities
District 40,000 - 70,000 Catchment Population	<ul style="list-style-type: none"> • Ability to separate program and leisure water. • Larger dry/gym facilities. • Additional limited facilities. 	<ul style="list-style-type: none"> • Monbulk Aquatic Centre • Yarra Centre • Seville Water Play • Lillydale Lake Water Play 	<ul style="list-style-type: none"> • Aquahub (Croydon)
Major (Municipal) 70,000 - 100,000 Catchment Population	<ul style="list-style-type: none"> • More extensive program and leisure water. • Consideration of indoor 50m pool and complementary warm water pool. • Increased gym and program space. • Additional complimentary amenities, food and beverage. 		<ul style="list-style-type: none"> • Knox Leisureworks (Boronia)
Regional 100,000 - 150,000 Catchment Population	<ul style="list-style-type: none"> • Extensive and varied program leisure water and attractions • Inclusion of indoor 50m pool and separate warm water pools. • Wellness/health club and extensive program room inclusions. • Complementary services and amenities, crèche, food and beverage. 	<ul style="list-style-type: none"> • Warburton Water World 	<ul style="list-style-type: none"> • Aquanation (Ringwood) • Casey RACE

Our Current Facilities

This map shows the Yarra Ranges planning districts - **Urban**, **Hills**, **Yarra Valley** and **Upper Yarra Valley** - and the aquatic facility locations within each district.



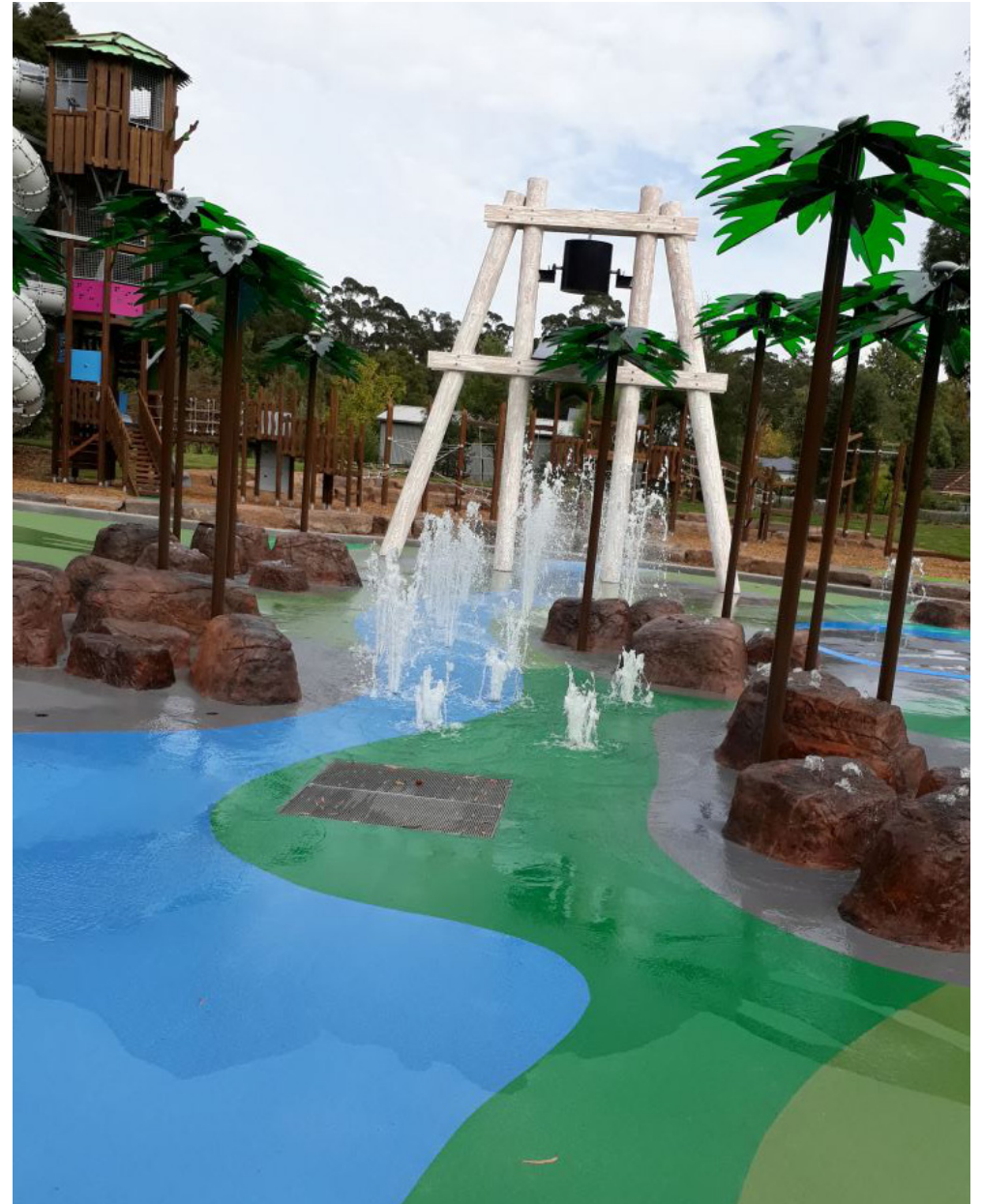
How our facilities have performed

This section summarises the operational performance of our aquatic facilities, including attendances, operational income and operational expenditure, and the cost to Council for providing the aquatic facilities.

Notably, Covid-19 restrictions impacted the operational performance across all facilities from 2019–2022. The Monbulk Aquatics Hall was also closed from June 2021 – September 2022, following damage caused by storms. Kilsyth Centenary Pool was closed from March 2023 due to safety concerns.

The figures have been presented as aquatic facilities (indoor and outdoor pools) and excludes the three water play areas (Lilydale, Seville and Warburton).

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Attendance

The following table shows annual visitation to the Yarra Ranges aquatic facilities, excluding the three water play areas (Lilydale, Seville and Warburton).

Total attendances over the review period were significantly impacted by the closure of the facilities as a result of Covid 19, closure of Monbulk Aquatics Hall due to storm damage in 2021 and the closure of Kilsyth Centenary Pool in 2023 due to safety concerns.

Total attendances have decreased from a high of 482,077 in 2018/19 (pre Covid-19) to 367,787 in 2022/2023 (post Covid-19) a decrease of approximately 114,290 visits (23.7%). However due to significant interruptions to business continuity over the last 4 years, no trend in data can be identified.

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Table 2: Attendances at Yarra Ranges Aquatic Facilities 2018/19 to 2022/23

2018/19	2019/20	2020/21	2021/22	2022/23
482,077	344,937	164,837	219,556	367,787

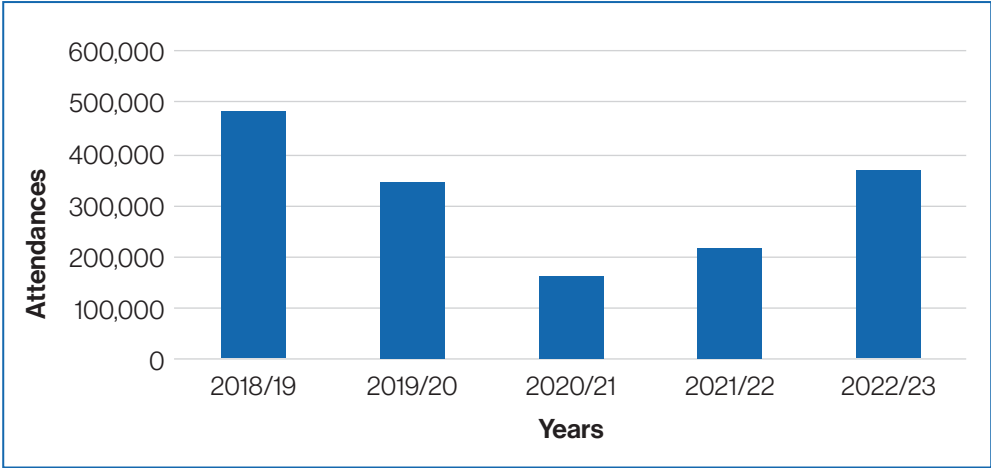


Figure 4: Attendances at Yarra Ranges Aquatic Facilities 2018/19 to 2022/23

Operational Performance

The following table details the operational performance of the Yarra Ranges aquatic facilities (excluding the three water play areas). Operating income includes admission fees, memberships, kiosk and merchandise sales. Operation expenditure includes all costs associated with day to day operations. This data excludes the Council subsidy, asset renewal/maintenance, and the staff costs to oversee the current management contract.

In line with a decrease in attendance, the total operating income has decreased from a high of \$4,968,944 in 2018/19 to \$1,603,918 in 2021/22, a decrease of approximately \$3,365,026 (47%). Over the last five years attendances have been impacted by the Covid-19 interruptions, closure of Monbulk Aquatics Hall due to storm damage and closure of Kilsyth Centenary Pool due to safety concerns therefore making it difficult to provide an accurate trend line.

The operational income for the 2019/20 and 2020/21 years includes Jobkeeper payments received by the facility operator, which enabled the retention of staff.

The total operating expenditure over this period has fluctuated mainly due to Covid-19 closures and storm impact interruptions. Therefore no trends can be drawn from this data.

Table 3: Yarra Ranges Aquatic Centres Operating Performance 2018/19 to 2022/23

Centre Operating Costs	2018/19	2019/20	2020/21	2021/22	2022/23
Operating Income	\$4,968,944	\$4,714,170	\$3,784,918	\$1,603,918	\$3,800,514
Operational Expenditure	\$6,379,553	\$6,575,700	\$3,846,132	\$5,244,104	\$6,051,189
Operating Performance	-\$1,410,609	-\$1,861,530	-\$61,214	-\$3,640,186	-\$2,250,675

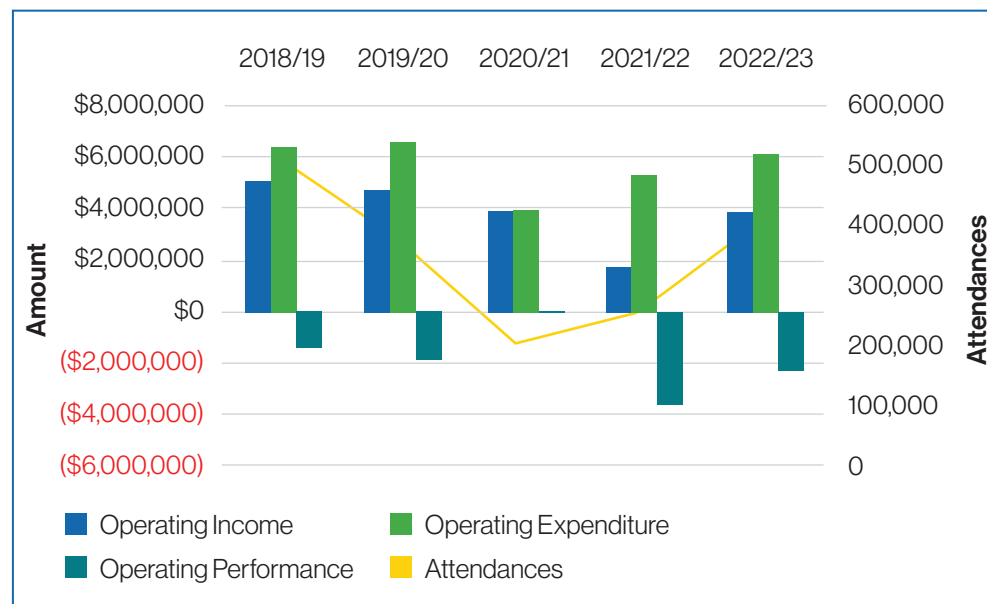


Figure 5: Yarra Ranges Aquatic Centres Operating Performance 2018/19 to 2022/23

Council Costs

The following table details the cost to Council to provide the Yarra Ranges aquatic facilities (excluding the splash parks) and includes the Council contract management subsidy, asset renewal and maintenance costs, and the Council staff costs to oversee the management contract.

