Mildura Rural City Council

MINUTES

Ordinary Meeting of Council

5:30pm Wednesday 26 August 2020

VENUE:
Webex Virtual Meeting Room

NEXT ORDINARY MEETING OF COUNCIL
5:30pm Wednesday 23 September 2020

Copies of Mildura Rural City Council's Agendas & Minutes
can be obtained online at **www.mildura.vic.gov.au**

INDEX

1 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY 5

2 OPENING AND WELCOME 5

3 PRESENT 5

4 APOLOGIES 5

5 CONFIRMATION OF MINUTES 5

6 CONFIRMATION OF ASSEMBLY OF COUNCILLORS 6

7 NOTIFICATION OF ABSENCE 10

8 MAYORAL REPORT 10

8.1 MAYORAL REPORT JULY 2020 10

9 COUNCILLOR REPORTS 10

9.1 COUNCILLOR REPORTS JULY 2020 10

10 RESPONSES TO COUNCILLORS QUESTIONS 11

11 QUESTIONS FROM COUNCILLORS 11

11.1 CR GLENN MILNE CONTRACTORS FOR MILDURA SOUTH REGIONAL SPORTING PRECINCT 11

11.2 CR GLENN MILNE OFF-LEASH DOG PARK IN RED CLIFFS 11

11.3 CR GLENN MILNE SAFETY CAMERAS AT THE PARK FOR PLAY 11

11.4 CR GLENN MILNE RATES EXEMPTION FOR CHARITIES 12

11.5 CR HELEN HEALY UPDATE ON PROPOSAL FROM PRINCES COURT HOMES 12

11.6 CR HELEN HEALY PRINT MATERIAL AND DEVICES FOR NEXT INCOMING COUNCILLORS 12

11.7 CR HELEN HEALY ABC FUNDING 13

11.8 CR MARK ECKEL AMPHITHEATRE IN CURETON AVENUE 13

12 NOTICES OF MOTION 14

12.1 NOTICE OF MOTION - ALLOCATION OF DROUGHT COMMUNITIES PROGRAM FUNDING 14

13 PETITIONS 14

14 MANAGEMENT REPORTS 15

14.1 COUNCILLOR EXPENSES REPORT 1 APRIL 2020 - 30 JUNE 2020 15

14.2 ADOPTION OF MCEDWARD STREET CABARITA RESIDENTIAL DEVELOPMENT PLAN 15

14.3 AMENDMENT C104MILD - PLANNING SCHEME REVIEW AND PLANNING POLICY FRAMEWORK 16

14.4 AMENDMENT C108MILD ADOPTION - MILDURA SOUTH NEIGHBOURHOOD ACTIVITY CENTRE - URBAN GROWTH ZONE - CORRECTION TO SCHEDULE ONE 395

14.5 MILDURA HERITAGE STUDY - PART B: STAGE 1 ADOPTION 399

14.6 2020 VICTORIAN COUNTRY LONG COURSE SWIMMING CHAMPIONSHIPS 400

14.7 COMMUNITY PARTNERSHIP GRANT PROGRAM 2020-2022 FEBRUARY ROUND 400

14.8 EVENTS FUNDING AND SUPPORT STATUS UPDATE 402

14.9 EVENTS FUNDING AND SUPPORT POLICY CP010 403

14.10 EVENTS FUNDING AND SUPPORT RECOVERY FUND 415

14.11 NATIVE VEGETATION PLAN AND INVASIVE PLANTS AND ANIMALS PLAN 2020-2024 415

14.12 RECREATION RESERVE MASTER PLANS 2020 416

14.13 YOUTH ENGAGEMENT STRATEGY 2020-2023 486

14.14 ADOPTION OF S5 INSTRUMENT OF DELEGATION 511

14.15 ADOPTION OF S6 INSTRUMENT OF DELEGATION 517

14.16 ADOPTION OF CHILDREN'S SERVICES LEGISLATION INSTRUMENT OF DELEGATION 604

14.17 ADOPTION OF WATERWAY MANAGER INSTRUMENT OF DELEGATION 639

14.18 ADOPTION OF S11A INSTRUMENTS OF APPOINTMENT AND AUTHORISATION 650

14.19 ADOPTION OF FEES AND CHARGES POLICY CP046 677

14.20 ADOPTION OF PUBLIC TRANSPARENCY POLICY CP067 685

14.21 AUDIT AND RISK COMMITTEE MEETING 2/2020-2021 - MINUTES SUMMARY - 22 JULY 2020 704

14.22 AUDIT AND RISK COMMITTEE CHAIRPERSON'S BI-ANNUAL REPORT TO COUNCIL - 1 JANUARY TO 30 JUNE 2020 704

14.23 ESTABLISHMENT OF THE AUDIT AND RISK COMMITTEE AND UPDATED AUDIT AND RISK COMMITTEE CHARTER 705

14.24 ESTABLISHMENT OF COLIGNAN MUD HUT COMMUNITY ASSET

COMMITTEE....724

14.25 ESTABLISHMENT OF KOW PLAINS HOMESTEAD COMMUNITY ASSET COMMITTEE....725

14.26 COMMUNITY SATISFACTION SURVEY RESULTS 2020....725

14.27 MILDURA AIRPORT PTY LTD BUSINESS PLAN 2020-2021....726

14.28 COVID-19 IMMEDIATE COMMUNITY RELIEF AND ASSISTANCE RESPONSE PACKAGE....747

14.29 DISPOSAL OF CHAFFEY LANEWAY (BETWEEN 93 & 95 CHAFFEY AVENUE) MILDURA....748

14.30 RECYCLING VICTORIA INFRASTRUCTURE FUND BUSINESS CASE SUBMISSION....749

14.31 USE AND DEVELOPMENT OF A SERVICE STATION AND CREATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1 - CALDER HIGHWAY, RED CLIFFS....749

14.32 USE OF THE LAND FOR A WAREHOUSE - 44-56 CURETON AVENUE, MILDURA....752

15 URGENT BUSINESS....754

16 PUBLIC QUESTIONS....754

17 CONFIDENTIAL BUSINESS....754

17.1 MILDURA SOUTH REGIONAL SPORTING PRECINCT AND INTEGRATED WORKS PROJECT BUDGETS....754

17.2 1920/74 PROJECT MANAGEMENT AND SUPERINTENDENT RIVERFRONT STAGE 2 POWERHOUSE AND VILLAGE SQUARE....754

17.3 TENDER AWARD - MICROSOFT LICENCING SOLUTION PROVIDER....754

17.4 AMENDMENT TO CONTRACT - ORGANICS COLLECTION AND PROCESSING - CONTRACT 1819/69....755

18 CLOSURE....755

SARAH PHILPOTT

CHIEF EXECUTIVE OFFICER

1 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the Council prayer and paid respects to the traditional land owners.

2 OPENING AND WELCOME

The Mayor welcomed Councillors, management, staff and members of the public viewing the live stream.

3 PRESENT

Councillors

Cr Simon Clemence	Mayor
Cr Min Poole	Deputy Mayor
Cr Greg Brown	
Cr Anthony Cirillo	
Cr Mark Eckel	
Cr Helen Healy	
Cr Glenn Milne	
Cr Jason Modica	
Cr Gavin Sedgmen	

Officers

Sarah Philpott	Chief Executive Officer
Mandy Whelan	General Manager Development
Martin Hawson	General Manager Community
Richard Sexton	Acting General Manager Corporate
Stephen Lush	Acting Manager Corporate Administration

4 APOLOGIES

Nil

5 CONFIRMATION OF MINUTES

2020/0168

Moved: Cr Gavin Sedgmen
Seconded: Cr Anthony Cirillo

That the Minutes of the Ordinary Meeting of Council held on Wednesday 22 July 2020 be confirmed as a correct record.

That the Minutes of the Confidential Meeting of Council held on Wednesday 22 July 2020 be confirmed as a correct record.

That the Minutes of the Special Meeting of Council held on Wednesday 29 July 2020 be confirmed as a correct record.

CARRIED

6 CONFIRMATION OF ASSEMBLY OF COUNCILLORS

In accordance with Section 80A of the *Local Government Act 1989* (the Act), records of Assemblies of Councillors must be reported at the next practicable Council meeting and recorded in the minutes.

An Assembly of Councillors is defined in Section 76AA of the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

The record is therefore presented for Council's noting.

2020/0169

Moved: **Cr Helen Healy**
Seconded: **Cr Glenn Milne**

That Council note the Assembly of Councillors records for the following meetings:

- **Mildura Arts and Culture Advisory Committee - 30 April 2020**
- **COVID-19 Briefing - 17 July 2020**
- **2020-2021 Budget Submissions Hearing - 22 July 2020**
- **COVID-19 Briefing - 31 July 2020**
- **Council Forum - 11 August 2020**
- **Finance Advisory Committee Meeting - 12 August 2020**
- **Council Forum - 12 August 2020**
- **COVID-19 Briefing - 14 August 2020**

CARRIED

RECORD OF ASSEMBLIES OF COUNCILLORS

Assembly Details	Councillor Attendees	All Other Attendees	Matters Discussed	Conflict of Interest Disclosures
Mildura Arts and Culture Advisory Committee 30 April 2020	Cr Modica	Mark Jenkins, Manager Community Futures Antonette Zema, Manager Arts and Culture Development Huw Greenhough, Administration Officer Arts and Culture Development	1. Mildura Arts Centre COVID-19 Update 2. Online Content 3. Digitisation of Collection 4. Mildura Station Homestead 5. Arts Development Grants 6. Creative Victoria Funding 7. Elliott Award and Acknowledgement of Community Arts Groups and Organisations 8. Arts in the Locality	Nil
COVID-19 Briefing 17 July 2020 (Via Skype)	Cr Clemence Cr Eckel Cr Healy Cr Milne Cr Modica	Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration	1. COVID-19 General Update and Discussion	Nil
2020-2021 Budget Submissions Hearing 22 July 2020 (Via Skype)	Cr Clemence Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Mark McMillan, Manager Financial Services Richard Sexton, Manager Corporate Administration Charmaine Calis, Governance & Risk Coordinator Warren Henderson, Financial Services Coordinator	1. All 2020/21 Budget Public Submissions received pursuant to Section 223 of the *Local Government Act 1989*	Cr Simon Clemence declared a conflict of interest with those submissions that referenced the proposed Mildura Airport Instrument Landing System, in that he holds a senior management role with a key stakeholder at Mildura Airport. Accordingly, Cr Clemence left the meeting at 3:10pm prior to any consideration of those submissions and did not return.

Assembly Details	Councillor Attendees	All Other Attendees	Matters Discussed	Conflict of Interest Disclosures
COVID-19 Briefing 31 July 2020 (Via Skype)	Cr Clemence Cr Brown Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Chris Parham, General Manager Corporate Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration	1. COVID-19 General Update, Data and Discussion	Nil
Council Forum 11 August 2020 (Via Webex)	Cr Clemence Cr Poole Cr Brown Cr Eckel Cr Healy Cr Milne Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration Ben Piscioneri, Public Relations Officer	1. Mildura Airport Pty Ltd Business Plan 2020-2021 2. Kerbside Bin Services Policy CP055 – Medical Needs 3. Transition Plan for Glass and Organics Service 4. Recycling Victoria Infrastructure Fund 5. Community Satisfaction Survey Results 2020 6. Delegations Update 7. Public Transparency Policy 8. Establishment of Community Asset Committees 9. Disposal of Chaffey Laneway (Between 93 & 95 Chaffey Avenue), Mildura 10. Monthly Management Report – July 2020	Cr Simon Clemence disclosed a direct conflict of interest on matter 1.
Finance Advisory Committee Meeting 12 August 2020 (Via Webex)	Cr Clemence Cr Poole Cr Milne	Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Mark McMillan, Manager Financial Services	1. Confidential Matter 2. Confidential Matter	Nil
Council Forum 12 August 2020 (Via Webex)	Cr Clemence Cr Poole Cr Brown Cr Cirillo Cr Eckel Cr Healy Cr Milne Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration Ben Piscioneri, Public Relations Officer	1. Mildura South Regional Sporting Precinct – Project Update 2. Events Funding and Support Status 3. New Years Eve 2020 4. Events Funding and Support Policy Review 5. New Event Sponsorship – Victorian Long Course Swimming Championships 2021 6. MOIA Incorporated Document Update 7. Community Grants Program – COVID-19 Response 8. Community Partnership Grants 9. Cabarita Development Plan 10. Urban Nature Strip Policy 11. Mildura South Neighbourhood Activity Centre Amendment C108mild 12. Councillor Issues & Questions 13. CEO Issues	Cr Glenn Milne disclosed an indirect conflict of interest by close association on matter 2. Cr Helen Healy disclosed an indirect conflict of interest by close association on matter 2.

Assembly Details	Councillor Attendees	All Other Attendees	Matters Discussed	Conflict of Interest Disclosures
COVID-19 Briefing 14 August 2020 (Via Skype)	Cr Clemence Cr Poole Cr Brown Cr Eckel Cr Healy Cr Milne Cr Sedgmen	Sarah Philpott, Chief Executive Officer Mandy Whelan, General Manager Development Chris Parham, General Manager Corporate Richard Sexton, Manager Corporate Administration	1. COVID-19 • General Updates, Statistics and Discussion • Cross Border Issues and Support • Relief and Recovery Plans • Communications • Facilities, Services and Staffing • Forward Planning	Nil

7 NOTIFICATION OF ABSENCE

Nil

8 MAYORAL REPORT

8.1 MAYORAL REPORT JULY 2020

Summary

The following is an update on the activities and functions attended by the Mayor, Cr Simon Clemence during the month of July 2020.