A review of the costs to Council indicates:

- The cost of providing the aquatic facilities has increased over the five-year review period.
- Due to the above mentioned impacts, trends cannot be drawn from this data.
- The Council subsidy in 2020/21 was slightly impacted by Covid 19 closures however the full impact was offset by Job keeper subsidy.

The Council subsidy in 2021/22 increased significantly as a result of Covid-19 and the storm damage at the Monbulk Aquatic Centre.

- Given the age of the facilities, asset renewal has increased from \$54,476 in 2018/19 to a high of \$785,289 in 2020/21. It should be noted that Council took the opportunity to undertake necessary maintenance work while the centres were closed during Covid-19.

Table 4: Yarra Ranges Aquatic Facilities Costs to Council 2018/19 to 2022/23

Council Costs	2018/19	2019/20	2020/21	2021/22	2022/23
Council management and subsidy costs	\$1,611,426	\$1,593,544	\$1,724,295	\$2,601,757	\$1,964,465
Asset renewal	\$54,476	\$142,322	\$785,289	\$671,144	\$662,000
Maintenance	\$270,049	\$557,298	\$451,666	\$279,502	\$195,000
Total Cost to Council	\$1,935,951	\$2,293,164	\$2,961,250	\$3,552,403	\$2,821,465
Subsidy Per Visit	\$4.02	\$6.65	\$17.96	\$16.18	\$7.67

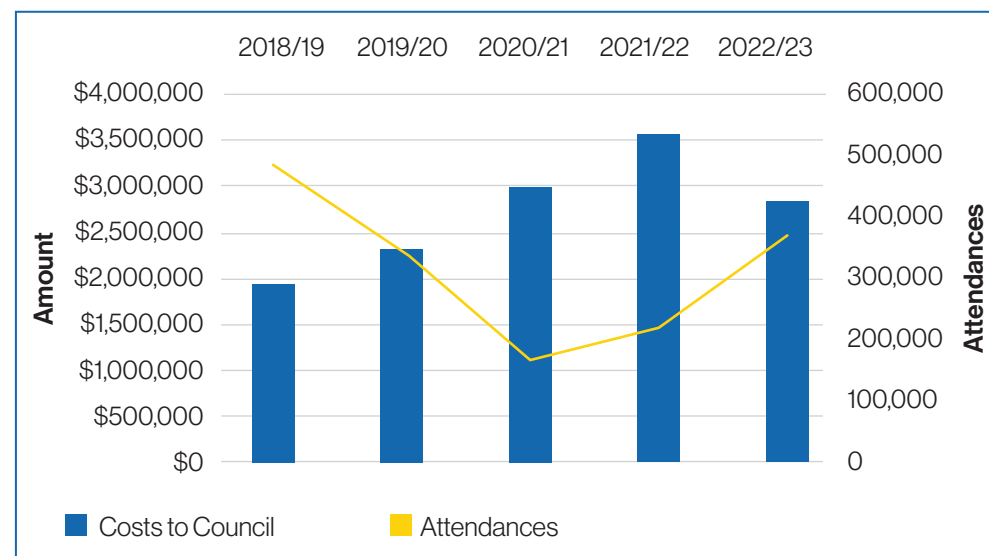


Figure 6: Yarra Ranges Aquatic Facilities Costs to Council 2018/19 to 2022/23

The following section provides a breakdown of operational performance comparing indoor pools and outdoor pools.

Indoor Pools

The operating performance and attendances for the three Yarra Ranges indoor pools (Kilsyth, Yarra Junction, Monbulk) between 2018/19 to 2022/23 are detailed in the table and graph below.

Table 5: Yarra Ranges Indoor Pools Operating Performance 2018/19 to 2022/23

Centre	2018/19	2019/20	2020/21	2021/22	2022/23
Operating Costs					
Operating Income	\$4,750,102	\$4,548,010	\$3,237,351	\$1,525,217	\$3,689,948
Operational Expenditure	\$5,765,091	\$5,887,022	\$3,137,907	\$4,499,644	\$5,297,009
Operating Performance	-\$1,014,989	-\$1,339,012	\$99,444	-\$2,974,427	-\$1,607,061

Council provides an annual subsidy for the operations of the Jack Hort Memorial Pool, located at Healesville High School, which has been included in this data.

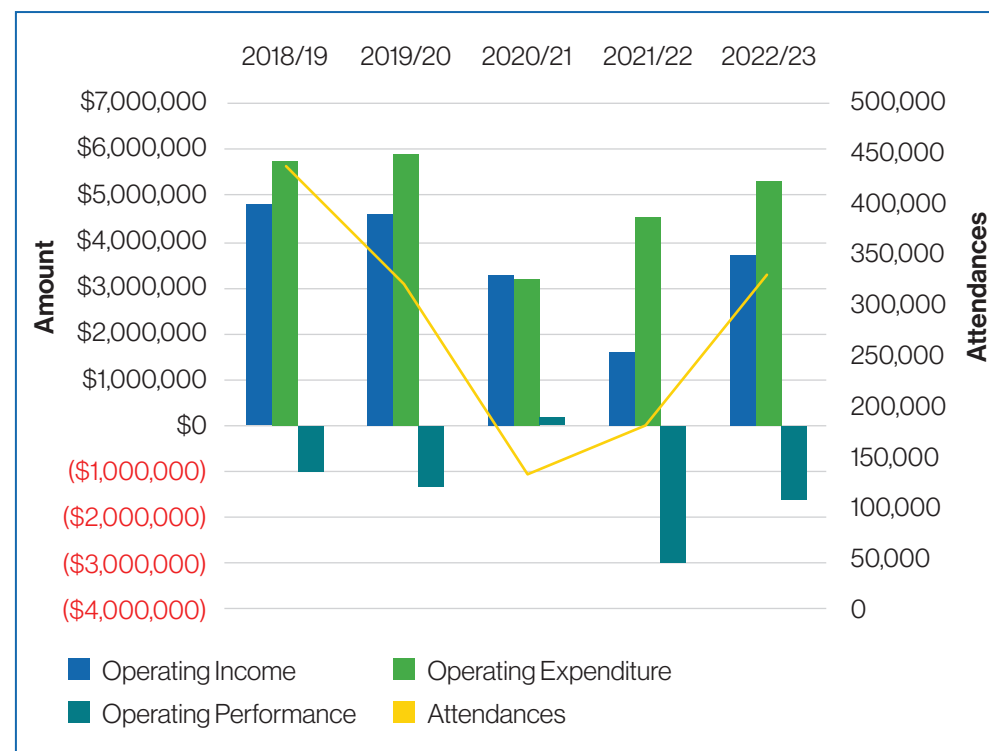


Figure 7: Yarra Ranges Indoor Pools Operating Performance 2018/19 to 2022/23

The following table details Council's cost to provide the indoor pools and includes the Council contract management subsidy, asset renewal and maintenance, and the Council staff costs to oversee the management contract.

Table 6: Yarra Ranges Indoor Pools Costs to Council 2018/19 to 2022/23

Council Costs	2018/19	2019/20	2020/21	2021/22	2022/23
Council management and subsidy costs	\$1,209,792	\$1,201,921	\$1,166,605	\$2,057,421	\$1,514,134
Asset renewal	\$28,592	\$72,806	\$592,938	\$548,187	\$283,714
Maintenance	\$203,973	\$403,111	\$305,580	\$236,492	\$83,571
Total Cost to Council	\$1,442,357	\$1,677,838	\$2,065,123	\$2,842,100	\$1,881,420
Subsidy Per Visit	\$3.28	\$5.25	\$15.46	\$15.60	\$5.71

Note: CERM industry benchmark (Group 7 - Indoor Pools) subsidy is \$1.78.

Outdoor Pools

The operating performance and attendances for the four Yarra Ranges seasonal outdoor pools (Belgrave, Healesville, Lilydale and Olinda) from 2018/19 to 2022/23 are shown in the following figure. The outdoor pools operate for a five-month period between November and the end of March each year.

Table 7: Yarra Ranges Outdoor Pools Operating Performance 2018/19 to 2022/23

Centre Operating Costs	2018/19	2019/20	2020/21	2021/22	2022/23
Operating Income	\$218,842	\$166,161	\$547,567	\$78,701	\$110,566
Operational Expenditure	\$614,462	\$688,678	\$708,405	\$744,460	\$754,180
Operating Performance	-\$395,620	-\$522,517	-\$160,838	-\$665,759	-\$643,614

It should be noted that the Olinda Outdoor Pool is operated by a Committee of Management that is supported by an annual Council subsidy, which has been included in this data.

The following table details Council's cost to provide the outdoor pools and includes the Council contract management subsidy, asset renewal and maintenance, and the Council staff costs to oversee the management contract.

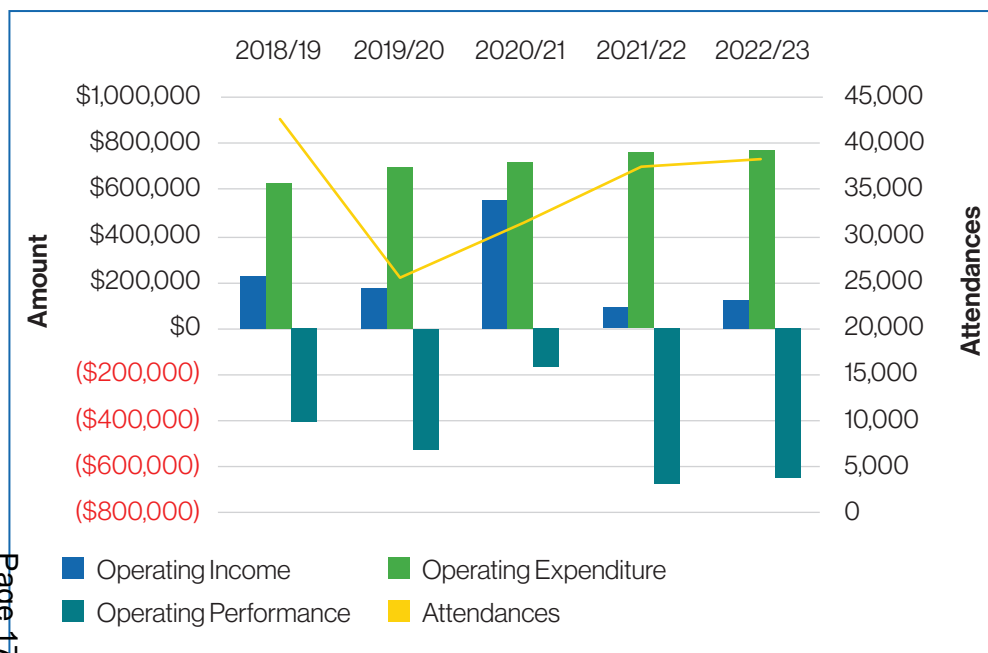


Figure 8: Yarra Ranges Outdoor Pools Operating Performance 2018/19 to 2022/23

Table 8: Yarra Ranges Outdoor Pools Costs to Council 2018/19 to 2022/23

Council Costs	2018/19	2019/20	2020/21	2021/22	2022/23
Council management and subsidy costs	\$401,634	\$391,622	\$557,691	\$544,336	\$450,331
Asset renewal	\$25,884	\$60,858	\$180,676	\$122,241	\$283,714
Maintenance	\$55,592	\$127,054	\$117,147	\$26,035	\$83,571
Total Cost to Council	\$483,110	\$579,534	\$855,514	\$692,612	\$817,617
Subsidy Per Visit	\$11.44	\$22.79	\$27.37	\$18.53	\$21.44

Note: CERM industry benchmark (Group 5 - Outdoor Pools) subsidy is \$4.90, dramatically lower than Yarra Ranges Council subsidy per visit.