2020/0170

Moved: Cr Gavin Sedgmen
Seconded: Cr Glenn Milne

That Council note the contents of this report.

CARRIED

NB: In addition, Cr Clemence acknowledged and thanked Council, local and federal members for Mildura, and other Ministers and Senators, for their work and advocacy in relation to cross border issues.

9 COUNCILLOR REPORTS

9.1 COUNCILLOR REPORTS JULY 2020

Summary

The following is a report on the activities and functions attended by Councillors during the month of July 2020.

2020/0171

Moved: Cr Mark Eckel
Seconded: Cr Min Poole

That Council note the contents of this report.

CARRIED

NB: In addition, Cr Healy acknowledged the contribution to the advocacy facilitated through Council, particularly for the Murrayville cross border issue.

NB: In addition, Cr Healy provided an update on the Gender Equity Action Sunraysia Group meetings.

NB: In addition, Cr Healy provided an update on the Aboriginal Action Committee Meeting.

10 RESPONSES TO COUNCILLORS QUESTIONS

Nil

11 QUESTIONS FROM COUNCILLORS

11.1 CR GLENN MILNE CONTRACTORS FOR MILDURA SOUTH REGIONAL SPORTING PRECINCT

File Number: PROJ/500270

"Could we have an update of what percentage of work at Mildura South Regional Sporting Precinct is going to local contractors, up to date?"

Martin Hawson, General Manager Community advised that Council officers record the percentage of local contractors versus outside contractors and this is reported to Councillors on a monthly basis. Mr Hawson further advised that the figure is currently at 52 per cent.

11.2 CR GLENN MILNE OFF-LEASH DOG PARK IN RED CLIFFS

File Number: 16/03/01

"Could Council consider an off-leash dog park in Red Cliffs? There is some land near the high school that was the area where historically there was an archery park. Many of the locals, because of COVID-19 aren't able to get into town, and they're looking for somewhere to let their dogs have a run."

Martin Hawson, General Manager Community advised that given the success of the Mildura trial, exploring the possibility of more off-leash dog parks in the municipality is already being considered. Mr Hawson further advised that a community planning process will be undertaken to inform the appropriateness of an off-leash dog park in the Red Cliffs area.

11.3 CR GLENN MILNE SAFETY CAMERAS AT THE PARK FOR PLAY

File Number: 04/02/10

"Is there a possibility of a consideration to place safety cameras at the Park for Play?"

Martin Hawson, General Manager Community advised that CCTV has currently been prioritised in the CBD and riverfront locations. Mr Hawson further advised that Council's CCTV program is dependent on state and federal funding, and that Council will need to ascertain if cameras at the Park for Play are feasible from a funding application perspective, bearing in mind that Council's safety camera agenda is about the protection of people as opposed to assets.

11.4 CR GLENN MILNE RATES EXEMPTION FOR CHARITIES

File Number: 02/01/06

"Has there been a change to the way that charities qualify for an exemption from rates?"

Richard Sexton, Acting General Manager Corporate advised that Council is obliged to follow the requirements of the *Local Government Act 2020,* and exemption principles will be applied in accordance with legislative requirements.

11.5 CR HELEN HEALY UPDATE ON PROPOSAL FROM PRINCES COURT HOMES

File Number: 08/02/01

"I have been contacted by Princes Court Homes regarding their $25 million redevelopment plan, which they hope will involve the purchase of 4,000 square meters of S.C Mills Reserve. I would like to know where we are up to with this proposal that's been sent in, as they believe the process is very slow."

Mandy Whelan, General Manager Development advised that Council is formulating a response to the proponents to clearly explain the process involved for their proposal. Ms Whelan further advised that this information will also be provided to Councillors so that all parties are well informed, and the requirements and implications of the proposal are fully understood.

11.6 CR HELEN HEALY PRINT MATERIAL AND DEVICES FOR NEXT INCOMING COUNCILLORS

File Number: 02/01/06

"Can the next group of Councillors be issued with tablets with a touch screen for a pen stylus so they can write directly on to a PDF copy of a Council meeting agenda, have some good training on how to use it, and avoid the enormous resources that go into providing print copies, and reduce our carbon footprint?"

Richard Sexton, Acting General Manager Corporate advised that Council will investigate alternatives for providing agenda papers to Councillors via electronic means, as Council is very conscious of the environmental impact of provision of papers in hardcopy.

11.7 CR HELEN HEALY ABC FUNDING

File Number: 02/01/01

"I request that Mildura Rural City Council write a letter to the Australian government outlining our recognition of the role of the ABC in emergencies, keeping regional communities informed and its value in connecting people, and urging it to restore funding and the unfreezing of the annual indexation. I believe this will be supported by our community based on a group called 'Mildura Against ABC Cuts' that has 555 members, who sent a letter to Anne Webster who has then, and it was also signed by Andrew Broad and Ali Cupper, and Anne Webster has passed it on to the Minister for Communications. I was just hoping that we can support the efforts to get the ABC funded by writing a letter requesting that?"

Sarah Philpott, Chief Executive Officer advised that following a previous request from the floor of Council, a similar letter was issued regarding this matter. Ms Philpott further advised that an additional letter can be drafted specifically addressing the points raised.

11.8 CR MARK ECKEL AMPHITHEATRE IN CURETON AVENUE

File Number: 16/09/01

"I know this has been raised over numerous years, but it has gained a little bit of publicity of late, and that is dealing with the old amphitheatre in Cureton Avenue, and the opportunities that may befall that particular locality. Has Council considered and is there something in train in regards to consultation into the future for this area?"

Martin Hawson, General Manager Community advised that the revitalisation of the amphitheatre forms part of Council's Arts and Culture Strategy, which will come before Council for a resolution at a later date.

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - ALLOCATION OF DROUGHT COMMUNITIES PROGRAM FUNDING

Summary

This Notice of Motion stems from previous Council Forum discussions in relation to how the second round drought communities program funding received of $1 million, has been claimed and is delivering the Murrayville Drainage Upgrade Project.

Discussions at the February 2020 and April 2020 Council Forums identified that this would result in funding in the Capital Works budget that would otherwise have funded the Murrayville Drainage project, could be allocated to alternative projects. There was a need to determine appropriate projects but notwithstanding discussions around a Mallee Track focus to this expenditure and other project options around road funding, no final determinations have to date been made.

Council's 2020/2021 Capital Works Budget has also included $1 million to be directed towards Millewa roadworks and additional Local Roads and Community Infrastructure funding received of approximately $2.2 million.

The Mallee Track region has endured drought conditions over the past few years and coupled with current COVID-19 social and economic challenges, it is felt that the Mallee Track region should be a focus at this time. This is further highlighted by previous drought funding and expenditure allocations to other areas within the municipality including the Millewa / Carwarp area through rate relief and road maintenance works resulting from encroaching sand drifts.

2020/0172

Moved: Cr Greg Brown
Seconded: Cr Min Poole

That Council:

(i) note that the second round drought communities program funding of $1 million was successfully claimed against the Murrayville Drainage Capital Works Project;
(ii) note that the Capital Works Program contains the equivalent amount of $1 million that was to be directed to the Murrayville Drainage Project and can therefore be redirected to other projects;
(iii) allocate the equivalent $1 million from Capital Works to the 2020/2021 drought reserve budget; and
(iv) resolve to allocate the $1 million expenditure from the drought reserve budget to Mallee Track based economic development projects to stimulate local economies and well-being.

CARRIED

13 PETITIONS

Nil

14 MANAGEMENT REPORTS

14.1 COUNCILLOR EXPENSES REPORT 1 APRIL 2020 - 30 JUNE 2020

Summary

In keeping with Council's Council Expenses Policy CP012, Councillor expenses are reported quarterly to an Ordinary Meeting of Council. Accordingly, this report presents Councillors' expenses for the period 1 April 2020 – 30 June 2020.

2020/0173

Moved: **Cr Anthony Cirillo**
Seconded: **Cr Helen Healy**

That Council note the contents of this report which details Councillor expenses for the period 1 April 2020 – 30 June 2020.

CARRIED

14.2 ADOPTION OF MCEDWARD STREET CABARITA RESIDENTIAL DEVELOPMENT PLAN

Summary

The proponent has completed work on preparing a Residential Development Plan for McEdward Street Cabarita, which sets out the future policies and direction for development and infrastructure requirements for the low density residential development for the nominated precinct. The purpose of this report is to recommend Council adopt the plan subject to changes identified in this report.

2020/0174

Moved: **Cr Min Poole**
Seconded: **Cr Gavin Sedgmen**

That Council:

(i) agree to the response to submissions as presented; and
(ii) agree to formally approve the McEdward Street Cabarita Residential Development Plan as exhibited subject to the changes identified in this report.

CARRIED

14.3 AMENDMENT C104MILD - PLANNING SCHEME REVIEW AND PLANNING POLICY FRAMEWORK

Summary

The purpose of this report seeks to initiate Amendment C104mild, which gives effect to both the Planning Policy Framework (PPF Translation) and the adopted recommendations of the Mildura Planning Scheme Review Report April 2019 along with other adopted reports.

2020/0175

Moved: **Cr Glenn Milne**
Seconded: **Cr Mark Eckel**

That Council:

(i) adopt the PPF Translation found within 2020-07-29 Mildura Authorisation August 2020 Version for proposed Amendment C104mild as presented; and
(ii) request authorisation from the Minister for Planning to prepare and exhibit Amendment C104mild.

CARRIED

Planning and Environment Act 1987

MILDURA PLANNING SCHEME

AMENDMENT C104MILD

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Mildura Rural City Council who is the planning authority for this amendment.

The amendment has been made at the request of Mildura Rural City Council.

Land affected by the Amendment

The amendment applies to all land within the Mildura Rural City Council.

The specific areas affected by the amendment are indicated on the 45 attached maps that form part of this amendment.

What the amendment does

The Amendment implements the outcomes of the following adopted Council reports:

- *Mildura Planning Scheme Review Report (2019);*
- *Mildura Council Plan (2017-2020);*
- *Mildura Retail Strategy Review (2018);*
- *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*
- *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (2018).*

The amendment replaces the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 of the Mildura Planning Scheme with a Municipal Planning Strategy (MPS), local policies integrated within the Planning Policy Framework (PPF) and local schedules to zones, overlays and operational provisions consistent with:

- the *Victoria Planning Provisions* as a result of Amendment VC148, and
- the *Ministerial Direction – Form and Content* of Planning Schemes.

The amendment makes the following changes to the content of Clauses 21 and 22 of the Mildura Planning Scheme:

- Relocates the content to the appropriate headings in the Municipal Planning Strategy, Planning Policy Framework and local schedules of the Mildura Planning Scheme.
- Clarifies and improves the style, format, language or grammatical form in accordance with the principles set out in *A Practitioner's Guide to Victorian Planning Schemes*.
- Updates clause references, department names, legislation names, document references, terminology and statistical data.
- Deletes or adjusts incompatible content that conflicts with State planning policy of the Victoria Planning Provisions.

Draft

- Removes repetitive content.
- Removes or updates outdated content.

Specifically, the amendment makes changes to the following local sections of the scheme:

Purpose and Vision

Introduce a new Municipal Planning Strategy (MPS) at Clause 02 based on content from Clauses 21 and 22 of the Local Planning Policy Framework and from adopted Council reports.

Planning Policy Framework

Introduce revised local policy content into the Planning Policy Framework (PPF) at Clauses 11 (Settlement), 12 (Environmental and Landscape Values), 13 (Environmental Risks and Amenity), 14 (Natural Resource Management), 15 (Built Environment and Heritage), 16 (Housing), 17 (Economic Development), 18 (Transport) and 19 (Infrastructure) based on content from Clauses 21 and 22 of the Local Planning Policy Framework and from adopted Council reports.

Zones - Maps

Rezone the land on Map 29 at 1/3 and 2/3 Orana Court Irymple and its common driveway from Public Park and Recreation Zone to General Residential Zone to correct an anomaly.

Rezone the land on Map 22 at 71 Syvlia Street Yelta from the Public Conservation and Resource Zone to the Rural Conservation Zone to correct an anomaly.

Rezone the land on Map 27 at 78, 80, 90 and 92 Pine Avenue Mildura from Public Use Zone Schedule 6 to Commercial 1 Zone to better reflect existing private uses.

Rezone part of the land at 1 Heath Street Red Cliffs on Map 37 from Public Park and Recreation Zone to the General Residential Zone to enable the cleared site to be developed for residential development.

Rezone the land at 217 Trioda Street Red Cliffs on Map 35 from Public Use Zone 1 to the Farming Zone to enable the land to be used for agriculture.

Rezone the land at 2164 Fifteenth Street Irymple on Map 31 from the Road Zone (RD1Z) to Industrial 1 Zone to correct an anomaly.

Rezone land at Chaffey Street and Third Street Merbein on Map 23 from Road Zone (RD1Z) to General Residential Zone to correct an anomaly.