A comparison of Yarra Ranges aquatic facilities against industry benchmarks (CERM) indicates that the facilities are performing below the benchmarks for both expense recovery and attendance when compared to similar facilities across Australia. Lilydale Outdoor Pool in particular is operating well below the benchmark in terms of expense recovery and attendance levels and prior to its closure, the Kilsyth Centenary Pool was operating lower than Council's other two indoor facilities. This is resulting in Council contributing a high subsidy to maintain underperforming aquatic facilities.

Water Play

The three water play areas located within Yarra Ranges include Seville Water Play Park, Lillydale Lake Water Play and Warburton Water World. All facilities are free for public use between the months of September and the end of March each year.

The total cost for operating the parks in 2022/23 is \$147,000, which includes maintenance and water testing.

The estimated annual usage across the three water play areas is approximately 550,000 visits.

Case Study – Olinda Community Pool

In November 2013, the Olinda outdoor pool was temporarily closed due to structural issues. There was significant community support to reopen the pool and In December 2015, the pool reopened as a Committee of Management run facility. Prior to its closure the pool received less than 2,000 visits per year. Since reopening under Committee of Management the pool visitation has been recorded at over 15,000 annually.

Management Models

This section looks at the management models currently in place to manage and operate the Yarra Ranges Aquatic Facilities and the alternate models operating within the leisure industry. The main management models currently operating in the Australian Leisure Industry include:

External Management: This is where councils contract out management rights of the leisure facilities to a specialist leisure contract management company. This is usually done through a contract for an agreed term and set of conditions that bind each party. This model allows for a specialist contract manager with a range of industry expertise, however there are a fluctuating number of providers in the market. *This is the current model for the Yarra Centre, Monbulk Aquatic Centre, Lilydale Outdoor Pool, Healesville Outdoor Pool, Belgrave Outdoor Pool and more recently the Jack Hort Memorial Pool.*

Internal Management: This is the most traditional model where councils directly employ management and staff to operate the aquatic, recreation, and leisure facilities. This management model allows Council control of operations, pricing, programming, asset management, staffing and all associated risk.

Committee of Management: This is where councils establish, under the Local Government Act, a Committee of Management that is made up of community members (usually volunteers) appointed to oversee the management and operations of the facility. These local members have a direct connection with community needs. With this model Council retains responsibility for asset management. *This is the current model for the Olinda Community Pool.*

Company Limited by Guarantee: This model is emerging and involves the council setting up a separate wholly owned company to manage and operate the facilities on its behalf. This model allows the company to control all facilities based on the Management Services Agreement and key operating directions set up by council. This option is used where councils wish management to be more commercial and are prepared to hand off responsibility to the company but retain some strategic direction and control.

The most popular management models for leisure facilities in Australia currently are:

- Internal Management
- External Contract Management.

The models all have a range of differences, but some common linkages can define them into two groups linked by:

- Level of control council wants or is prepared to give away.
- Level of risk council is prepared to take or want to give away.

It should be noted that the current Covid-19 pandemic has shown that a council cannot contract out risk.

Who is our community?



Population

163,298

Population estimate for 2023

185,902

Expected by 2041
(13.84% growth rate)

The population growth will fuel the continued demand for aquatic and leisure services.

Urban District has the highest population growth areas, led by Lilydale (61.8%), Chirnside Park (25.8%) and Mooroolbark (19.5%).



Age

35 to 39

Higher proportion aged group identified: Parents & House Builder Groups (35-49) and Older Workers and Pre-Retirees groups (50-59)

24.5%

aged 60 and over (Greater Melbourne 18.2%)

18.7%

aged between 0 and 15 (Greater Melbourne 22.2%)

Younger age groups seek access to learn to swim programs and leisure water experiences. Older age groups seek social and therapy-based programs.



Diversity

16.8%

of people in Yarra Ranges Council were born overseas

1.1%

People identify as Aboriginal and Torres Strait Islander (Greater Melbourne 0.5%)

A high proportion of Aboriginal and Torres Strait Islander people reside within the Yarra Valley District

Any future development should connect and celebrate the cultural significance of these areas and the cultural diversity of our Community.



Travel

Car

Main mode of travel (limited public transport in rural areas)

65%

Households with access to two or more vehicles (Greater Melbourne 51%)

There are improved pedestrian and bike trails between townships and from where people live to township centres

These improvements may also influence the travel behaviour of aquatic and leisure centre users if connected to these public and active transport options.

Health and Wellbeing



There are high levels of disabilities, obesity and mental health issues, with low levels of physical activity and long commuting times increasing times of sedentary behaviours.

A diverse mix of aquatic and leisure experiences covering adventure and leisure, fitness, education and therapy will be important to address these health issues

12%	29%	25%	25%
Violence against women and gender inequality	Risk Factors	Mental Health	Healthy Eating
- increase in number of family violence incidents	- two or more chronic diseases (high blood pressure, diabetes etc)	- sought help for mental health related problem in the last 12 months	- experienced food insecurity. Consumed sugar sweetened drinks daily
(Victoria 7%)	(Victoria 25%)	(Victoria 18%)	(Victoria 18%)

Disadvantage and Social Capital



Yarra Ranges has a moderate level of disadvantage.

15.5%

earn \$1,750 per week or more

31.4%

earn less than \$500 per week

(Greater Melbourne 11.9% and 37.8% respectively)

The areas with the highest disadvantage are most reliant on Council provision of aquatic and leisure facilities.

Areas with the highest disadvantage were within the Upper Yarra Valley and Yarra Valley Districts

Areas with the lowest disadvantage were within the Hills District

940.3

Yarra Junction / Millgrove / Wesburn

1083.4

Belgrave Heights and Surrounds

940.7

Warburton and Surrounds

1082.0

Kallista and Surrounds

991.3

Healesville and Surrounds

1078.8

Hilltop Towns

Community Consultation

How we engaged

A detailed community engagement plan was developed to ensure Yarra Ranges residents had the opportunity to provide input into the development of the Strategy. The extensive consultation and engagement was conducted over three stages and included:

- Councilor workshop
- Stakeholder interviews and focus groups – 8 sessions
- Resident community survey – 2,292 responses
- 15 Pop-up sessions – 963 residents attended.
- School survey -12 school responses
- Social media: 13 Facebook posts, 7 digital newsletter inclusions, 10 Instagram posts - 120,125 impressions, 407 Facebook comments received, 2,107 newsletter link clicks

What we heard

Community feedback key themes:

Need for a contemporary warm water program pool for rehabilitation and therapy activities.

An integrated indoor aquatic and wellness centre that includes multiple pools and service opportunities.

Ongoing demand for access to learn-to-swim programs for local schools and the community.

Disappointment around closure of Kilsyth Centenary Pool citing concerns about its negative effects on community access and increased travel costs.

There is an overall support in favour of accessible, affordable, and inclusive aquatic facilities, with a shared understanding of the positive impact on community well-being, health, and youth activities.

Improvements required to outdoor pools – warmer water, greater opening hours, accessibility upgrades.

Importance of regular upkeep and cleanliness of facilities.

Strong support was raised for access to all year-round aquatic facilities to achieve the strategy's objectives.

Opportunity for increased access to 50-metre pools to support lap swimming and competitive swimming and events.

Residents appreciate the importance of creating a welcoming, accessible, and inclusive atmosphere, ensuring that individuals of all abilities and backgrounds feel comfortable and encouraged to participate.

What Industry trends and challenges do we need to consider?

There has been a much greater emphasis on the development and provision of a variety of water spaces within public aquatic centres including:

- Program pools designed for Learn to Swim and a variety of aquatics programs.
- Warm water pools which are used for rehabilitation and therapy, are one of the highest use spaces within public aquatic and leisure centres.
- Water play including large, enclosed slides, water jets and other leisure play opportunities.

Health and fitness programming have advanced with a greater emphasis on programs for older adults as well as a much broader range of opportunities including Pilates, Yoga and Boot Camp.

In recognition of the significant capital investment required for aquatic and leisure facilities, a variety of funding models have been utilised. These include funding from State and Federal Government and Public Private Partnerships.

Components that contribute to successful contemporary aquatic and leisure facilities are summarised in the following figure.

Successful facilities key components to meet main user markets



Leisure and adventure

- Indoor water play
- Free form play pools
- Adventure rides and pools



Fitness and education

- Competition / training pools
- Learn to swim pools
- Spa / saunas
- Club association facilities



Health and wellness

- Gym and exercise studios
- Massage / beauty treatments
- Warm water program pools



Hospitality

- Training and program rooms
- Meeting / social facilities
- Cafe and merchandising

Figure 9: Successful aquatic and leisure facility mode

What makes a successful aquatic and leisure centre?

Successful future facility trends indicated a number of common success factors:

- **One-stop shop:** Large range of activity areas at the one site to maximise use/help share the costs.
- **Reduce operating losses:** Need a mix of community and commercial activities at the one site. However, the location needs to be right to make this viable.
- **Programmable spaces:** Need to offer programs and memberships to keep users coming back.
- **Cater for all ages and interests:** Need to develop facilities for a broad range of people.
- **Community/social hub:** Needs to offer quality food, beverage, social and entertainment spaces. This could also provide a range of other services like community and cultural services, health and allied services and/or commercial precincts.



Business Drivers

Industry trends highlight two key business drivers that contribute to the bottom-line operating performance of aquatic and leisure centres. These business drivers, match services provided by the commercial market, primarily because there is an operating surplus (profit) to be made. The two key business drivers are:

1. Health and Fitness memberships
2. Learn to Swim enrolments.

It is therefore critical to ensure facility developments, particularly the gym, group exercise rooms, Learn to Swim pools, warm water pools and supporting amenities, are correctly planned and sized to maximise the performance of these areas. This can offset operating deficits incurred by other activity areas.