Rezone land at 15 and 16 John Court Irymple on Map 29 from Public Use Zone 1 to General Residential Zone as the land is privately owned and occupied by dwellings.

Rezone land at 682 Woomera Avenue Red Cliffs on Map 38 from Special Use Zone Schedule 5 to Public Use Zone 1 to facilitate a water pumping station.

Rezone the land on Map 22 at 588 Wentworth Road Yelta from the Public Conservation and Resource Zone to the Farming Zone to reflect existing land uses.

Draft

Rezone land at 205 Ontario Avenue Mildura on Map 27 from General Residential Zone to Public Use Zone 6 as the land is owned by Council.

Rezone land at 13 Dal Farra Road, Irymple on Map 34 from Farming Zone to Low Density Residential Zone to reflect a recommendation of the Panel for Amendment C89.

Rezone land at 780 Deakin Avenue Mildura on Map 28 from Farming Zone to General Residential Zone to address an anomaly arising from consideration of Amendment C89.

Rezone land at 467-469 Riverside Avenue, Mildura on Map 28 from Farming Zone to Low Density Residential Zone to address an anomaly arising from consideration of Am C89.

Rezone land on Seventh Street between Deakin Avenue and San Mateo Avenue, Mildura on Map 27 from Commercial 1 Zone, General Residential Zone, Public Use Zone 1, Public Use Zone 4 and Mixed Use Zone to Road Zone Category 1 to reflect the VicRoads declared highway.

Rezone land at Cemetery Road Murrayville on Map 12 from Public Conservation and Resource Zone to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land on King Street Werrimull on Map 18 from Township Zone to Public Use Zone 1 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land at Castle Crossing Road Nangiloc/Colignan on Map 42 from Farming Zone to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land at Sturt Highway Cullulleraine on Map 17 from Public Conservation and Resource Zone to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land at 196 Dunkley Road Ouyen on Map 53 from Public Use Zone 1 to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land at Cemetery Road Underbool on Map 48 from Public Use Zone 1 to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land at Hopetoun Walpeup Road Walpeup on Map 50 from Public Use Zone 1 and Farming Zone to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land at McErvale Street Mittyack on Map 57 from Public Use Zone 1 to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017);*

Rezone land at 39 Dayman Street Cowangie on Map 14 from Township Zone to Public Use Zone 6 to implement the recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017).*

Zones – Schedules

Replace the existing schedule 1 to the Low Density Residential Zone (Clause 32.03) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of*

Draft

Planning Schemes and to specify a dimension of 150sqm above which a permit is required for an outbuilding.

Replace the existing schedule 2 to the Low Density Residential Zone (Clause 32.03) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to modify land descriptions and to specify a dimension of 150sqm above which a permit is required for an outbuilding.

Replace the existing schedule 1 to the Mixed Use Zone (Clause 32.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to incorporate recommendations arising from the *Mildura Planning Scheme Review Report (2019)*.

Insert a new schedule 2 to the Mixed Use Zone (Clause 32.04) consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to incorporate recommendations arising from the *Mildura Planning Scheme Review Report (2019).*

Insert a new schedule 3 to the Mixed Use Zone (Clause 32.04) consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to incorporate recommendations arising from the *Mildura Planning Scheme Review Report (2019).*

Insert a new schedule 4 to the Mixed Use Zone (Clause 32.04) consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to incorporate recommendations arising from the *Mildura Planning Scheme Review Report (2019).*

Replace the existing schedule to the Township Zone (Clause 32.05) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the General Residential Zone (Clause 32.08) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Neighbourhood Residential Zone (Clause 32.09) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Industrial 1 Zone (Clause 33.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Industrial 3 Zone (Clause 33.03) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 1 to the Rural Conservation Zone (Clause 35.06) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to reflect the recommendations of the *Mildura Planning Scheme Review Report (2019)*.

Replace the existing schedule 2 to the Rural Conservation Zone (Clause 35.06) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of*

Draft

Planning Schemes and to reflect the recommendations of the *Mildura Planning Scheme Review Report (2019).*

Replace the existing schedule 3 to the Rural Conservation Zone (Clause 35.06) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to reflect the recommendations of the *Mildura Planning Scheme Review Report (2019).*

Replace the existing schedule 1 to the Farming Zone (Clause 35.07) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the Special Control Overlay.

Replace the existing schedule 1 to the Rural Activity Zone (Clause 35.08) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Public Use Zone (Clause 36.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Public Park and Recreation Zone (Clause 36.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Public Conservation and Resource Zone (Clause 36.03) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 1 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 2 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 3 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 4 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 5 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 6 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Draft

Replace the existing schedule 7 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 8 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the recommendations of the *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (Tract 2018)*

Replace the existing schedule 9 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the recommendations of the *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (Tract 2018)*

Replace the existing schedule 10 to the Special Use Zone (Clause 37.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 1 to the Comprehensive Development Zone (Clause 37.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Urban Floodway Zone (Clause 37.03) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 1 to the Urban Growth Zone (Clause 37.07) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Overlays – Maps

Remove Heritage Overlay (HO1) on Map 27 from the land at 1/181 Cureton Avenue Mildura as this is not part of the heritage property.

Remove Heritage Overlay (HO17) from part of the land at 165 Deakin Avenue and 251 Eleventh Street, Mildura on Map 27 as the overlay affects a non-contributory building.

Remove Heritage Overlay (HO20) from land at 62-68 Deakin Avenue Mildura on Map 27 and from the schedule as the heritage building has been removed.

Remove Heritage Overlay (HO24) from land at 148 Twelfth Street Mildura on Map 27 and from the schedule as the heritage building has been removed.

Remove Heritage Overlay (HO31 and HO32) from land at 46 and 48 Lemon Avenue Mildura on Map 27 and from the schedule as the heritage buildings have been demolished.

Remove Heritage Overlay (HO107) from part of the land at 155 Belar Avenue Irymple on Map 32 as the site has no heritage value.

Remove Heritage Overlay (HO110) on Map 32 from CA 9 Cureton Avenue and replace it with Heritage Overlay (HO110) to the land at 138 Cureton Avenue, Nichols Point to reflect its accurate location.

Draft

Apply Heritage Overlay (HO130) to land at Cooke Street Nichols Point on Map 32 to reflect the actual location of the heritage building.

Remove Heritage Overlay (HO130) from land at 687 Cureton Avenue and part of 16 Cooke Street Nichols Point on Map 32 and include HO130 to another part of 16 Cooke Street to accurately reflect the affected heritage building.

Remove Heritage Overlay (HO147) on Map 31 from part of the land at 2132 Fifteenth Street, Irymple as the land has been cleared.

Remove Heritage Overlay (HO161) on Map 32 from land at Cureton Avenue and replace it with Heritage Overlay (HO161) to the land at 242 Cureton Avenue, Nichols Point to reflect its accurate location.

Remove Heritage Overlay (HO174) on Map 23 from the land at Forbes Drive Merbein to and apply to Sawmill Road Yelta as the heritage monument has been relocated.

Apply Heritage Overlay (HO204) to land at 136 Lime Avenue Mildura on Map 27 to identify a heritage tree.

Remove Heritage Overlay (HO206) on Map 27 from the land at 2/6 Chaffey Avenue Mildura as the heritage tree covers only part of the site.

Amend Heritage Overlay (HO206 and HO215) on Map 27 at 2-6 Chaffey Avenue, Mildura to accurately reflect the built situation.

Remove Heritage Overlay (HO207) on Map 27 from the land at 138 Seventh Street Mildura as the heritage tree is no longer there.

Remove Heritage Overlay (HO211) on Map 27 from the land at 16 Kurrajong Avenue Mildura as the heritage tree no longer exists.

Remove Heritage Overlay (HO213) on Map 27 from the land at 224 Walnut Avenue Mildura and 214 Walnut Avenue Mildura and from the schedule as the heritage trees are incorrectly mapped and are no longer there.

Remove Heritage Overlay (HO215) on Map 27 from the land at 2/6 Chaffey Avenue Mildura as the heritage trees cover only part of the site.

Apply Heritage Overlay (HO308) on Map 27 to the land at 128a Eighth Street Mildura, 42 Deakin Avenue Mildura and 24-40 Deakin Avenue Mildura to extend the existing heritage precinct to the road frontage.

Remove Design and Development Overlay Schedule 11 (DDO11) on Map 29 from land on and near the corner of Fifteenth Street and Sandilong Avenue; and on Kossman Court in accordance with the recommendations of the Tract Report (2019).

Include land at 13 Dal Farra Road, Irymple on Map 34 in Development Plan Overlay Schedule 2 (DPO2), Salinity Management Overlay and Design and Development Overlay Schedule 5 (DDO5) to reflect a recommendation of the Panel for Amendment C89.

Include land at 467-469 Riverside Avenue, Mildura on Map 28 in Development Plan Overlay

Draft

Schedule 2 (DPO2) and Salinity Management Overlay to reflect a resolution arising from the Panel for Amendment C89.

Remove Public Acquisition Overlay (PAO) at 406 to 414 Benetook Avenue on Map 29 as VicRoads no longer requires it and support its removal.

Re-number ESO3 on Maps 24 and 25 on Meridian Road and 1435 Sturt Highway Merbein South as ESO4.

Include land at Parker Lane, Tutye on Map 13 in Environmental Audit Overlay (EAO) to implement recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017).*

Include land at Kelly Road, Boinka on Map 51 in Environmental Audit Overlay (EAO) to implement recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017).*

Include land at Lacey Avenue, Lindsay Point on Map 1 in Environmental Audit Overlay (EAO) to implement recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017).*

Include land at Delahoy Road, Meringur on Map 6 in Environmental Audit Overlay (EAO) to implement recommendations of the *Loddon Mallee Waste and Resource Recovery Group Report Implementation Plan (2017).*

Overlays - Schedules

Replace the existing schedule 1 to the Environmental Significance Overlay (Clause 42.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 2 to the Environmental Significance Overlay (Clause 42.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Delete the existing schedule 3 to the Environmental Significance Overlay (Clause 42.01).

Replace the existing schedule 4 to the Environmental Significance Overlay (Clause 42.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to merge the detail of the existing schedule 3 (ESO3).

Replace the existing schedule 1 to the Vegetation Protection Overlay (Clause 42.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 2 to the Vegetation Protection Overlay (Clause 42.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing Schedule to Clause 43.01 (Heritage Overlay) with a new schedule that includes application requirements previously contained at Clause 22.02 (Heritage) of the Local Planning Policy Framework and to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Draft

Replace the existing schedule 1 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 2 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 3 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 4 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Include a new schedule 5 to the Design and Development Overlay (Clause 43.02) for land at 13 Dal Farra Road, Irymple to reflect a recommendation of the Panel for Amendment C89.

Replace the existing schedule 6 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 7 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 8 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 9 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the recommendations of the *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (Tract 2018)*

Replace the existing schedule 10 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the recommendations of the *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (Tract 2018)*

Replace the existing schedule 11 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the recommendations of the *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (Tract 2018)*

Replace the existing schedule 12 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the recommendations of the *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (Tract 2018)*

Replace the existing schedule 13 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to align with the recommendations of the *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (Tract 2018)*

Draft

Replace the existing schedule 14 to the Design and Development Overlay (Clause 43.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 1 to the Development Plan Overlay (Clause 43.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 2 to the Development Plan Overlay (Clause 43.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 3 to the Development Plan Overlay (Clause 43.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 4 to the Development Plan Overlay (Clause 43.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 5 to the Development Plan Overlay (Clause 43.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 6 to the Development Plan Overlay (Clause 43.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Salinity Management Overlay (Clause 44.02) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Floodway Overlay (Clause 44.03) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Land Subject to Inundation Overlay (Clause 44.04) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule to the Public Acquisition Overlay (Clause 45.01) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 1 to the Development Contributions Plan Overlay (Clause 45.06) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Replace the existing schedule 2 to the Development Contributions Plan Overlay (Clause 45.06) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes.*

Draft

Replace the existing schedule 3 to the Development Contributions Plan Overlay (Clause 45.06) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule 1 to the Parking Overlay (Clause 45.09) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and the *Mildura CBD Plan* (Planisphere 2007*)*.

Particular Provisions

Replace the existing schedule to Clause 52.02 (Easements, Restrictions and Reserves) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule to Clause 52.05 (Signs) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule to Clause 52.17 (Native Vegetation) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule to Clause 52.27 (Licensed Premises) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule to Clause 52.28 (Gaming) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule to Clause 53.01 (Public Open Space) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* and to update it to reflect current Council practice in specifying a 5% Public Open Space requirement for subdivision to align with Section 18(1)(a)(b) and (c) of the *Subdivision Act 1988.*

Replace the existing schedule to Clause 59.15 (Local VicSmart Applications) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule to Clause 59.16 (Information Requirements and decision Guidelines for Local VicSmart Applications) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

General Provisions

Replace the existing schedule to Clause 66.04 (Referral of Permit Applications under Local Provisions) with a new Schedule to make it consistent with the *Ministerial Direction on the Form and Content of Planning Schemes*.

Replace the existing schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions) with a new Schedule to make it consistent with the *Ministerial Direction on the*

Draft

Form and Content of Planning Schemes.

Operational Provisions

Introduce a new Schedule to Clause 72.08 (Background Documents) that consolidates and updates all background documents from Clause 21 of the Local Planning Policy Framework.

Introduce a new Schedule to Clause 74.01 (Application of Zones, Overlays and Provisions) to provide an explanation of the relationship between the municipal objectives, strategies and controls on the use and development of land in the planning scheme. The schedule consolidates all planning scheme implementation actions from Clause 21 of the Local Planning Policy Framework.

Introduce a new Schedule to Clause 74.02 (Further Strategic Work) that consolidates all relevant further strategic work actions from Clause 21 of the Local Planning Policy Framework.

Strategic assessment of the Amendment

Why is the Amendment required?

Amendment C104mild forms part of Stage 3 of the Smart Planning Rules and Policy Program to reform Victoria's planning system and change the Victoria Planning Provisions (VPP) to make planning schemes more efficient, accessible and transparent.

In 2018, VC148 introduced widespread changes to the Victoria Planning Provisions as part of Stage 2 of the Smart Planning Program. More specifically, VC148:

- introduced a new Planning Policy Framework (PPF)
- enabled the future introduction of a Municipal Planning Strategy (MPS)
- introduced a new state, regional and local integrated policy structure
- modified the schedules to some existing zones, overlays and provisions to accommodate additional local content
- created new operational provisions.

A key focus for Stage 3 of the Smart Planning Program is to ensure better alignment of local planning policy with state and regional policy by integrating local policy content into the new MPS and PPF.

Local policy content has been drafted in accordance with the principles set out in *A Practitioner's Guide to Victorian Planning Schemes* to ensure policy content is:

- within the scope of the *Planning and Environment Act 1987* and strategically justified
- clear in its application, proportional to the intended planning outcome and consistent with relevant parent provisions, practice notes, advisory notes and ministerial directions issued by the Minister for Planning, and
- drafted to be clear and unambiguous.

The amendment updates local provisions of the Mildura Planning Scheme where local schedules in zones, overlays, particular provisions and general provisions are inconsistent with:

Draft

- the *Victoria Planning Provisions* as a result of Amendment VC142 and VC148, and
- the *Ministerial Direction – Form and Content of Planning Schemes.*

The amendment makes the following changes to local schedules:

- Corrects obvious and technical errors in local schedules clauses in the Mildura Planning Scheme, including updates to the general structure and order of provisions, the updating of the header or footer of local schedules; and updating of map descriptions.
- Clarifies and improves the style, format, language or grammatical form of local schedule clauses in the Mildura Planning Scheme where the intended effect of that clause or any other clause is not changed.
- Inserts and updates headings in local schedules in the Mildura Planning Scheme.
- Relocates content to the appropriate heading in local schedule clauses in the Mildura Planning Scheme where the intended effect of that clause or any other clause is not changed.
- Updates clause references, department names, legislation names, document references and terminology in local schedule clauses in the Mildura Planning Scheme.

In 2018 VC142 and VC148 introduced widespread changes to the Victoria Planning Provisions as part of Stage 2 of the Smart Planning Program. The majority of local schedules to planning schemes now contain incorrect references to 'State Planning Policy Framework' and 'Local Planning Policy Framework', clause numbers, clause names, land use terms and background and incorporated documents.

Reviews of local planning schemes undertaken during the course of Stage 2 also identified numerous errors and inconsistencies in local schedules that could not be rectified at the time. A key focus for Stage 3 of the Smart Planning Program is to rectify these inaccuracies and inconsistencies.

These errors and inconsistencies reduce the effectiveness of local provisions in implementing policy objectives and create room for errors of interpretation and unintended outcomes. They also create difficulties in translating the local schedules into a digital format planning system.

Removing these errors and inconsistencies will improve the readability and transparency of the planning scheme, and make local content more compliant with the *Ministerial Direction – Form and Content of Planning Schemes*.

The Department of Environment, Land, Water and Planning (DELWP) acknowledges that future amendments may address remaining inaccuracies and inconsistencies that require consultation with Mildura Shire Council.

Finally, the amendment is also required so as to implement the Mildura Planning Scheme Review Report (2019) and a brief overview of the review report is as follows.

Mildura Planning Scheme Review Report (2019)

Mildura Rural City Council adopted the *Mildura Planning Scheme Review Report* in 2019 in accordance with the requirements of Section 12B of the *Planning and Environment Act 1987* (the Act).

Since the introduction of its first 'New Format Planning Scheme' in 1999, the Mildura Planning Scheme has been regularly reviewed and updated. In addition, there have been numerous Planning Scheme Amendments over the years that have made other incremental

Draft

changes to the Mildura Planning Scheme as specific planning issues have arisen. The scheme was most recently and significantly modified by Amendments C75, C79, C89 and C95 which implemented a vast array of strategic work adopted by Council.

Since the last planning scheme review, and its implementation by Amendment C64, a number of significant planning changes have occurred in the municipality as well as significant state and regional planning reforms. In particular, the Loddon Mallee North Regional Growth Plan now forms part of the Mildura Planning Scheme.

The 2019 Planning Scheme Review outlined the major planning policy changes during the inter-review period and the key issues and policy gaps that had influenced the municipality's strategic planning. The findings of the Review support a series of recommendations that will inform the work program for future amendments to the Mildura Planning Scheme.

Mindful of the changes to the planning system introduced by the Minister for Planning by Amendment VC148, the Review Report findings included (in summary) the need to;

- translate its existing LPPF into the new PPF model as required by DELWP.
- modify all existing zone schedules to comply with the *Ministerial Direction on Form and Content.*
- modify all existing overlay schedules to comply with the Ministerial Direction on Form and Content.
- prepare and exhibit a full planning scheme amendment inclusive of the new PPF, modified zones, overlays, particular provisions and schedules so as to comply with Amendment VC148.

The Review Report also identified other strategic work required to support future policy development or changes to the provisions of the planning scheme.

Amendment C104mild therefore is a direct outcome of the Mildura Planning Scheme Review Report 2019.

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

The amendment implements the following objectives of planning in Victoria, set out in section 4(1) of the *Planning and Environment Act 1987*:

a) To provide for the fair, orderly, economic and suitable use, and development of the land.

c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

f) To facilitate development in accordance with the objectives of planning in Victoria. The amendment will provide for the orderly use and development of the municipality consistent with these objectives.

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

The Amendment addresses a range of significant environmental, social and economic issues in the Mildura Planning Scheme. These include:

Draft

Environmental

- Biodiversity
- Native vegetation
- Murray River
- Water
- Flooding
- Salinity
- Climate change
- Heritage
- Sensitive interfaces

Social

- Township growth
- Housing diversity
- Liveability
- Neighbourhood character
- Open space

Economic

- Rural 'lifestyle' development
- Agriculture
- Activity centres
- Industry
- Tourism
- Development infrastructure
- Transport networks
- Mildura aerodrome

Consistent with the new Council Plan, the new MPS and PPF are focussed on promoting economic development and investment including the protection and promotion of key agricultural assets and industries.

The new PPF continues its strong support for the protection of environmental assets including biodiversity, the Murray River system and state and national parks.

Importantly, the new PPF strengthens references to the social impacts affecting the municipality including recognition that the population is aging and that this will have land use and development implications for the provision of housing, health and community facilities.

In terms of the modified schedules, amendment C104mild supports these objectives by:

- correcting obvious and technical errors
- clarifying and improving the style, format, language or grammatical form of local schedules
- inserting and updating headings, department names, legislation names and document references in local schedules

Draft

- updating clause references and terminology to ensure consistency across planning schemes
- streamlining planning processes and reducing regulatory burden and cost to users of the system
- making the system more relevant, accessible and transparent for Victorians over time.

The amendment is therefore expected to have positive environmental, social and economic effects for Victorian businesses, industry and the community by:

- improving the clarity of local policy content in the MPS, PPF and proposed local schedules which results in greater certainty for users of the system
- reducing unnecessary costs to applicants and councils as a result of unclear planning requirements
- improving planning outcomes by removing errors, inconsistencies and incompatibility in local policy content in the MPS, PPF and proposed local schedules. The application of updated and improved local policy content in the MPS, PPF and proposed local schedules will provide certainty to the users of the planning system by ensuring land use and development outcomes are consistent with environmental, social and economic land use objectives of planning in Mildura and Victoria.

Does the amendment address relevant bushfire risk?

The amendment is not expected to result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

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

Amendment C104mild increases the compliance of the Mildura Planning Scheme with Ministerial Directions issued under section 12 of the Act and with the *Ministerial Direction on the Form and Content of Planning Schemes* issued under section 7(5) of the Act.

Amendment C104mild has had regard to and is consistent with *Practice Note 46 – Strategic Assessment Guidelines.*

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

The Amendment is consistent with the objectives and strategies of the Planning Policy Framework and the incorporated *Loddon Mallee North Regional Growth Plan* (2014) which, among other things identified Mildura as a Regional Centre where growth will be promoted. The PPF outlines key directions for the growth and development of regional Victoria, including strategies to maintain its competitive edge. These strategies and objectives include protection of agriculture through identification and protection of strategically significant rural areas and by limiting inappropriately dispersed urban activities in rural areas.

The amendment includes a new Municipal Planning Strategy (at Clause 02) and Planning Policies which have been included at Clause 11-19 (inclusive).

Draft

It is considered that the amendment now includes an PPF which is supported by, and generally consistent with the Ministerial Direction.

How does the amendment support or implement the Planning Policy Framework, and specifically the Municipal Planning Strategy?

The Amendment introduces an entirely new Municipal Planning Strategy (at Clause 02) and includes 'Strategic Directions' at Clause 02.03 for the following key themes:

- Settlement
- Environmental and Landscape Values
- Environmental Risks
- Natural Resource Management
- Built Environment and Heritage
- Housing
- Economic Development
- Transport
- Infrastructure

There are eleven Strategic Maps included in Clause 02 and Clauses 11-19 being:

- Mildura Strategic Framework Plan
- Mildura Urban Area Framework Plan
- Urban Transition Area Structure Plan
- CBD Precincts Plan
- City Gate Precinct Structure Plan
- Fifteenth Street Precinct Structure Plan
- Irymple Town Structure Plan
- Merbein Town Structure Plan
- Red Cliffs Town Structure Plan
- Ouyen Town Structure Plan
- Thurla Structure Plan

The amendment introduces a new Municipal Planning Strategy at Clause 02 and local planning policies included at Clauses 11, 12, 13, 14, 15, 16, 17, 18 and 19.

The new structure is summarised below:

Table of proposed changes

New Clauses	Content and Proposed Change in Amendment C104mild

Draft

02.01 – Context	Updates demographic data for the municipality and identifies key local economic, environmental and settlement issues.
02.02 – Vision	Provides a new 'Vision' based on the Mildura Rural City Council Plan (2017-2021) and a modified 'Land Use Planning Vision' based on the existing Clause 21.03.
02.03 – Strategic Directions	Addresses key land use issues based on the Planning Policy Framework (PPF) and provides some discussion and a series of 'Strategic Directions' for the PPF themes of: • Settlement • Environmental and Landscape Values • Environmental Risks • Natural Resource Management • Built Environment and Heritage • Housing • Economic Development • Transport • Infrastructure Notably, these themes are more or less consistent with the existing themes in the Mildura Planning Scheme. In that context, Amendment C104mild is fundamentally a 'translation' of the existing scheme with its only new strategic directions arising from the following: • *Mildura Planning Scheme Review Report (2019);* • *Mildura Council Plan (2017-2020);* • *Mildura Retail Strategy Review (2018);* • *Loddon Mallee Waste and Resource Recovery Implementation Plan (2017);* • *Issues Paper Special Use Zones 8 and 9 and DDO11 and 12 (2018)*
02.04 – Strategic Framework Plans	Revises the existing framework plans into one rationalised *Mildura Strategic Framework Plan.* Specifically, the clause amends the existing strategic directions for Mildura, Irymple, Red Cliffs, Merbein and Ouyen with modifications and edits to improve clarity.
11- Settlement	This Clause provides local content to support Clause 11 (Settlement) of the Planning Policy Framework with additions arising from the Planning Scheme Review Report and the Loddon Mallee Regional Growth Plan. The clause provides strategies for the townships of Mildura, Nichols Point, the Main Urban Area, Urban Transition Area, Irymple, Red

Draft

	Cliffs, Merbein, Cabarita and Ouyen and for residential 'growth areas'. Modifies, rationalises and updates existing Town Structure Plans for Mildura, Irymple, Red Cliffs, Merbein and Ouyen. The clause provides direction for the development of activity centres in Mildura, particularly the Mildura CBD, the Fifteenth Street/City Gate Precincts and Deakin Avenue. The clause provides direction for the development of the two 'Growth Areas' of Mildura South and Mildura East. The clause provides direction for the development of 'College lease land'.
12 – Environmental and Landscape Values	This Clause provides local content to support Clause 12 (Environmental and Landscape Values) of the Planning Policy Framework. This clause retains existing strategic direction on the Murray River corridor, waterways, wetlands and biodiversity protection. This clause retains reference on significant environmental assets and environmentally sensitive public land areas with additions arising from Planning Scheme Review Report.
13 – Environmental Risks and Amenity	This Clause provides local content to support Clause 13 (Environmental Risks) of the Planning Policy Framework. This clause introduces local policy directions on amenity and land use conflicts around sensitive land uses in the Rural City.
14 - Natural Resource Management	This Clause provides local content to support Clause 14 (Natural Resource Management) of the Planning Policy Framework. This clause translates the existing strategic directions for Agriculture based on Clause 21.06 of the existing scheme, the *Mildura Older Irrigation Area Incorporated Document May 2020* and the *Siting Principles in Mildura Growth Areas (2017*) focussing on use and development in the Farming Zone; dwellings and subdivision in the Farming Zone; and dwellings in future growth areas in the Farming Zone. This clause inserts local policy drawn from the existing Clause 21.04, 21.06 and 21.08 and provides direction for dwellings, small lot subdivision and rural land use in the Farming Zone.
15 – Built Environment and Heritage	This Clause provides local content to support Clause 15 (Built Environment and Heritage) of the Planning Policy Framework. This clause includes strategic directions for urban design, subdivision design, low density residential neighbourhood character, energy and resource efficiency and heritage conservation with additions arising from the Planning Scheme Review Report. This clause converts the existing policy directions from existing Clauses 21.10 and 22.03.
16 – Housing	This Clause provides local content to support Clause 16 (Housing) of