The Value of the Aquatic Industry

In 2021, Royal Life Saving Australia engaged Price Waterhouse Coopers (PWC) to investigate the value of the aquatic industry. The Social, Health and Economic Value of the Australian National Aquatic Industry report (July 2021) found the **industry's total benefit to be \$9.1 billion annually in economic, health and social benefits.**

The following graphic provides a summary of the key economic, health and social benefits. The report provides a range of aquatic specific indicators, including a **\$4.87 social return on investment in capital cities.**

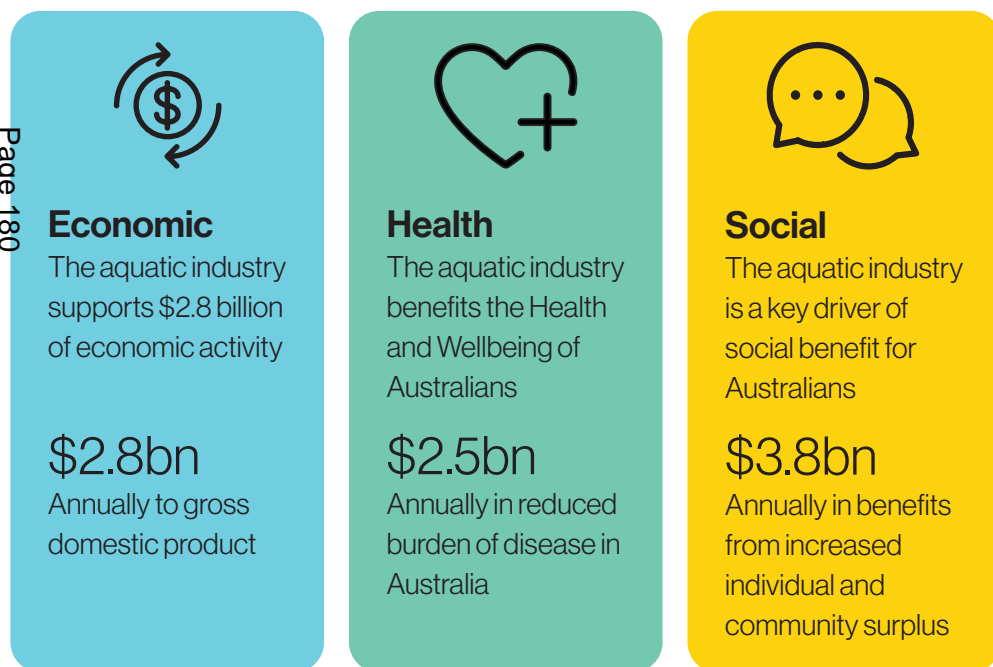


Figure: 10 Summary of the royal Life Saving Australia report into aquatic industry value
Source: The Social, Health and Economic Value of the Australian National Aquatic Industry (2021) by the Royal Life Saving Society Australia and PwC.



History of Swimming Pools

Swimming and swimming areas are embedded in our history with Aboriginal and Torres Strait Islander communities having deep connections to water, using rivers, oceans, and lakes for swimming and aquatic recreation. One of the first known aquatic facilities built was the Natatorium Baths built in Sydney in the 1888. Over the years, pools have evolved from single purpose facilities' to integrated health and wellness hubs. The following diagram illustrates the evolution of aquatic and leisure facilities over the last ninety years.

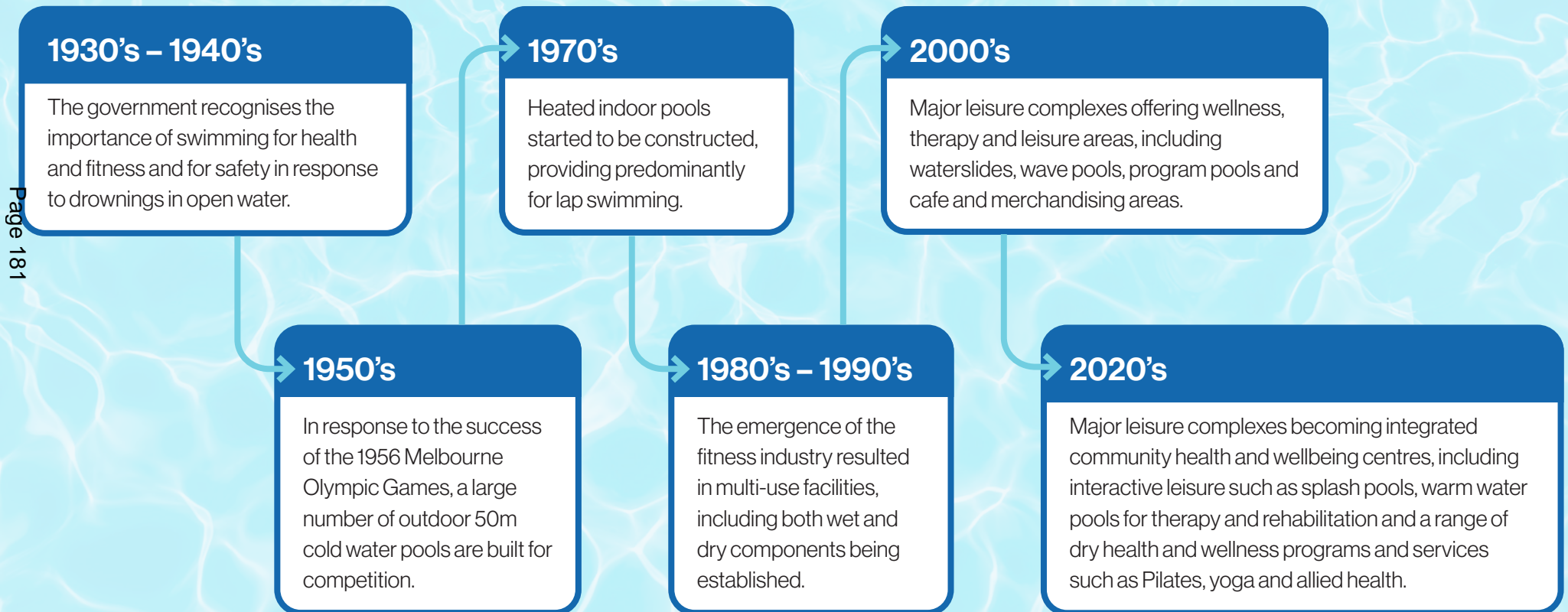


Figure 11: Evolution of Aquatic and Leisure Facilities over the past 90 years

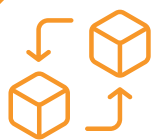
The Future of Outdoor Pools

Like many Local Government areas Yarra Ranges has a number of ageing outdoor pools that are nearing the end of their useful life. In 2022, Royal Life Saving Society Australia released The State of Aquatic Facility Infrastructure in Australia report which highlighted the following issues.



Ageing Infrastructure:

Many outdoor pools built during the 1950s, 1960s, and 1970s have reached the end of their operational life and need replacement. The life expectancy of a public swimming pool is typically 50 years, and many of these pools have surpassed that lifespan.



High Replacement Costs:

Replacing these aging pools is expensive, with an outdoor public pool costing at least \$10 million. Local governments, primarily responsible for funding and maintaining aquatic facilities, face significant financial strain due to the high replacement costs.



Limited Funding:

While some state and federal government funding schemes are available, many local councils cannot secure sufficient funding to cover pool replacements' substantial upfront capital costs. This places a heavy burden on local governments to generate the necessary funds.



Rising Operational Costs:

The operational expenditure on swimming facilities continues to rise, further straining the resources of local governments. Maintaining aging pools becomes increasingly costly due to the need for repairs, upgrades, and compliance with modern health and safety standards.



Environmental

Concerns: Ageing pools often have issues such as leaking chlorinated water into groundwater, posing environmental concerns. The cost of addressing these issues compounds the challenges faced by governments.

Yarra Ranges has experienced the same challenges with ageing infrastructure, rising costs, declining attendances and environmental concerns at its outdoor pools. As a result the future of the Yarra Ranges outdoor pools should be continually monitored and assessed to ensure they meet the key vision and four key objectives set for aquatic service provision in this Strategy.

Priority for investment in aquatic facilities will be in year-round indoor facilities that provide greater health and wellbeing benefits to the community, are more financially viable, and provide opportunities for permanent employment for the community.

Source: Royal Life Saving Society Australia. (2022). *The State of Aquatic Facility Infrastructure in Australia*. RoyalLife Saving Australia.

What is our current aquatic centre catchment?

Leisure and sporting facility trends and benchmarking generally indicates that local or municipal indoor, year-round facilities have a primary catchment radius of approximately 5 km and a secondary catchment radius of 10 km. In terms of travel distance, this equates to between 5 minutes and 15 minutes.

In general, approximately 75% to 85% of users will reside within a 0 km to 5 km radius of a facility with the remaining 15% to 25% coming from areas within the 5 km to 10 km radius of the facility. Regional facilities, providing unique and varied facility components and a larger number of services will draw users from a much wider catchment than a local/municipal facility.

The size and shape of the catchment area will be influenced by a number of factors including the range and quality of facilities and services offered, natural and built barriers i.e. freeways, travel times and the availability of competing facilities. In metropolitan Melbourne, it is not uncommon for facilities to share catchment areas, particularly the secondary catchment areas.

The population facility catchment analysis indicates that the local pools are fulfilling their respective industry catchment areas. The analysis further shows that prior to its closure, there was significant overlap between the Kilsyth Centenary Pool and the Croydon Aquahub (City of Maroondah) catchments. These overlapping catchments include Croydon, Kilsyth, Lilydale and Mooroolbark.

The map on the following page details the catchments for the current facilities.



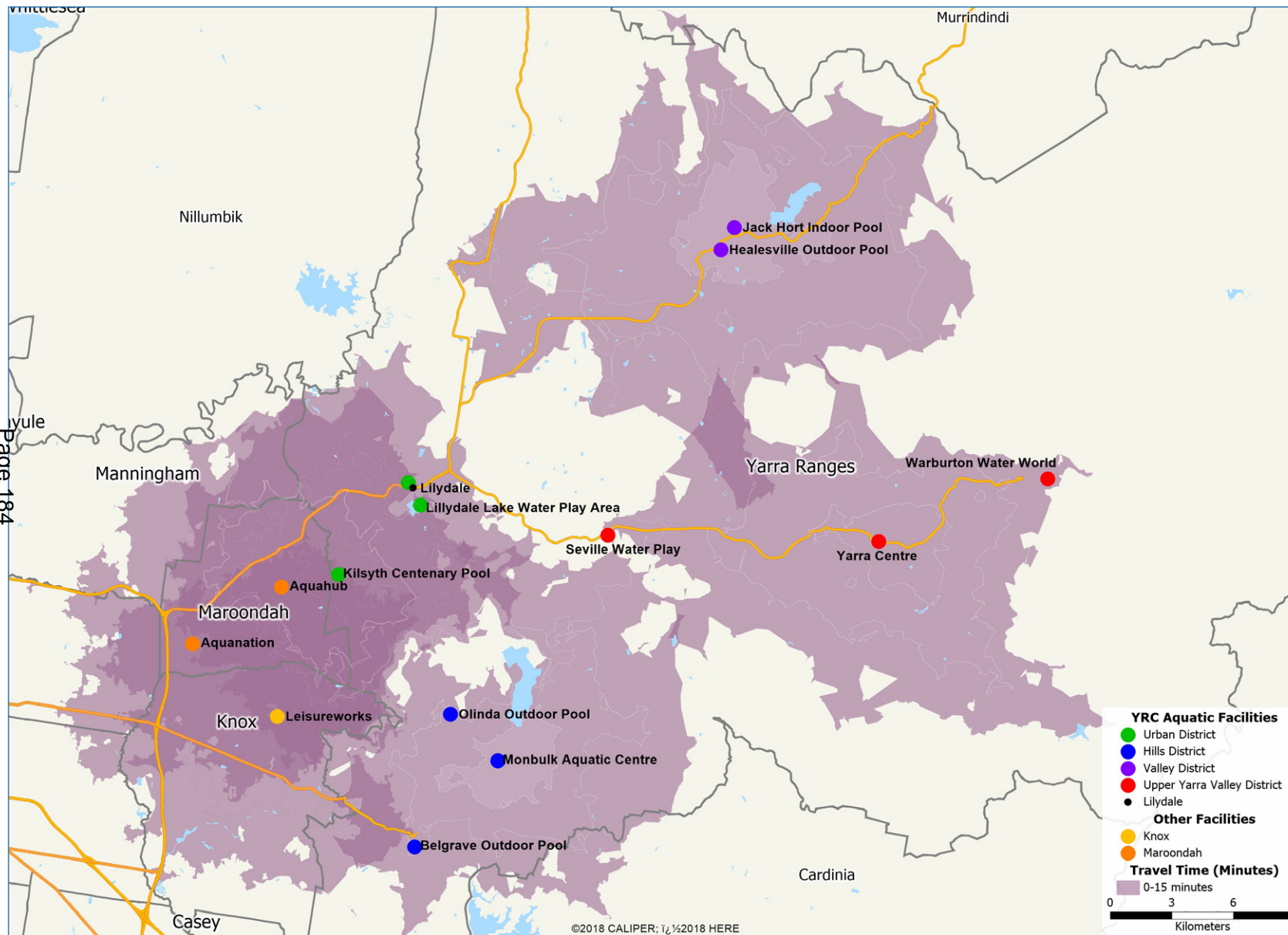


Figure 12: Provision of indoor Aquatic facilities in Yarra Ranges, City of Maroondah and Knox City Council

Closure of Kilsyth Centenary Pool

In October 2023, Council resolved to permanently close Kilsyth Centenary Pool. The strategic directions in the Aquatics and Leisure Strategy recommend that a contemporary aquatic and leisure facility be planned for the Lilydale area to serve the urban catchment and future population growth.

Kilsyth Centenary Pool was temporarily closed in March following structural assessments that identified significant defects to the dome and supporting fixtures. Following closure defects in pool plant and pool shell that impact operation became apparent.

The infrastructure had been estimated to require at least \$2M for the pool to potentially reopen. In addition, given the age and condition, this investment did not guarantee the structural integrity of the dome and may have only provided a limited number of years of operation before additional investment would be needed.

This investment would have provided very poor return for Council and did not meet minimum thresholds for consideration, specifically of concern:

- The significant overlap in catchment population between the Kilsyth Centenary Pool and Aquahub Croydon (193,439 people) (Figure 11).
- The limited facility components that no longer addressed identified community need, i.e.:
 - Dry health and wellness facilities and programs
 - Range of pools different with water depths and temperatures
 - Leisure water.
- Low and declining attendance levels (Figure 12).
- High ongoing operational subsidy due to the lack of high-yield programs and services to support high-cost aquatic areas.
- High cost per user of approximately \$12.00 per visit in 2022/23, which was significantly higher than other Council indoor facilities and industry benchmarks.
- High environmental impact due to permeable dome structure.
- Highest user of utilities representing 42.3% of aquatic total costs (\$449,991).
- High competition with key business drivers within the Urban District, with a significant increase in private health and fitness and learn-to-swim businesses.

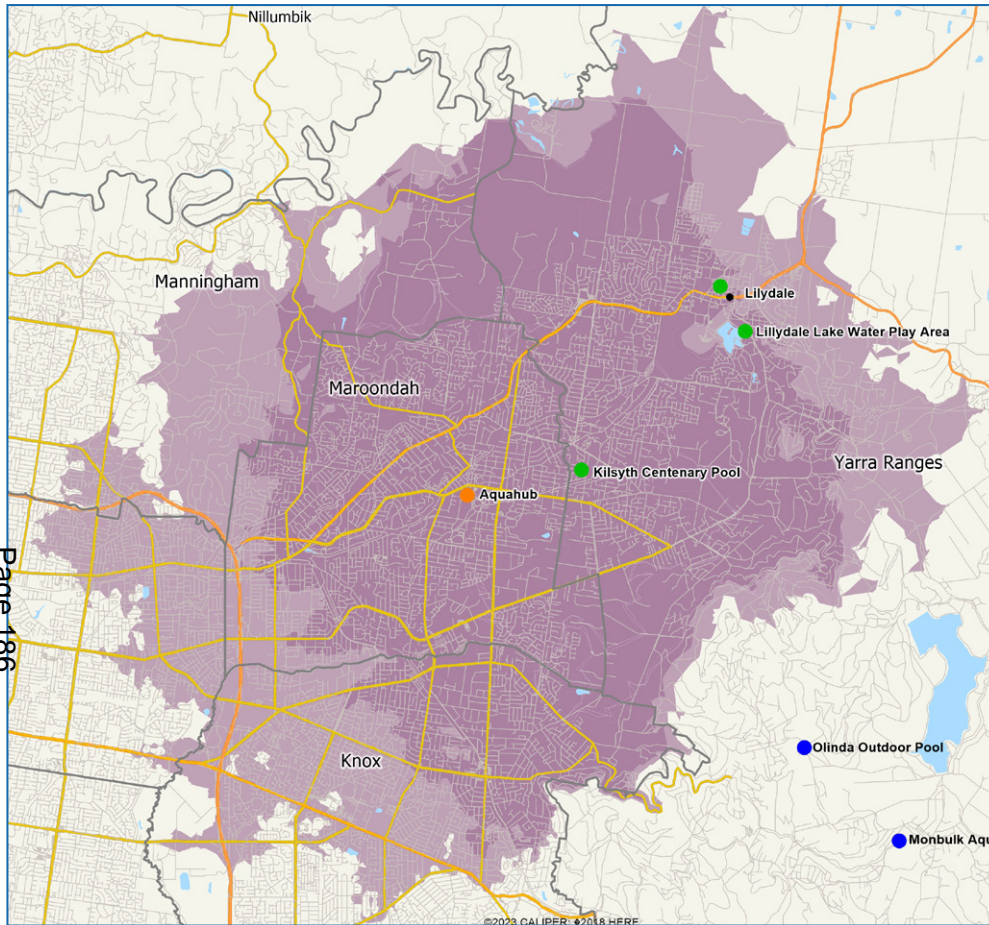


Figure 13: Kilsyth Centenary Pool overlapping facility catchment

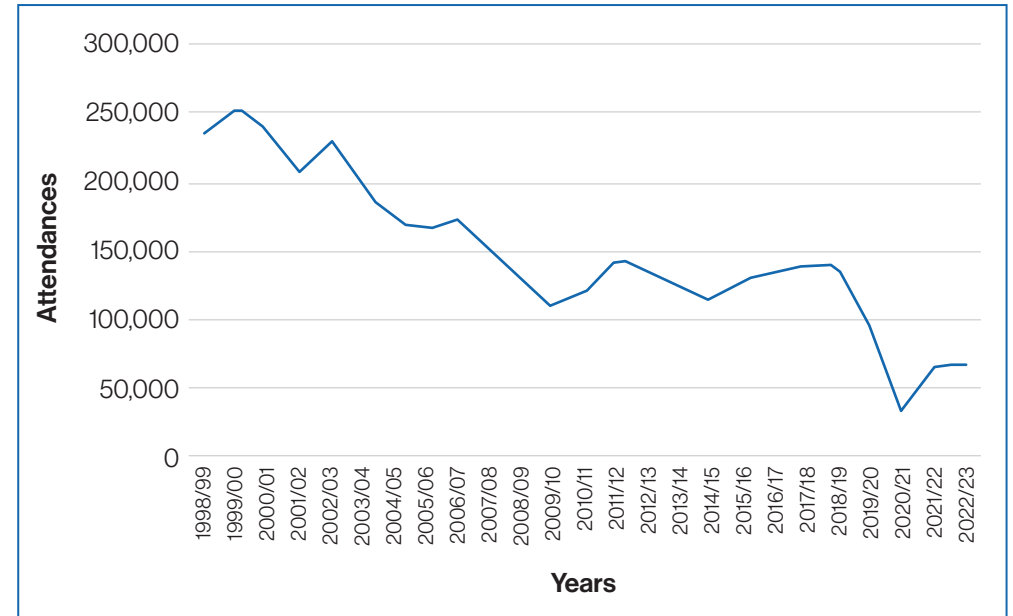


Figure 14: Kilsyth Centenary Pool Attendance 1998/1999 to 2022/2023

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BIRMINGHAM ROAD MOUNT EVELYN TRAFFIC MANAGEMENT

Report Author: Executive Officer Stormwater, Traffic & Transport
 Responsible Officer: Director Built Environment & Infrastructure
 Ward(s) affected: Billanook;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

SUMMARY

At its meeting on 13 September 2022, Council received a petition highlighting concerns about dangerous traffic conditions during pick up and drop off times at Birmingham Primary School, Mount Evelyn. The petitioners requested the intersection at Birmingham Road and Francis Crescent be signalised.

Separate to the petition, concerns were also expressed by school crossing supervisors regarding safety issues at the Birmingham Road children's crossing.

Council officers have conducted a thorough traffic investigation, including on-site inspections, intersection assessment and engagement with relevant stakeholders. The assessment revealed that while the intersection currently operates acceptably during AM Peak, congestion occurs at the intersection between 3:30 pm and 3:45 pm.

The request to signalise the Birmingham Road/ Francis Crescent intersection will improve traffic flow during the critical period between 3.30pm-3.45pm. Outside of the period between 3.30pm-3.45pm, intersection performance would not be significantly improved. However, signalisation of the intersection will provide other benefits, including:

- Temporal separation of high-risk pedestrian and vehicle movements
- Increased driver compliance
- Greater capacity for increased traffic generated to and from the school.

The signalising of the intersection is expected to cost approximately \$500,000, coupled with an annual maintenance cost of \$20,000.

Council has recently been notified of Road Safety Victoria's funding opportunity "Safe Local Roads and Streets Program" – factsheet attached. Under this program, each Council would receive \$2 million to implement prioritised road safety projects. Council's Traffic team is scheduled to begin engagement with Road Safety Victoria in June/July 2024. It is recommended that the signalised intersection at Birmingham Road/Francis Crescent be included for prioritisation and funding consideration.

Additionally, Council's Traffic team is in the process of implementing improvements by installing radar speed display signs and have commissioned the installation of zig zag line marking on the approach to Birmingham Road children's crossing to address safety concerns raised by the school crossing supervisors.

RECOMMENDATION

That Council

- 1. Note the implementation of radar speed display signs and zig zag line marking on Birmingham Road.**
- 2. Include the signalisation of Birmingham Road / Francis Crescent for funding consideration as part of Road Safety Victoria's Safe Local Roads and Streets Program.**

RELATED COUNCIL DECISIONS

This report responds to the petition received by Council on 13 September 2022 to signalise the intersection of Birmingham Road and Francis Crescent.

DISCUSSION

Background

Birmingham Primary School is located on Francis Crescent, Mount Evelyn. With Francis Crescent being the only road only road frontage to the school, all vehicular pickups and drop offs occur from Francis Crescent and this results in parking and traffic congestion during the peak periods.

The school crossing on Birmingham Road is a staged crossing, staffed daily by two supervisors. The two crossings along Francis Crescent are also rostered to be staffed daily.

To address parking issues, the Council formalised parking arrangements in front of the school in 2013. However, despite the school's expansion since then, there have been no upgrades to the external road infrastructure.

At its meeting on 13 September 2022, Council received a petition highlighting the dangerous traffic conditions during pick up and drop off times at Birmingham Primary School, Mount Evelyn. The petitioners requested for the intersection at Birmingham Road and Francis Crescent to be signalised.

In addition to the petition, concerns were expressed by school crossing supervisors regarding safety issues at the Birmingham Road children's crossing.

Figure 1 below shows the existing conditions around the subject site.



Figure 1: Aerial image of subject site

Traffic Investigation

Council's Traffic Engineering team conducted thorough on-site inspections during peak school hours, engaging with the school principal, crossing supervisors, the lead petitioner, and representatives from the School Council. Furthermore, a Traffic Engineering consultant (consultant) was engaged to conduct a traffic assessment at the Francis Crescent/ Birmingham Road intersection. (Table 1 below outlines the existing traffic conditions.)