Draft

	the Planning Policy Framework. This clause provides objectives and strategies for housing diversity, worker and budget residential accommodation and rural residential development drawn for the existing Clauses 21.03, 21.04, 21.07, 21.08, 21.10 and 22.01.
17 – Economic Development	This Clause provides local content to support Clause 17 (Economic Development) of the Planning Policy Framework. This clause edits the existing strategic directions for industrial and tourism issues to improve clarity. Modifies, rationalises and updates strategies for Thurla including a revised Thurla Structure Plan for industrial expansion. This clause converts the existing policy direction from Clauses 21.04, 21.08 and 21.10.
18 – Transport	This Clause provides local content to support Clause 18 (Transport) of the Planning Policy Framework. This clause includes strategies addressing transport issues (especially sustainable personal transport), car parking and planning for the Mildura airport and environs drawn from existing Clauses 21.07, 21.09, 21.10 and 22.03.
19– Infrastructure	This Clause provides local content to support Clause 19 (Infrastructure) of the Planning Policy Framework. This clause includes objectives and strategies addressing open space, integrated water management and infrastructure design drawn from existing Clauses 21.04, 21.09, 21.10 and 22.03.

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

The amendment introduces local policy and associated local policy content consistent with Amendment VC148 and the *Ministerial Direction - The Form and Content of Planning Schemes*.

Where local schedules have been amended, the form of the schedule has been modified to accord with the current *Ministerial Direction - The Form and Content of Planning Schemes*.

The amendment makes numerous changes to the zoning and overlay maps in the Mildura Planning Scheme as indicated above.

The amendment makes modifications to all existing zone, overlay and provision Schedules to align with the *Ministerial Direction on the Form and Content of Planning Schemes* issued under section 7(5) of the Act.

The Amendment also complies with all the relevant Practice Notes.

It is considered that the amendment makes proper use of the Victoria Planning Provisions.

Draft

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

Relevant agencies have been involved in the preparation of much of the strategic work adopted by Council.

Relevant agencies were also consulted with during the Mildura Planning Scheme Review process and these and other agencies will be consulted throughout the exhibition process for Amendment C104mild.

Amendment C104mild makes administrative changes to the Mildura Planning Scheme following approval of VC148. Various government agencies and other entities were involved in the identification or preparation of particular changes as part of the wider Smart Planning consultation.

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

Amendment C104mild will not have a significant impact on the transport system as defined by the *Transport Integration Act 2010*.

Resource and administrative costs

Amendment C104mild is not expected to impose additional resource or administrative costs on the responsible authority. Introducing revised local policy content in the form of the MPS and PPF is expected to create a clearer more navigable policy framework where state and local policy build on each other to allow policy to achieve its intended outcome. After an initial familiarisation phase this should have the effect of reducing the burden on the responsible authority of creating and administering local policy content in the scheme. Ultimately the amendment will provide a clear set of guidelines that deliver a greater level of certainty to the community and other stakeholders within the municipality.

Amendment C104mild will also have a positive effect on the resource and administrative costs of responsible authorities by providing clearer, consistent, and more compliant local schedules in the planning scheme. This will make it simpler for the responsible authority and for users of the system to determine the planning requirements for a specific land use or development.

The amendment will also create substantial time and resourcing savings for the responsible authority through the review and updating of previously non-compliant local schedules to remove errors and inconsistency that would otherwise have been required in the prescribed planning scheme review process.
Overall, the amendment is expected to have minimal impact on the resource and administrative costs of the responsible authority in that the amendment effectively replaces the existing LPPF with a new and contemporary PPF; and provides more extensive permit exemptions.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week commencing

Draft

- panel hearing: Week commencing

Where you may inspect this Amendment

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

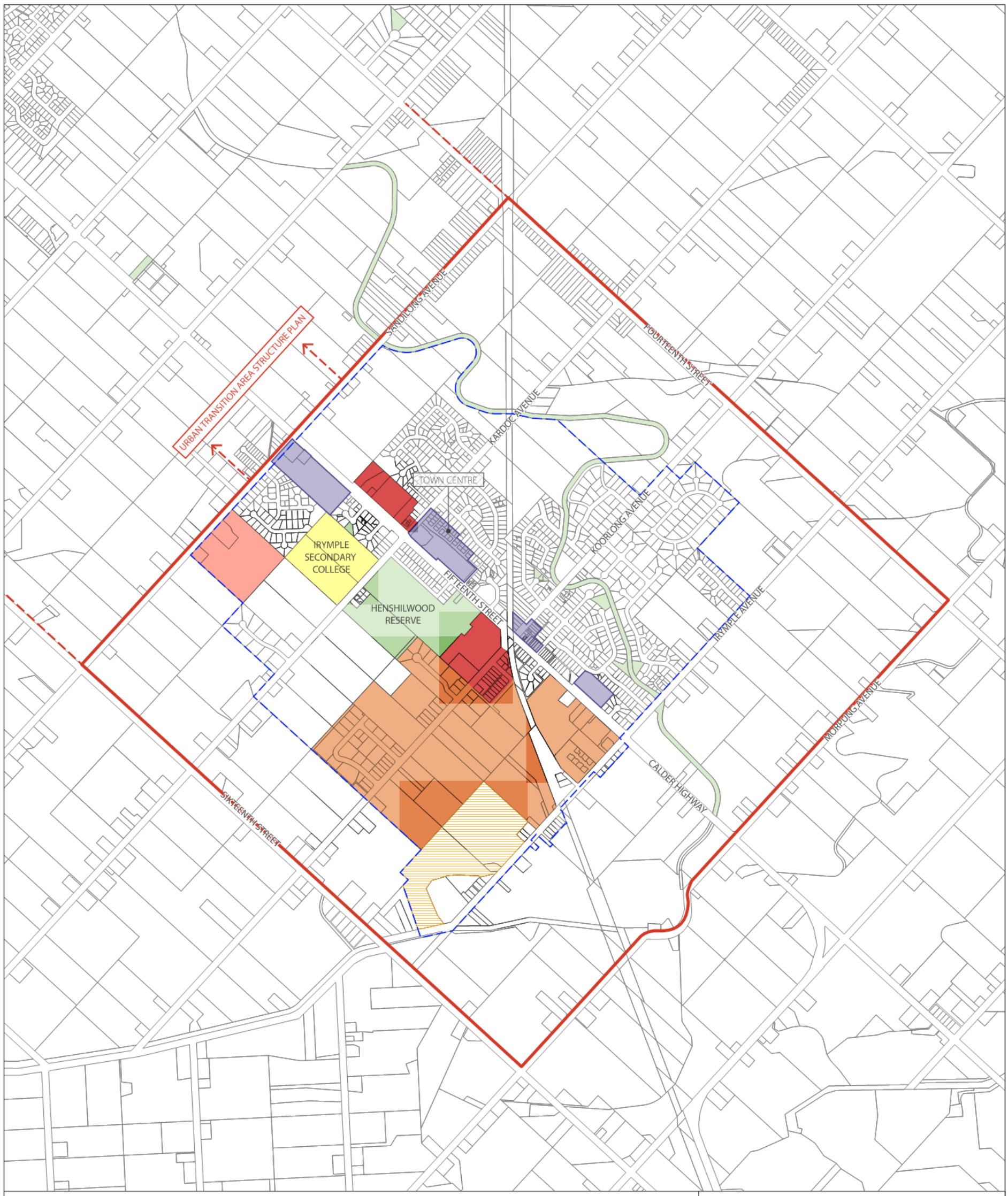
- Mildura Rural City Council, Nos. 108 Madden Avenue, Mildura and Nos. 76-84 Deakin Avenue, Mildura.
- Department of Environment, Land, Water and Planning, Corner Midland Highway and Taylor Street, Epsom 3551.

The Amendment can also be inspected free of charge at the:

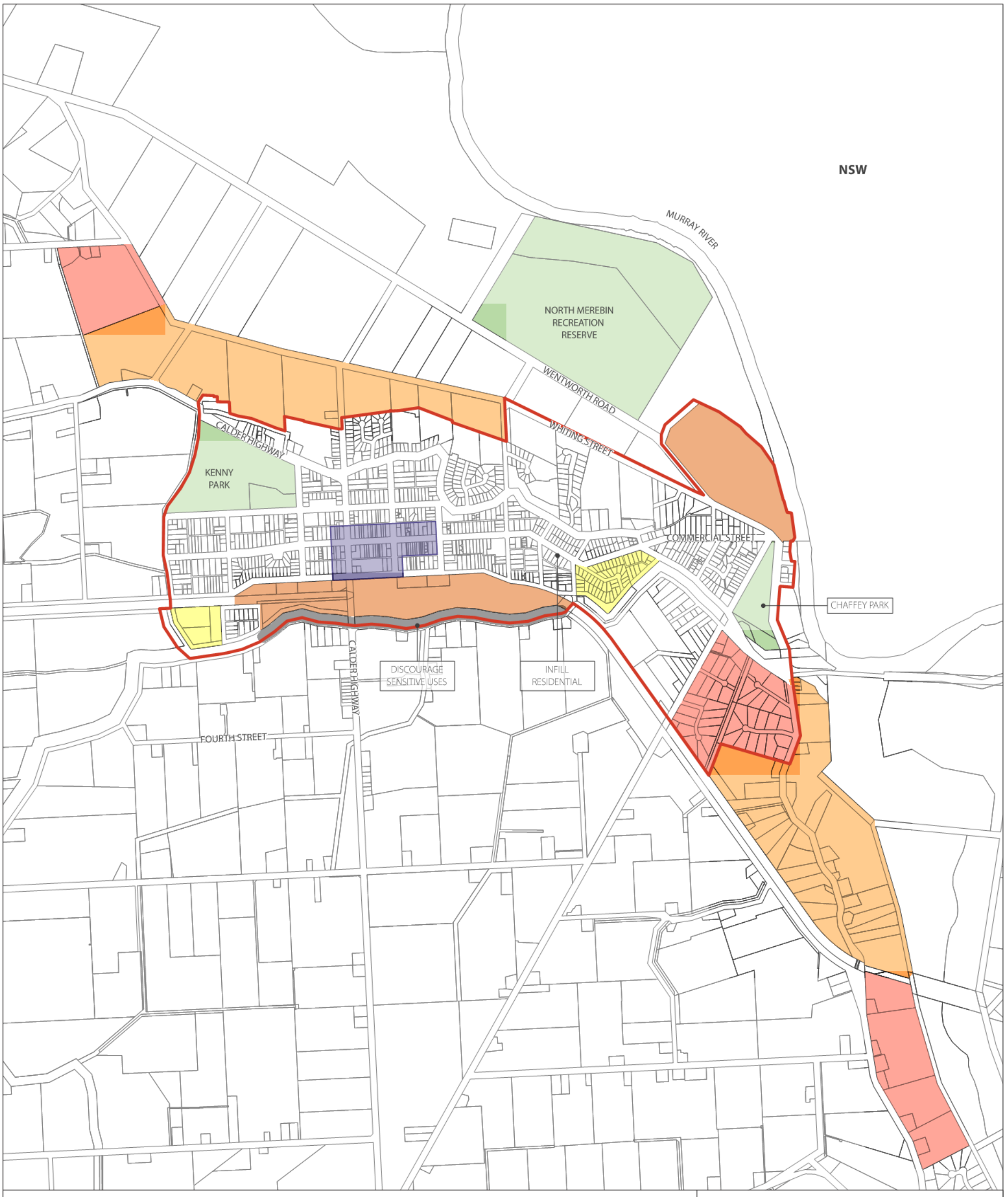
Mildura Rural City Council website at www.mildura.vic.gov.au

The amendment can also be inspected free of charge at the Department of Environment. Land, Water and Planning website at http://www.delwp.vic.gov.au/planning/publicinspection.