The Level of Service (LoS) is a qualitative measure of intersection performance. LoS A refers to movements operating at excellent conditions, LoS F refers to movements operating at poor conditions and requires mitigation measures or upgrades to better manage traffic.

Table 1: Existing Traffic Conditions (AM Peak and PM Peak)

Approach	Movement	Avg. Delay (Sec)	Queue (m)	LoS
AM Peak				
Birmingham Road (East)	Through	2.9	30.2	A
	Right	7.0	15.5	A
Francis Crescent (North)	Left	9.6	8.6	A
	Right	20.2	17.4	C
Birmingham Road (West)	Left	3.5	0.0	A
	Through	0.0	0.0	A
PM Peak				
Birmingham Road (East)	Through	3.1	18.2	A
	Right	9.2	7.7	A
Francis Crescent (North)	Left	57.4	55.7	F
	Right	29.1	14.3	D
Birmingham Road (West)	Left	3.7	0.0	A
	Through	0.4	0.0	A

As shown above, the intersection is currently operating under good conditions during the morning peak hour, with relatively modest delays and queues.

The critical movement is the right-out from Francis Crescent, which experiences average delays of approximately 20 seconds, and queues of approximately three vehicles (noting that LoS C – refers to good conditions – within acceptable limits).

During the afternoon peak, the intersection performance reduces because of increased pedestrian crossing movements blocking the eastbound Birmingham Road carriageway, and generally higher traffic volumes throughout. Movements from Francis Crescent are critical, with delays of approximately 57 seconds for left-out movements, and queues of around approx. 55 metres (eight vehicles).

To better reflect the operating conditions during peak periods existing conditions observed at the site, the vehicle, and pedestrian movements from the 15 minute pedestrian peak were modelled – times outside of the peak 15 minute period for both AM and PM period indicates excellent conditions (LoS A) for all movements.

Considering the above, from a traffic operational perspective the intersection performance is the only time deemed to be under poor conditions during school pick-up/drop-off periods for the 15-minute period between 3.30pm - 3.45pm.

Signalising the intersection at Francis Crescent/ Birmingham Road

A concept layout of the signalised intersection, with pedestrian crossings on the north and east approaches, generally consistent with the existing arrangement has been developed for Francis Crescent/ Birmingham Road. (Refer - Figure 2.)

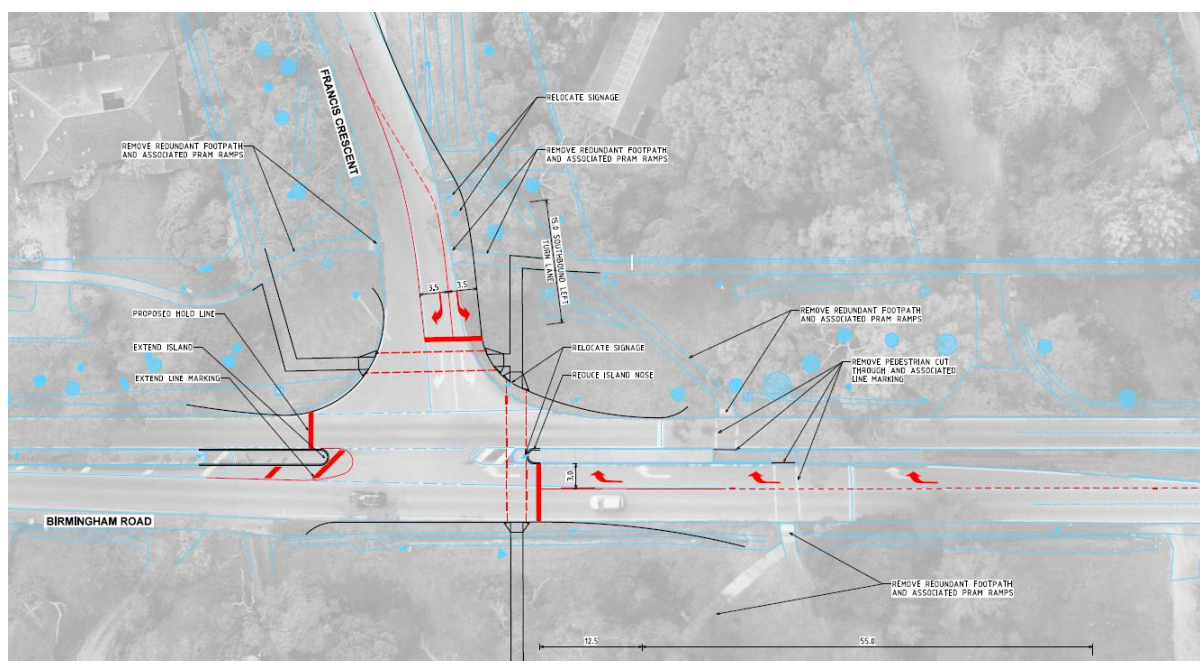


Figure 2: Signalised Intersection concept layout

A comparison between existing and future scenario with a signalised intersection. The signalised intersection design is expected to operate under excellent conditions during both peak periods. (Refer Table 2)

It is important to note that the signalisation of the intersection will increase queues and delays, particularly for movements which previously had priority and were not required to wait. However, this is expected for a signalised intersection and all queues and delays outlined above are within acceptable limits. Notably, delays for the critical exit manoeuvres (Francis Crescent – Left/ Right) in the afternoon period are considerably reduced.

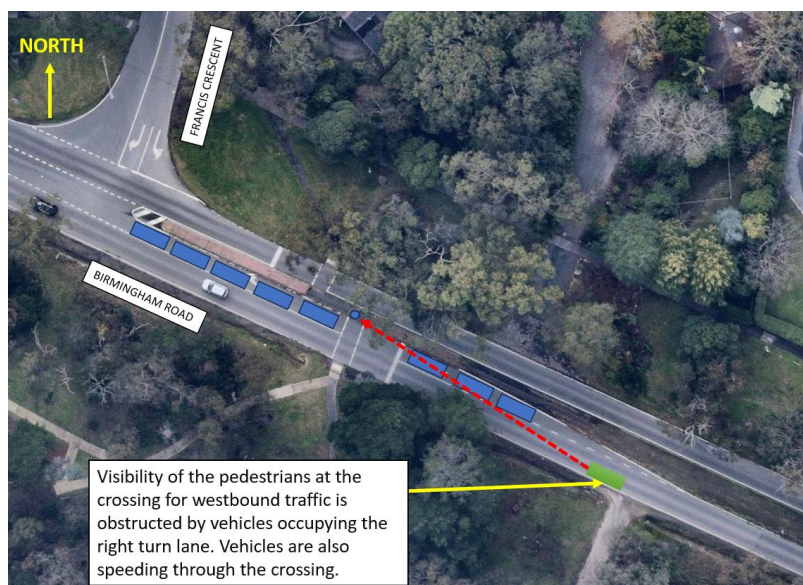
The data outlines that outside of the period between 3.30pm -3.45pm, intersection performance would not be significantly improved. However, signalisation of the intersection will provide other benefits, including temporal separation of high-risk pedestrian and vehicle movements, likely increased driver compliance, and greater capacity for increased traffic generated to and from the school.

Table 2: Comparison between existing and future scenario with a signalised intersection

Intersection

Approach	Movement	Avg. Delay (Sec)		Queue (m)	
		Existing	Future	Existing	Future
AM Peak					
Birmingham Road (East)	Through	2.9	7.6	30.2	30.1
	Right	7.0	15.4	15.5	32.5
Francis Crescent (North)	Left	9.6	24.5	8.6	35.1
	Right	20.2	24.3	17.4	30.2
Birmingham Road (West)	Left	3.5	11.4	0.0	39.4
	Through	0.0	8.0	0.0	39.4
PM Peak					
Birmingham Road (East)	Through	3.1	6.0	18.2	27.3
	Right	9.2	17.6	7.7	10.6
Francis Crescent (North)	Left	57.4	27.9	55.7	40.3
	Right	29.1	26.4	14.3	19.2
Birmingham Road (West)	Left	3.7	11.5	0.0	90.0
	Through	0.4	8.1	0.0	90.0

During the engagement with the school crossing supervisors, it was highlighted that the visibility of pedestrians at the crossing for westbound traffic is obstructed by vehicles occupying the right turn lane – as shown in Figure 3 below. It was also reported that vehicles are also speeding through Birmingham Road not adhering to the 40km/hr speed limit.

**Figure 3: Safety Issues at the Birmingham Road Children's crossing**

Council's Traffic team is in the process of installing radar speed display signs on Birmingham Road. These signs will serve as visual prompts, aiming to reinforce adherence to the speed limit by encouraging drivers to reduce their speeds, if surpassing the limit. By providing real-time speed feedback, there is an increased

chance to prompt immediate adjustments in driving behaviour, fostering increased compliance with speed regulations.

To further enhance safety, Council's traffic team have commissioned the installation of zig zag line markings on the approach to Birmingham Road children's crossing to effectively alert drivers to exercise caution and reduce their speed. These visual cues created by zigzag markings have proven to be more compelling in other locations in Yarra Ranges encouraging drivers to slow down.

The congestions and intersection efficiency remains unchanged.

FINANCIAL IMPLICATIONS

The improvements of installing radar speed display and improving zig-zag line marking are to be funded from existing operating budgets.

The installation of traffic signals will cost approximately \$500,000, coupled with an annual maintenance cost of \$20,000. The maintenance expense could be offset by reducing the number of crossing supervisors required at the crossing from 2 to 1, resulting in potential savings of approximately \$20,000 per annum.

Council has recently been notified of Road Safety Victoria's "Safe Local Roads and Streets Program" – factsheet attached. Under this program, each Council will receive \$2 million to implement prioritised road safety projects. Council's Traffic team is scheduled to begin engagement with Road Safety Victoria in June/July 2024.

It is recommended that the signalised intersection at Birmingham Road/Francis Crescent be included for funding consideration.

Noting that infrastructure initiatives are subject to prioritisation and availability of funding, it is important to consider other safety initiatives to manage the safety concerns raised by the school community.

The staffing criteria for school crossing supervisors is currently under review by the Department of Transport and Planning (DoTP), on this premise, the maintenance expense may be offset by reducing the number of crossing supervisors required at the Birmingham Road crossing from 2 to 1, providing potential savings of approximately \$20,000 per annum.

COMMUNITY ENGAGEMENT

As part of the investigation, officers have engaged with the school principal, crossing supervisors, the lead petitioner, and representatives from the School Council.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Safe Local Roads and Streets Program – Fact Sheet.



Safe Local Roads and Streets Program

Factsheet

The \$200 million Safe Local Roads and Streets Program will support councils to plan for, and invest in, strategic infrastructure improvements that will make our local roads safer.

About the Program

The Safe Local Roads and Streets Program recognises the barriers councils face when delivering road safety improvements. That's why the Program is supporting councils to build capacity and capability to deliver safer local roads.

From **July 2023 to June 2027**, we'll work with all Victorian councils to plan, design and deliver safety improvements on the highest risk local roads, intersections and precincts. Each council will be allocated up to \$2 million to deliver prioritised road safety projects, through a non-competitive process.

An additional \$10 million will be invested in developing the frameworks, tools and local capacity to support councils to sustainably implement Safe System aligned improvements.

What we're doing

The Safe Local Roads and Streets Program will be delivered over seven rounds of engagement with councils.

The first round began in mid-2023 and saw us work with eleven councils to understand their needs and begin planning and project development.

From early 2024 to mid-2025 we will start to work with all remaining Victorian councils. A full timeline of these engagement rounds is provided on the following page.

We've established the Safe Local Roads and Streets Program Reference Group to help develop the planning framework, investment guidelines, tools and resources that will support councils throughout the Program.

Members of the Reference Group were selected via an expression of interest process in 2023 and include representatives from 15 councils and the Municipal Association of Victoria.

Why we're improving safety on local roads

The Victorian Government is committed to reducing road trauma, with a target to halve deaths on our roads by 2030 and put us on a strong path to eliminate all road deaths by 2050.

We all have a part to play in achieving these targets.

Councils manage 87 per cent of Victoria's road network. A significant proportion of road trauma occurs on these roads, accounting for some 40 per cent of serious injury, and 41 per cent of claims of life costs made to the Transport Accident Commission (TAC).

The Safe Local Roads and Streets Program acknowledges that councils have different capabilities and capacities to plan and deliver road safety improvements, with access to funding a particular barrier to implementing change.

By working with councils to build their capacity to plan, fund and deliver their priority projects, the Program takes a collaborative approach to reducing road trauma and improving road safety outcomes for all Victorians.

Safe Local Roads and Streets Program timeline

FY		2023-24												2024-25												2025-26												2026-27																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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*Round 1 has already commenced.

Key

- Workshop:** Initial workshops to be hosted over a two-month period
- Project Development:** Up to Six-month project development period
- Project Delivery:** Up to 18-month project delivery period

What's involved for Local Government

Councils will be advised of which round they will be invited to participate in.

The rounds begin with a kick-off period of approximately two months, during which a risk workshop will be held with each council. Councils will learn about road safety programs available in Victoria, discuss local road safety priorities, assess and analyse road safety risk on their network and begin to prioritise projects for potential funding.

Six-months of project development will see councils refine and finalise a project or pipeline of projects to be funded through the Program.

This is followed by an 18-month period for project delivery.

A Safe System approach

The Safe Local Roads and Streets Program is designed to integrate local priorities with a Safe System approach.

A Safe System approach requires roads to be designed and managed so that death and serious injury are avoidable. It acknowledges that the road environment plays a vital role in preventing serious crashes and to reduce the severity of crashes when they happen.

The Safe System recognises that humans make mistakes and our bodies are vulnerable in the event of a crash. That's why we need to build more forgiving roads so that when a mistake does happen, it doesn't cost a life.

Which treatments are eligible

All treatments funded through the Program must take a Safe System approach and will be considered according to their suitability for the road environment.

The Safe Local Roads and Street Program will target improving safety at low speed and mixed-use roads and streets, intersections and high speed local roads.

Further questions

For any further enquiries about the Program, get in touch with Road Safety Victoria at the Department of Transport and Planning via roadsafetyvictoria@roads.vic.gov.au.

Need more information?

Find out more about the government's initiatives at dtp.vic.gov.au

EOI6105 7125: ALPINE STREET CECIL STREET AND GLENBROOK ROAD WARBURTON ROAD IMPROVEMENT WORKS SPECIAL CHARGE SCHEME

Report Author: Senior Project Engineer
 Responsible Officer: Director Built Environment and Infrastructure
 Ward(s) affected: O'Shannassy;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

The item has been included in the public agenda to facilitate openness and transparency in Council's decision making. Confidential attachments have been included with the report which contain commercially sensitive information that is not to be disclosed whilst the meeting is open to the public.

SUMMARY

This report summarises the quotation evaluation process for the Alpine Street, Cecil Street and Glenbrook Road, Warburton - Road Improvement Special Charge Scheme and seeks Council approval to award the contract for construction to JTX Civil Contracting Pty Ltd trading as Jotomex Civil Contracting Pty Ltd.

As part of its 2019 budgetary process, the Federal Government announced a nine-year, \$150 Million funding initiative for Yarra Ranges Council to seal roads within the Dandenong Ranges and surrounding areas.

On 10 January 2023 Council received formal notification dated 19 December 2022, from the Federal Government that the \$150 Million Federal Government funding initiative would be reduced with Council only receiving total funding in the program of \$47.67 Million (\$47.7M). As a result of these funding cuts, Council's ability to construct all roads on the endorsed priority list will not be possible.

At its meeting on 11 April 2023, Council considered a report for seven Special Charge Schemes that will proceed to construction. Alpine Street, Cecil Street and Glenbrook Road, Warburton was included in one of the seven groups of Special Charge Schemes to proceed to construction.

Landowner support has been sought and obtained for construction of the roads Alpine Street, Cecil Street and Glenbrook Road, Warburton in accordance with Council's Special Charge Scheme Policy. The project has been listed in Council's 2023/24 Capital Expenditure Program.

The Special Charge Scheme Statutory Process has been successfully completed and the project is ready for construction.

RECOMMENDATION

That

- 1. Council accepts the tender from JTX Civil Contracting Pty Ltd for the total lump sum price of \$915,537.00 (GST exclusive), \$1,007,090.70 inclusive of GST and all provisional items as defined in this proposal.**
- 2. Council approves the Director of Built Environment and Infrastructure be delegated the authority to sign the contract documents.**
- 3. The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section 3(1) (g)(i), (g)(ii) of the Local Government Act 2020.**

RELATED COUNCIL DECISIONS

- Council meeting 24 September 2019 – Council considered a report regarding the Federal Government Road Construction Funding Initiative and endorsed a listing of roads proposed for construction as Special Charge Schemes with landowner contributions fixed at \$7,000 per development unit.
- Council meeting 25 August 2020 – Council approved the establishment of a panel of pre-qualified Road Construction and Associated Works contractors, to facilitate the efficient delivery of road infrastructure projects.
- Council meeting 12 April 2022 – Council approved a report on the Intention to Levy a Special Charge Scheme for Alpine Street Cecil Street and Glenbrook Road, Warburton.
- Council meeting 16 June 2022 – Council declared the Special Charge Scheme for Alpine Street, Cecil Street and Glenbrook Road, Warburton.
- Council meeting 11 April 2023, Council considered a report for seven Special Charge Schemes that will proceed to construction. Alpine Street, Cecil Street and Glenbrook Road, Warburton was included in one of the seven Special Charge Schemes to proceed to construction.

DISCUSSION

Purpose

To seek Council approval to award EOI6105 7125 Alpine Street, Cecil Street and Glenbrook Road, Warburton Road Improvement Special Charge Scheme.

Background

As part of its 2019 budgetary process, the Federal Government announced a nine-year, \$150 Million funding initiative for Yarra Ranges Council to seal roads within the Dandenong Ranges and surrounding areas.

To support efficient procurement processes, Council sought Expressions of Interest from contractors to establish a panel of twelve (12) pre-qualified Road Construction and Associated Works contractors to EO16105. From this list Council would seek quotations for road construction and associated works, as and when funding allows.

Under the terms and conditions of the panel arrangement any contracts valued over \$1 million would require a formal declaration report indicating the estimated cost and budget be accepted by Council before the project can proceed to construction.

On 15 February 2024, Council invited nine (9) pre-qualified suppliers from the Road Construction and Associated Works Panel to submit their pricing for the EO16105 7125 Alpine Street, Cecil Street and Glenbrook Road, Warburton Road Improvement Special Charge Scheme.

The tender process remained open for 10 business days, closing on 29 February 2024 and four (4) Submissions were received.

Key Issues

This tender process has been carried out in accordance with the requirements of Council's Procurement Policy.

Tenderer's submissions were assessed for conformity with the tender documents and no tenders were eliminated from further evaluation as a result of any non-conformances.

The Evaluation Panel scored tenders against pre-established evaluation criteria. A summary of the evaluation criteria follows.

Evaluation Criteria	Weighting
Price	80%
Capability and Capacity	10%
Timeframes	10%
TOTAL	100%

Recommended option and justification

Following an extensive evaluation process as detailed in Confidential Attachment 1, the evaluation panel are unanimous in their decision to recommend JTX Civil Contracting Pty Ltd for the Tender Price inclusive of provisional items. JTX Civil Contracting Pty Ltd offers the best value outcome.

The evaluation panel request that Council adopts the recommendations within this report.

FINANCIAL ANALYSIS

The total cost of the lump sum contract for the road construction is \$915,537.00 (GST exclusive), \$1,007,090.70 Inclusive of GST including all provisional sums.

Funds are allocated to this project are from:

- The 2019 Federal Government \$150 Million funding initiative for Yarra Ranges Council to seal roads within the Dandenong Ranges and surrounding areas.
- Landowner Contributions as part of a Special Charge Scheme beginning in the 2024/25 financial year. The funding details are provided within the Confidential attachment.

Works are anticipated to commence in late April 2024 with works expected to reach practical completion by early October 2024.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan: This report contributes to the following strategic objective(s) in the Council Plan: The construction of local roads as a Special Charge Scheme meets the *Council Plan 2021- 2025* strategic objective of Quality Infrastructure and Liveable Places. Local road construction also has benefits related to the strategic objective of a Vibrant Economy, Agriculture and Tourism.

Council's Special Rate and Charge Policy for Infrastructure Improvements sets out in detail the procedures for managing Special Charge Schemes.

This project is part of the Federal Government's sealing roads within the Dandenong Ranges and surrounding areas program.

RELEVANT LAW

This report seeks Council approval to award a contract that complies with Section 108 of the *Local Government Act 2020*.

SUSTAINABILITY IMPLICATIONS

Economic Implications

The construction of these roads would be undertaken utilising contractors from Councils Road Construction and Associated Works Panel. This panel was established with a majority of local smaller contractors which will help provide economic support to these local businesses.

Social Implications

Special Charge Schemes for road construction require sizeable contributions from abutting landowners. These contributions can lead to social and economic impacts for affected landowners. Council's *Special Rate and Charge Policy for Infrastructure Improvements* notes that those landowners with a demonstrated financial hardship

may apply for assistance in accordance with *Council's Rate Recovery and Financial Hardship Policy*.

Environmental Implications

The proposed works will require the removal of 0 native trees and 0 exotic trees. A Council arborist has been arranged for supervision of impacted trees during construction and a Council Environmental Assessment officer has been arranged for supervision of impacted vegetation impacts during construction.

A Cultural Heritage Management Plan is not required for the works.

The works will enhance the environmental amenity, through the reduction in dust.

The sealing of local roads will assist in reducing the impacts to the road condition from increased storm events, predicted as a result of climate change. Unsealed roads greatly deteriorate in condition following storm events creating an increased stress on service delivery for the unsealed road network.

Consideration is also given to the rate of flow of water into local creeks and impacts to water quality following the sealing local roads, sustainable treatment is prioritised, where possible within the catchment with measures such as grassy swales implemented as conditions allow.

As part of the construction of local roads, Council officers are continually investigating the increased use of recycled materials. In utilising recycled materials, officers consider the availability and location of materials, the quality of materials and overall cost to the project.

COMMUNITY ENGAGEMENT

Landowners in Alpine Street, Cecil Street and Glenbrook Road, Warburton have been consulted in the lead up to and through the statutory process for developing a Special Charge for the construction of their roads.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Projects constructed under the Roads for Community Initiative have been jointly funded by the Federal Government and participating landowners.

The Federal Government funding commitment of \$150 Million over 10 years will have a transformational impact on unmade roads throughout the Dandenongs and urban growth areas of the municipality. The key principles of the program are to construct unmade roads:

- Servicing schools, community facilities and sporting facilities.
- Within the urban growth boundary and township areas within Yarra Ranges.
- That significantly support bushfire risk and emergency situations to allow the community to safely exit areas of high risk.
- That support the growth and development of tourism across the municipality.