Draft



IRYMPLE TOWN STRUCTURE PLAN



MERBEIN TOWN STRUCTURE PLAN



LEGEND

- Study Area Boundary
- A Retail Core
- B Feast Street
- C Seventh Street Riverside Interface
- D Riverfront Masterplan Area
- E Offices
- F Deakin Avenue
- G Eastern Mixed Use
- H Peripheral Residential

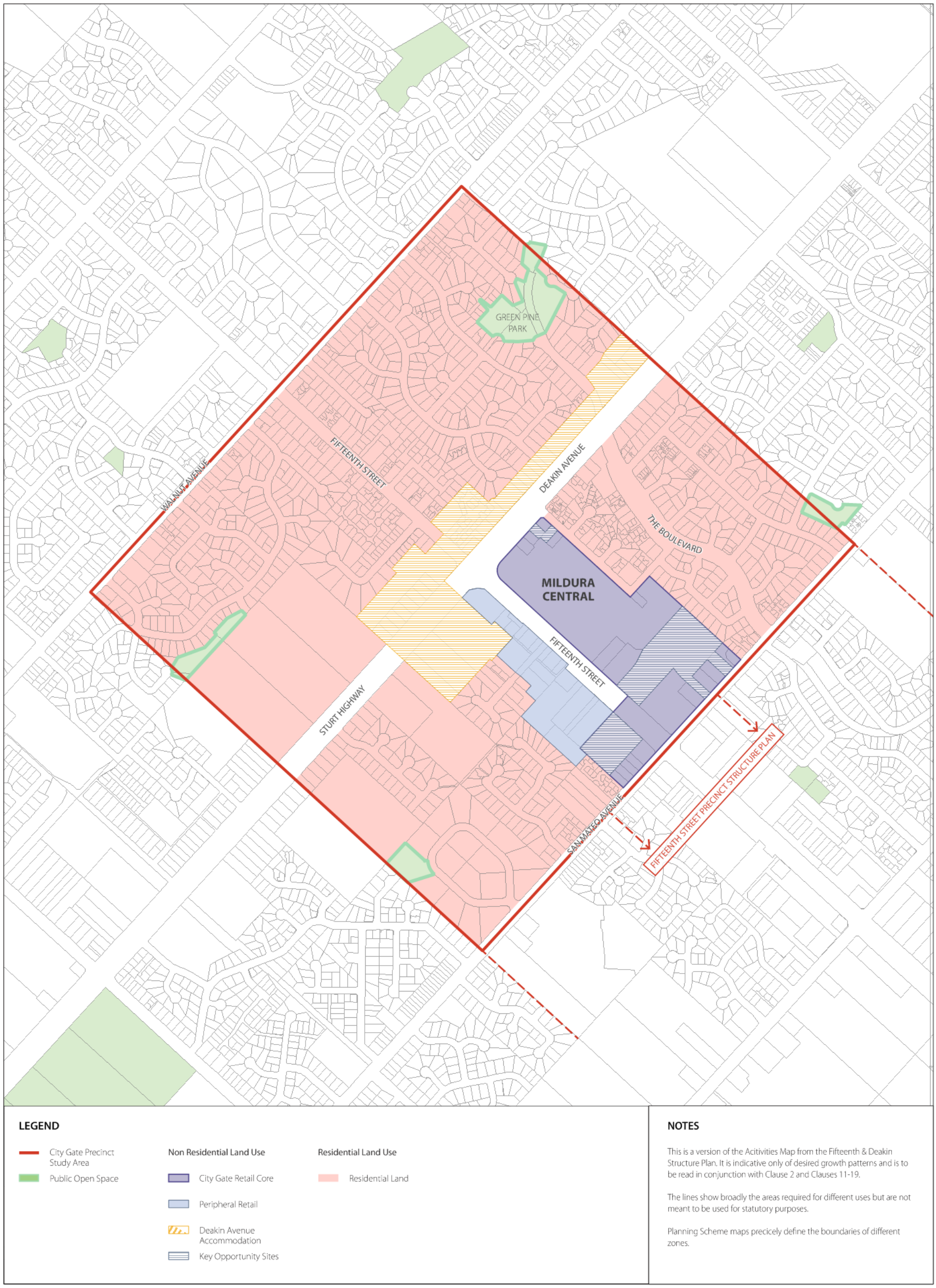
NOTES

This Structure Plan is indicative only of desired growth patterns and is to be read in conjunction with Clause 2 and Clauses 11-19.

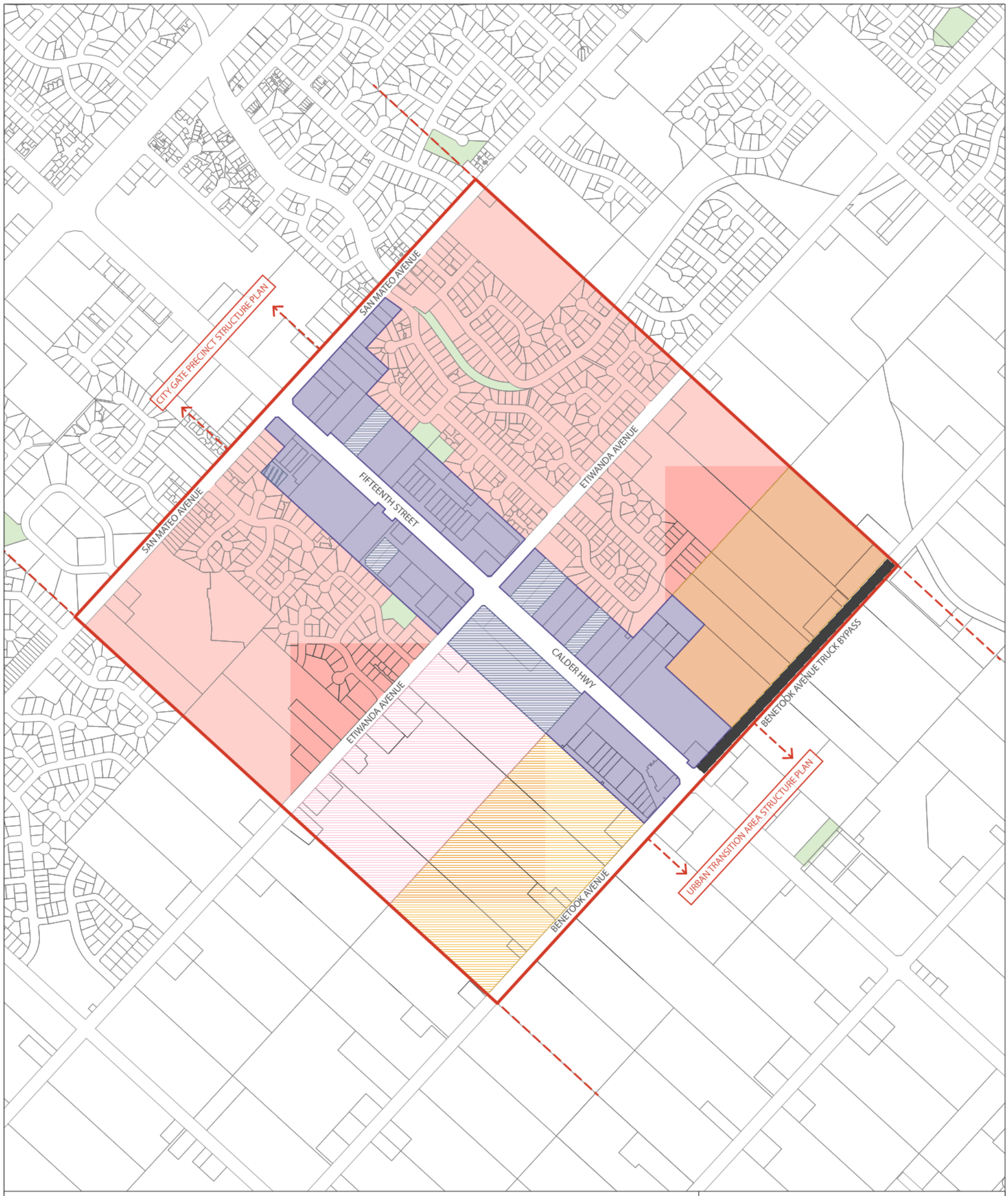
The lines show broadly the areas required for different uses but are not meant to be used for statutory purposes.

Planning Scheme Maps precisely define the boundaries of different zones.

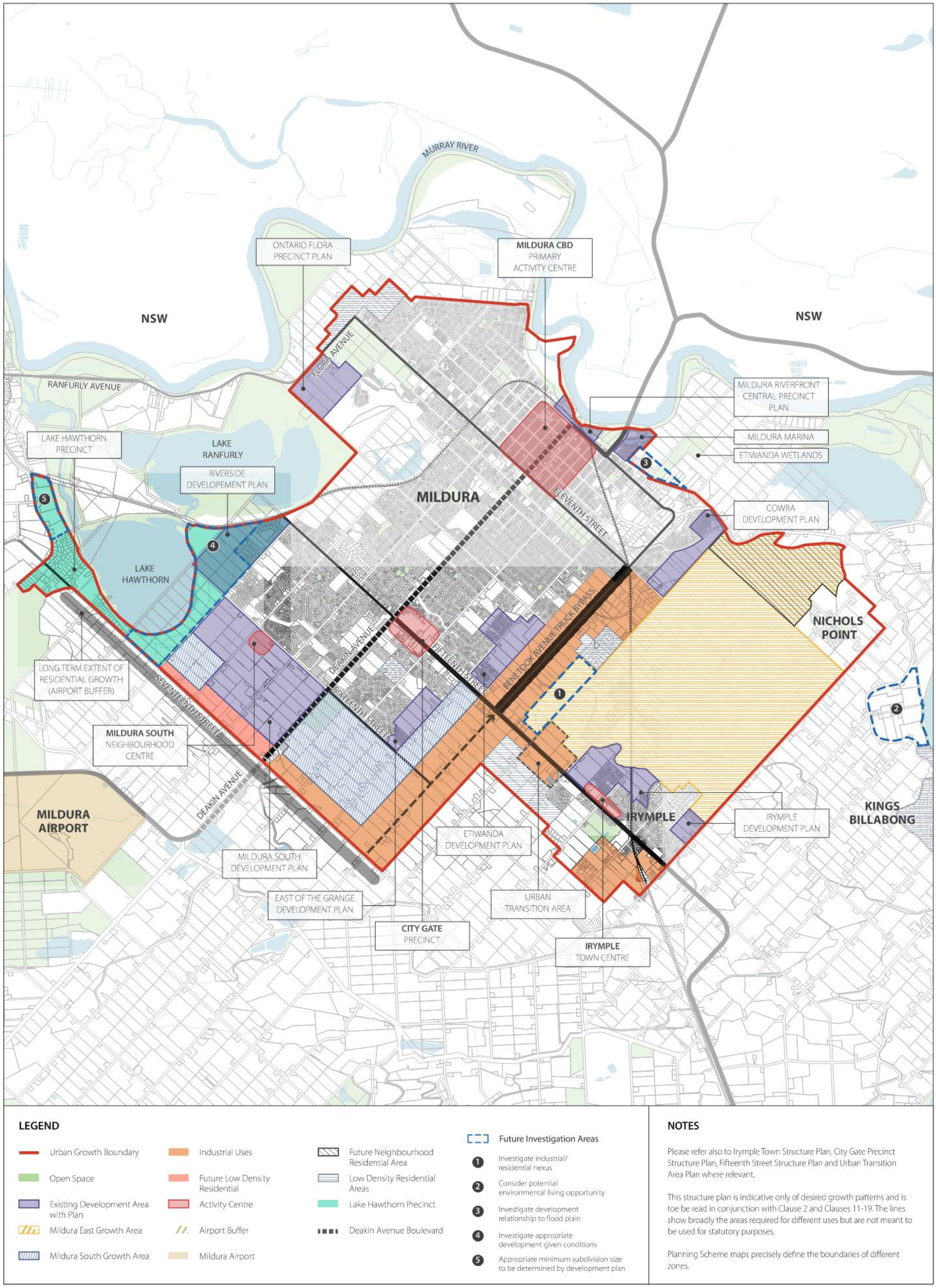
MILDURA CBD PRECINCTS PLAN



MILDURA CITY GATE PRECINCT STRUCTURE PLAN



MILDURA FIFTEENTH STREET PRECINCT STRUCTURE PLAN



LEGEND

- Urban Growth Boundary
- Open Space
- Existing Development Area with Plan
- Mildura East Growth Area
- Mildura South Growth Area
- Industrial Uses
- Future Low Density Residential
- Activity Centre
- Airport Buffer
- Mildura Airport
- Future Neighbourhood Residential Area
- Low Density Residential Areas
- Lake Hawthorn Precinct
- Deakin Avenue Boulevard
- Future Investigation Areas
  1. Investigate industrial/ residential nexus
  2. Consider potential environmental living opportunity
  3. Investigate development relationship to flood plain
  4. Investigate appropriate development given conditions
  5. Appropriate minimum subdivision size to be determined by development plan

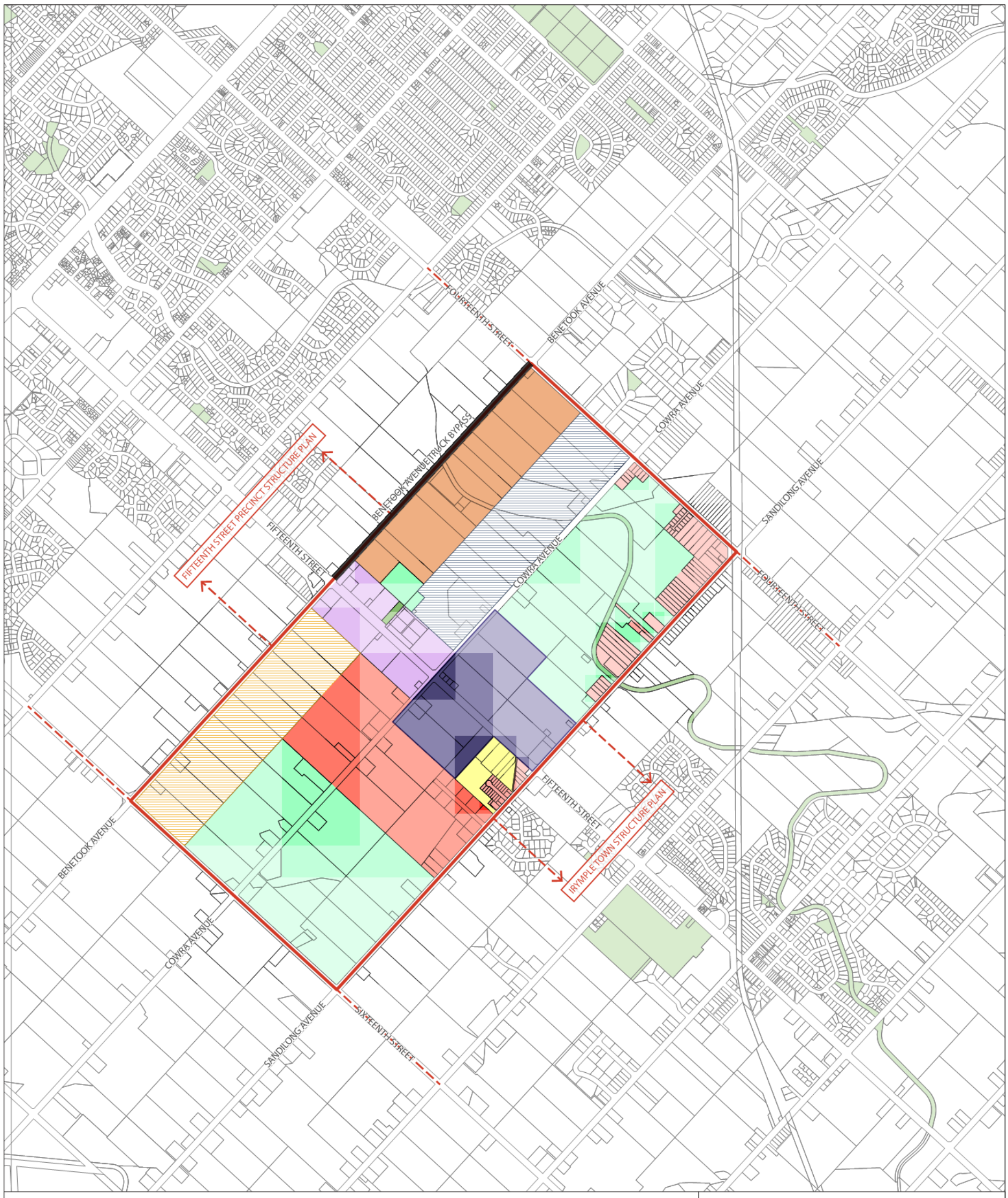
NOTES

Please refer also to Irymple Town Structure Plan, City Gate Precinct Structure Plan, Fifteenth Street Structure Plan and Urban Transition Area Plan where relevant.

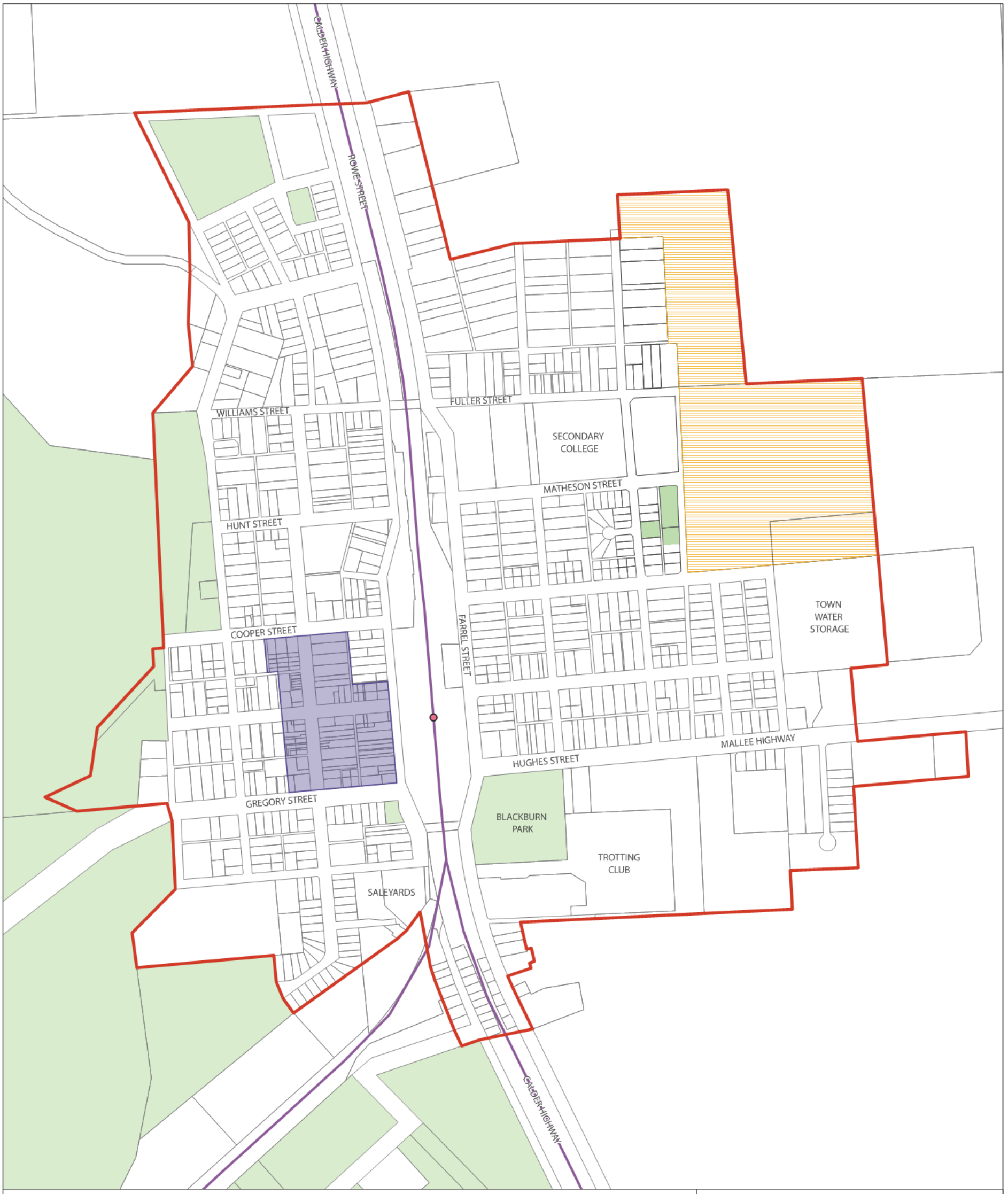
This structure plan is indicative only of desired growth patterns and is toe be read in conjunction with Clause 2 and Clauses 11-19. The lines show broadly the areas required for different uses but are not meant to be used for statutory purposes.

Planning Scheme maps precisely define the boundaries of different zones.

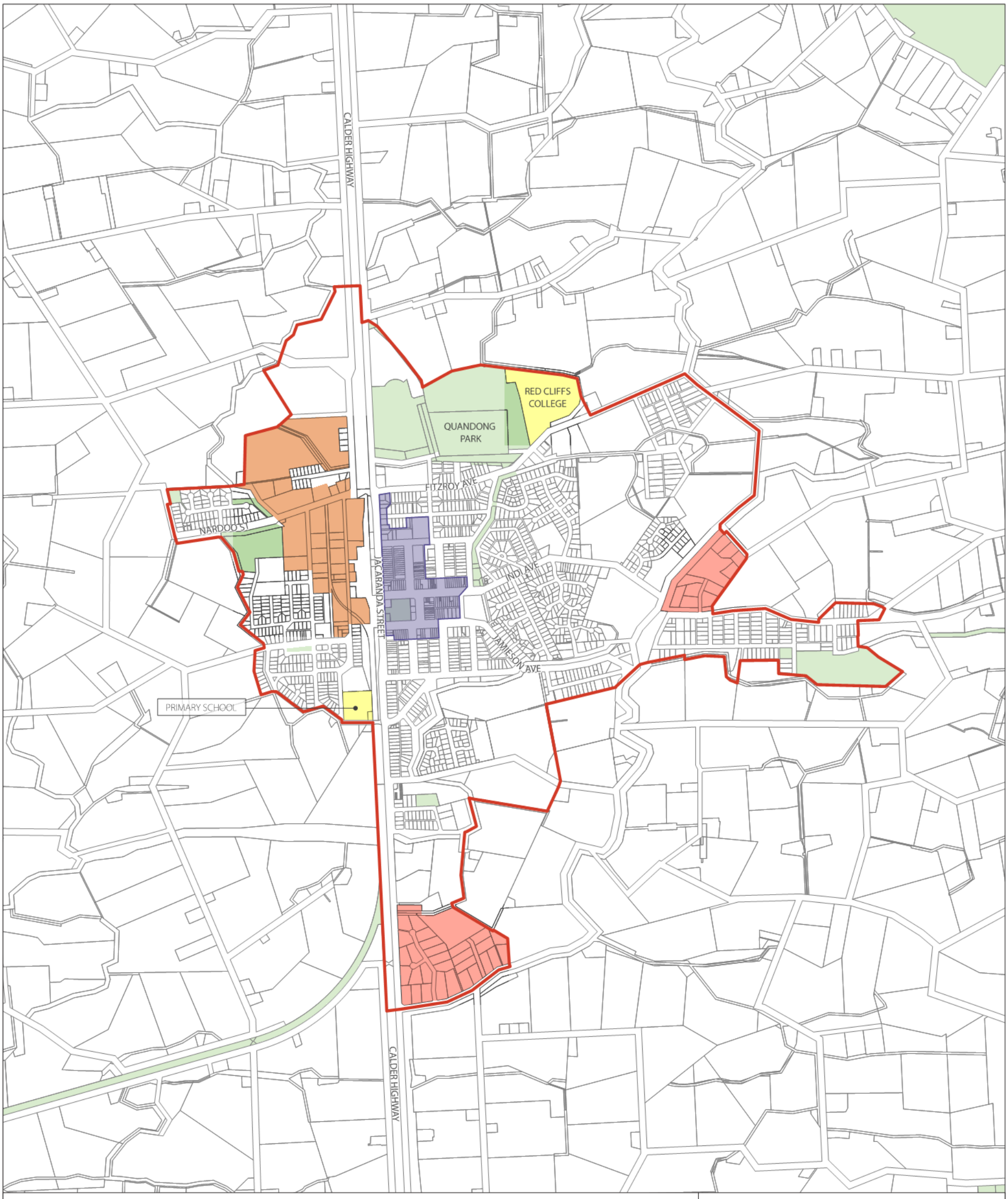
MILDURA MAIN URBAN AREA FRAMEWORK PLAN



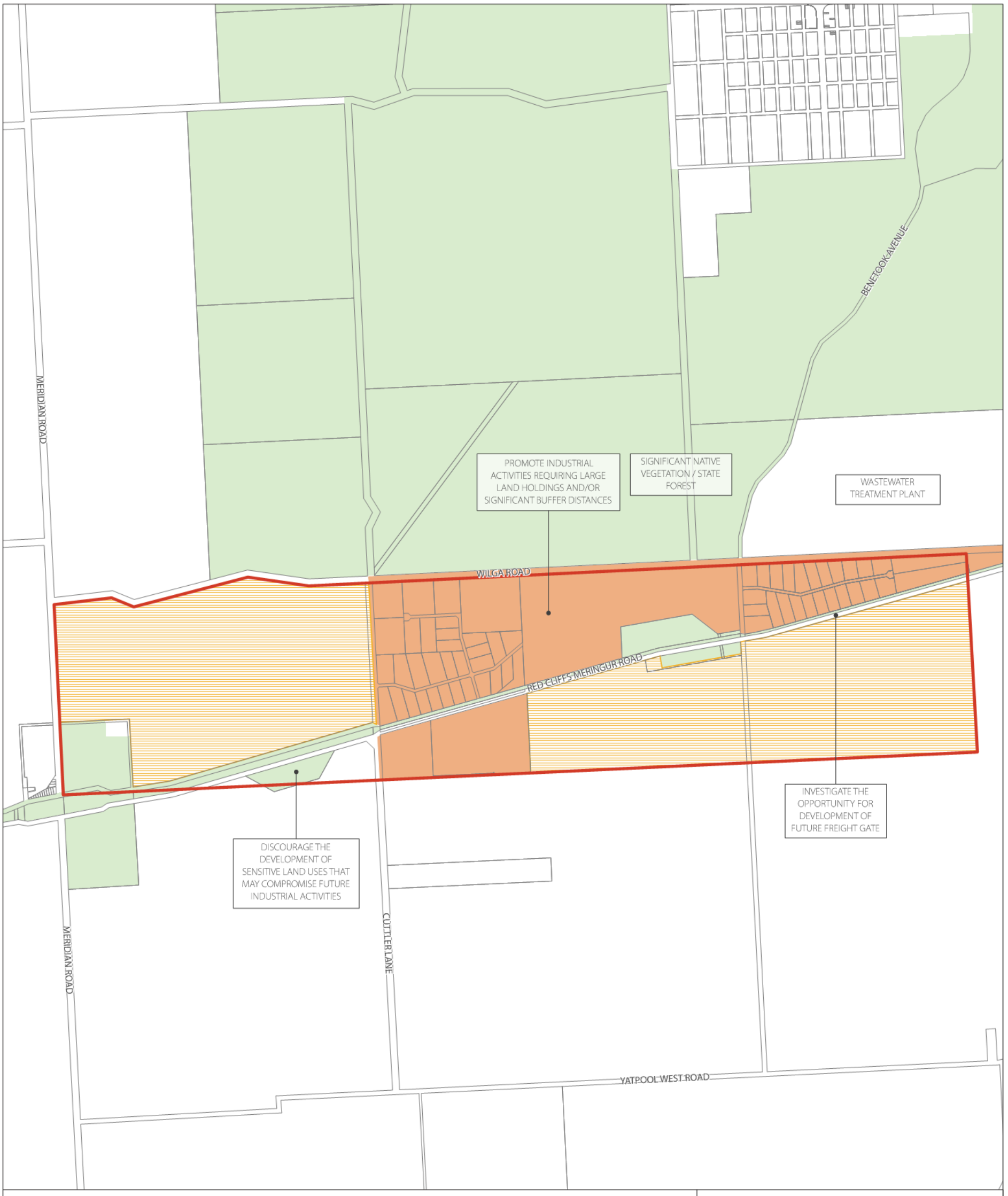
MILDURA URBAN TRANSITION AREA STRUCTURE PLAN