- Where sections of high-volume rural roads intersect with collector/arterial roads.

In considering a strategic approach for future construction of unsealed roads, the proposed road construction of Alpine Street, Cecil Street and Glenbrook Road, Warburton, fit within the above criteria.

RISK ASSESSMENT

Construction of the roads would provide the following benefits/risk reduction to landowners:

- Continued and safer vehicular access to and from properties abutting or gaining primary access via the roads.
- Improved stormwater drainage runoff control directed towards the roads from abutting properties, and protection of low side properties from stormwater runoff from the roads.
- Enhanced physical and environmental amenity for abutting properties.

It is noted that the roads have existed in their current form for many years. If the proposed construction of the roads does not proceed, no unacceptable or unmanageable risk would be experienced by Council.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Contract EO16105 Quotation Evaluation.

Confidential Item

11. COUNCILLOR MOTIONS

In accordance with Chapter 3 Division 4 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

There were no Councillor motions received prior to the Agenda being printed.

12. ITEMS THROUGH THE CHAIR

13. REPORTS FROM DELEGATES

14. DOCUMENTS FOR SIGNING AND SEALING

Report Author: Governance Officer
 Responsible Officer: Director Corporate Services
 Ward(s) affected: Billanook;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020 and in accordance with Clause 87 of the Meeting Procedures and Use of Common Seal Local Law 2015, as prescribed by Section 14(2)(c) of the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

It is requested that the following document be signed and sealed:

Deed of Release - Yarra Ranges Shire Council and Akira Matsumoto and Gillian Cromie.

The deed relates to Council acquiring drainage easements (E1, E2 and E3) situated on part of land contained in Certificate of Title - Volume 9742 and Folio 152 and known as 35 Fernhill Road, Mount Evelyn.

The above drainage easements are required as part of a Council Drainage Infrastructure Improvement Project which aims to address surface water runoff impacting property owners between 27-41 Fernhill Road, Mount Evelyn. For this project there are five properties requiring drainage easement/s and to date this is the third deed of release to be listed for signing and sealing.

RECOMMENDATION

That the following listed document be signed and sealed:

Deed of Release - Yarra Ranges Shire Council and Akira Matsumoto and Gillian Cromie.

15. INFORMAL MEETINGS OF COUNCILLORS

Report Author: Governance Officer
 Responsible Officer: Director Corporate Services
 Ward(s) affected: All Wards

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public

SUMMARY

Chapter 8, Rule 1, of the Governance Rules requires that records of informal meetings of Councillors must be kept and that the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting tabled at the next convenient Council meeting and recorded in the Minutes of that Council meeting.

An 'informal meeting of Councillors' is defined in the Governance Rules as a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

The records for informal meetings of Councillors are attached to the report.

RECOMMENDATION

That the records of the Informal Meetings of Councillors, copies of which are attached to the report, be received and noted.

ATTACHMENTS TO THE REPORT

1. 27 February 2024 - Chief Executive Officer Annual Review – Assessment
2. 19 March 2024 - Council Review of Complex Planning Matters
3. 19 March 2024 - Council Briefing
4. 19 March 2024 - Council Forum
5. 20 March 2024 - Disability Advisory Committee
6. 20 March 2024 - Chief Executive Officer Annual Review – Council Evaluation

Informal Meeting of Councillors

Public Record



Meeting Name:	Chief Executive Officer Annual review – Assessment	
Date:	Tuesday 27 February 2024	Start Time: 5.00 pm Finish Time: 6.00 pm
Venue:	Bour-deet and Karawan – Civic Centre Lilydale	
Attendees:	Councillors: Cr Todorov, Cr Fullagar, Cr Child, Cr Skelton, Cr Heenan, Cr McAllister Other attendees: Nil CEO/Directors: Tammi Rose Officers: Nil	
Apologies	Nil	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	1.1	Chief Executive Officer Annual Review Assessment
Completed By:	Tammi Rose	

Informal Meeting of Councillors

Public Record



Meeting Name:	Review of Complex Planning Matters	
Date:	19 March 2024	Start Time: 5.32pm Finish Time: 6.07pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference	
Attendees:	<p>Councillors: Sophie Todorov (Chair), David Eastham (Deputy Chair) Jim Child (From 5.43pm), Len Cox, Andrew Fullagar, Richard Higgins (From 5.34pm), Johanna Skelton (From 5.35pm) and Tim Heenan</p> <p>Via Zoom: Fiona McAllister (From 5.47pm)</p> <p>CEO/Directors: Tammi Rose, Andrew Hilson, Leanne Hurst and Hjalmar Philipp</p> <p>Officers: Sarah Candeland, Gina Walter, Ben Waterhouse, Amanda Kern, Gavin Crawford and Katie Douglas</p> <p>Via Zoom: Nathan Islip</p>	
Apologies	Nil	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	1.2	Review of Planning Applications
	•	YR-2023/920 - 19-23 Hereford Road, Mount Evelyn VIC 3796
	•	YR-2023/922 - 19-23 Hereford Road, Mount Evelyn VIC 3796
	•	YR-2017/704/B – 527-529 Maroondah Highway Lilydale VIC 3140, 110 Quarry Road Lilydale VIC 3140, and 535-537 Maroondah Highway Coldstream VIC 3770.
Completed By:	Gina Walter	

Informal Meeting of Councillors

Public Record



Meeting Name:	Council Forum	
Date:	19 March 2024	Start Time:7.05pm Finish Time:9.49pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference	
Attendees:	<p>Councillors: Sophie Todorov (Chair), David Eastham (Deputy Chair) Jim Child, Len Cox, Andrew Fullagar, Richard Higgins, Johanna Skelton and Tim Heenan</p> <p>Via Zoom: Fiona McCallister</p> <p>CEO/Directors: Tammi Rose, Andrew Hilson, Leanne Hurst and Hjalmar Philipp</p> <p>Officers: Gina Walter, Sarah Candeland, Ben Waterhouse, Lynn O'Donnell, Catherine Bennett, Sarah Brophy, Angelique Miller, Amee Cooper and Alanna Ford</p> <p>Via Zoom: Alison Fowler, Amanda Smith, Abby McCarthy, Bumeke Jayasinghe and Kim O'Connor</p> <p>Externals: Jenny Lyndon and Jeff Latter (Nangana Landcare Network)</p> <p>Via Zoom: Julie Thompson (Nangana Landcare Network)</p>	
Apologies	Nil	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	2.1	Nangana New Futures - Presentation
	2.2	Action and Agreement Record – 5 March 2024
	2.3	Councillor Discussion Time
	2.4	Lillydale Lake Masterplan - Consideration for Adoption
	2.5	Aquatics and Leisure Strategy Community Consultation Outcomes and Adoption
	2.6	Birmingham Road Mount Evelyn Traffic Management
	3.0	For Noting
	3.1	Indicative Forum & Council Meeting Schedule

Assembly of Councillors

Public Record



	4	Mayor & CEO Update
	5	General Business
	6	Late Items and Urgent Business
Completed By:	Gina Walter	

Informal meeting of Councillors

Public Record



Meeting Name:	Yarra Ranges Council Disability Advisory Committee		
Date:	20 March 2024	Start Time: 1.00pm	Finish Time: 3.00pm
Venue:	Conference Room A		
Attendees:	Councillors:	Cr Len Cox	
	Other attendees:	Marie Pleuger, Tracey Wannet, Lisa McIlfatrick, Michelle McDonald, Jackson Ellis, Shek Kho, Lesley Grimes, Julie McDonald, Renae Purcell, James Wood	
	CEO/Directors:	Leanne Hurst	
	Officers:	Amanda May, Amanda Wilson, Elizabeth Newton, Scott Spargo, Yan Zhao, Jessica Strah, Chris McEwan	
Apologies	Cr Richard Higgins, Isabella O’Hare, Corinne Bowen, Paul Stoney, Rachael Giddens, Carolyn Haack,		
Disclosure of Conflicts of Interest:	None		
Matter/s Discussed:	1.1	NDIS updates	
	1.2	Access and Equity Strategy community engagement update	
	1.3	Monbulk Urban Design Framework overview and community engagement	
	1.4	Disability Inclusion Officer update	
	1.5	Member updates	
	Completed By:	Amanda May	

Informal Meeting of Councillors

Public Record



Meeting Name:	Council Briefing		
Date: Venue: Attendees: Apologies: Disclosure of Conflicts of Interest: Matter/s Discussed: Completed By:	19 March 2024		Start Time: 6.07pm Finish Time:6.35pm
	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference		
	Councillors: Sophie Todorov (Chair), David Eastham (Deputy Chair) Jim Child, Len Cox, Andrew Fullagar, Richard Higgins, Johanna Skelton and Tim Heenan		
	Via Zoom: Fiona McCallister		
	CEO/Directors: Tammi Rose, Andrew Hilson, Leanne Hurst and Hjalmar Philipp		
	Officers: Sarah Candeland, Gina Walter, Ben Waterhouse		
	Via Zoom: Adam Berkley, Nathan Islip		
	Externals: Nil		
	Nil		
	Nil		
This briefing covered the following items of business to be considered at the 26 March 2024 Council Meeting.			
	10.1	Warburton Urban Design Framework – Post-Consultation and Consideration for Adoption	
	10.2	Annual Structure Plan Action Update	
	10.3	Community Engagement Plan for Council Plan	
	10.4	Draft Revised Community Engagement Policy for Consultation	
Gina Walter			

Informal Meeting of Councillors

Public Record



Meeting Name:	Chief Executive Officer Annual review – Council Evaluation	
Date:	Wednesday 20 March 2024	Start Time: 5.30 pm Finish Time: 8.00 pm
Venue:	Bour-deet and Karawan – Civic Centre Lilydale	
Attendees:	<p>Councillors: Cr Todorov, Cr Fullagar, Cr Child, Cr Skelton, Cr Higgins, Cr Cox, Cr Heenan, Cr Eastham</p> <p>Other attendees: External Consultant: Paul Murphy</p> <p>CEO/Directors: Tammi Rose</p> <p>Officers: Nil</p>	
Apologies	Cr Fiona McAllister	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	1.1	Chief Executive Officer Annual Review - Evaluation
Completed By:	Tammi Rose	

16. URGENT BUSINESS

In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

17. CONFIDENTIAL ITEMS

In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

There were no Confidential Items listed for this meeting.

18. DATE OF NEXT MEETING

The next meeting of Council is scheduled to be held on Tuesday 23 April 2024 commencing at 7.00pm, at Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference.



In providing for the good governance of its community, Councillors are reminded of their obligation to abide by the provisions as set within the Local Government Act 2020 and the Code of Conduct for Councillors.

When attending a Council Meeting, Councillors should adhere to the procedures set out in the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

The following is a guide for all Councillors to ensure they act honestly, in good faith and in the best interests of Yarra Ranges as a whole.

1. Councillors will respect the personal views of other Councillors and the decisions of Council.
2. Councillors may publicly express their own opinions on Council matters but not so as to undermine the standing of Council in the community.
3. The Mayor is the official spokesperson for Council.
4. Councillors will incur expenditure in a responsible manner and in accordance with the Councillor Expenditure and Policy.
5. Councillors will avoid conflicts of interest and will always openly disclose any direct and indirect interests where they exist.
6. Councillors will act with integrity and respect when interacting with Council staff and members of the public.
7. Councillors will demonstrate fairness in all dealings and conduct and be open with and accountable to the community at all times.
8. Councillors will conduct themselves in a manner that does not cause detriment to Council or the Yarra Ranges community.