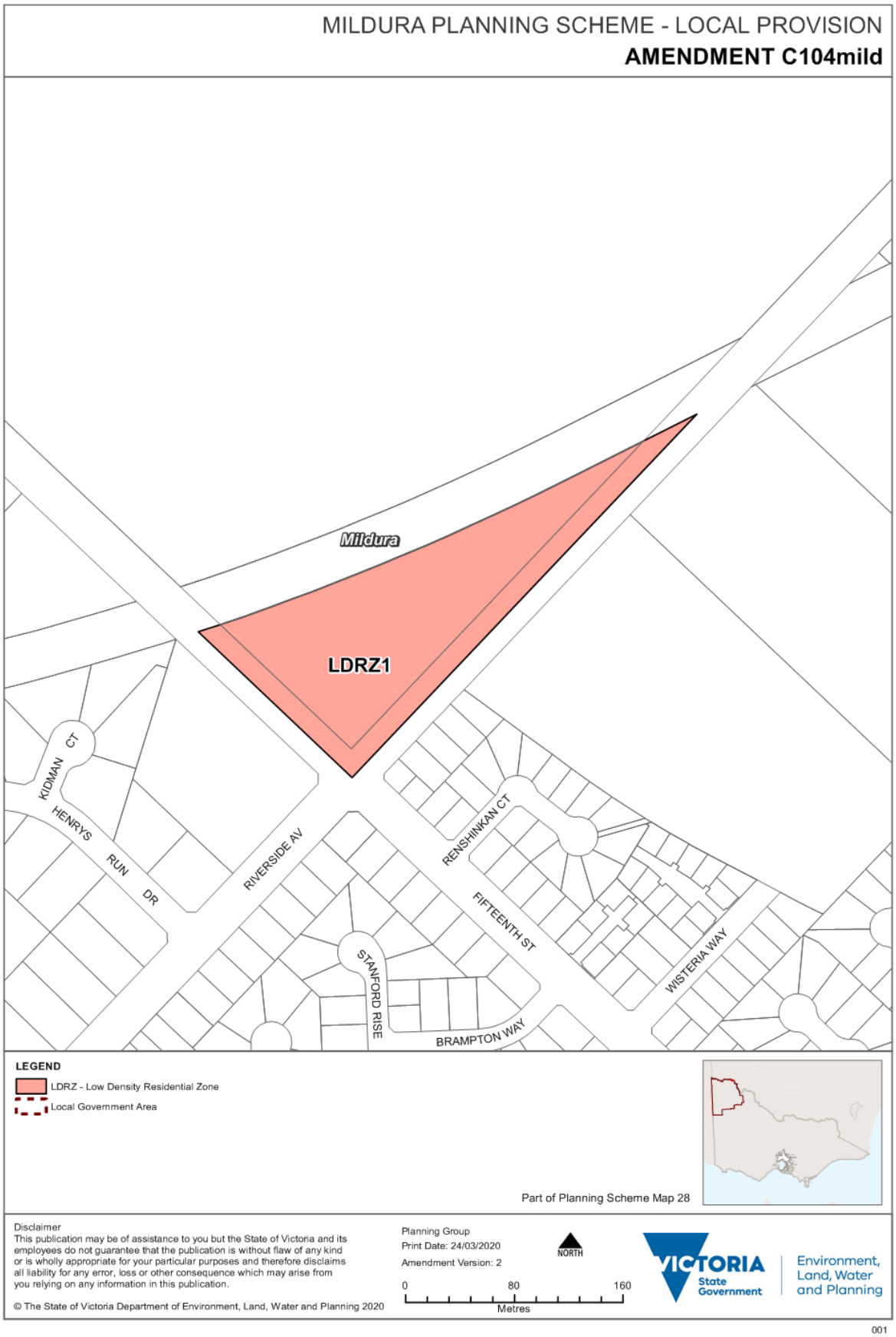
OUYEN TOWN STRUCTURE PLAN

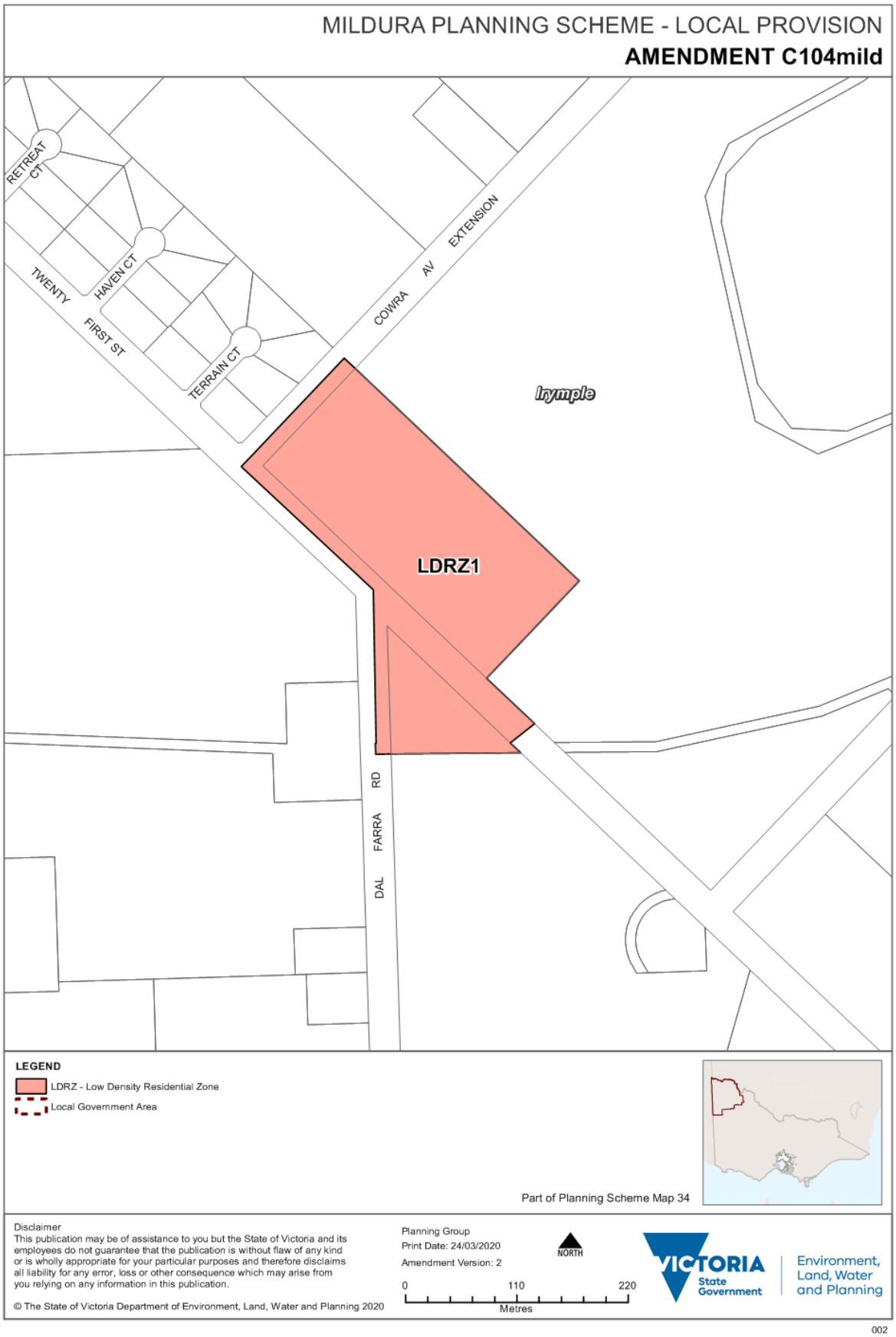


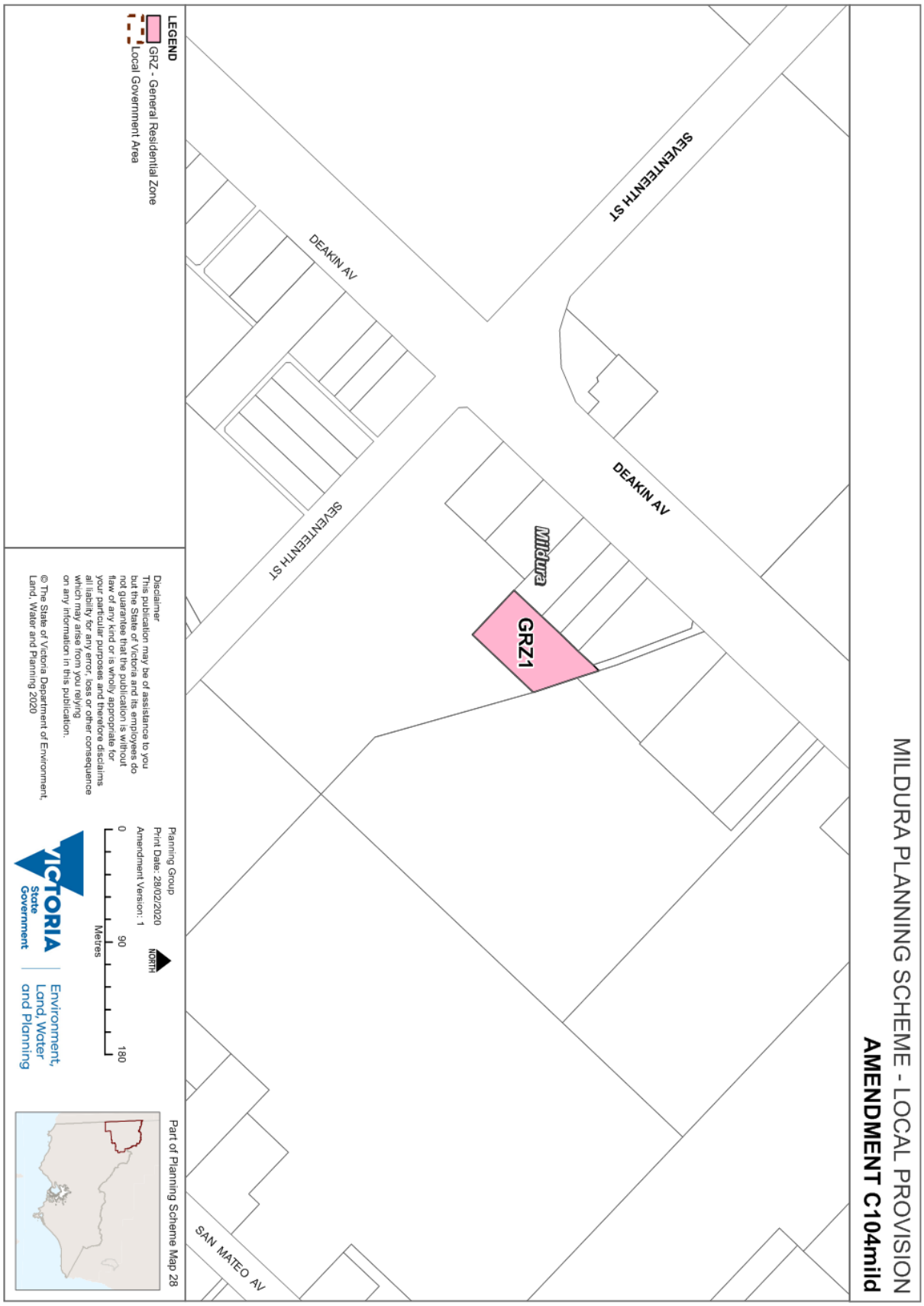
RED CLIFFS TOWN STRUCTURE PLAN

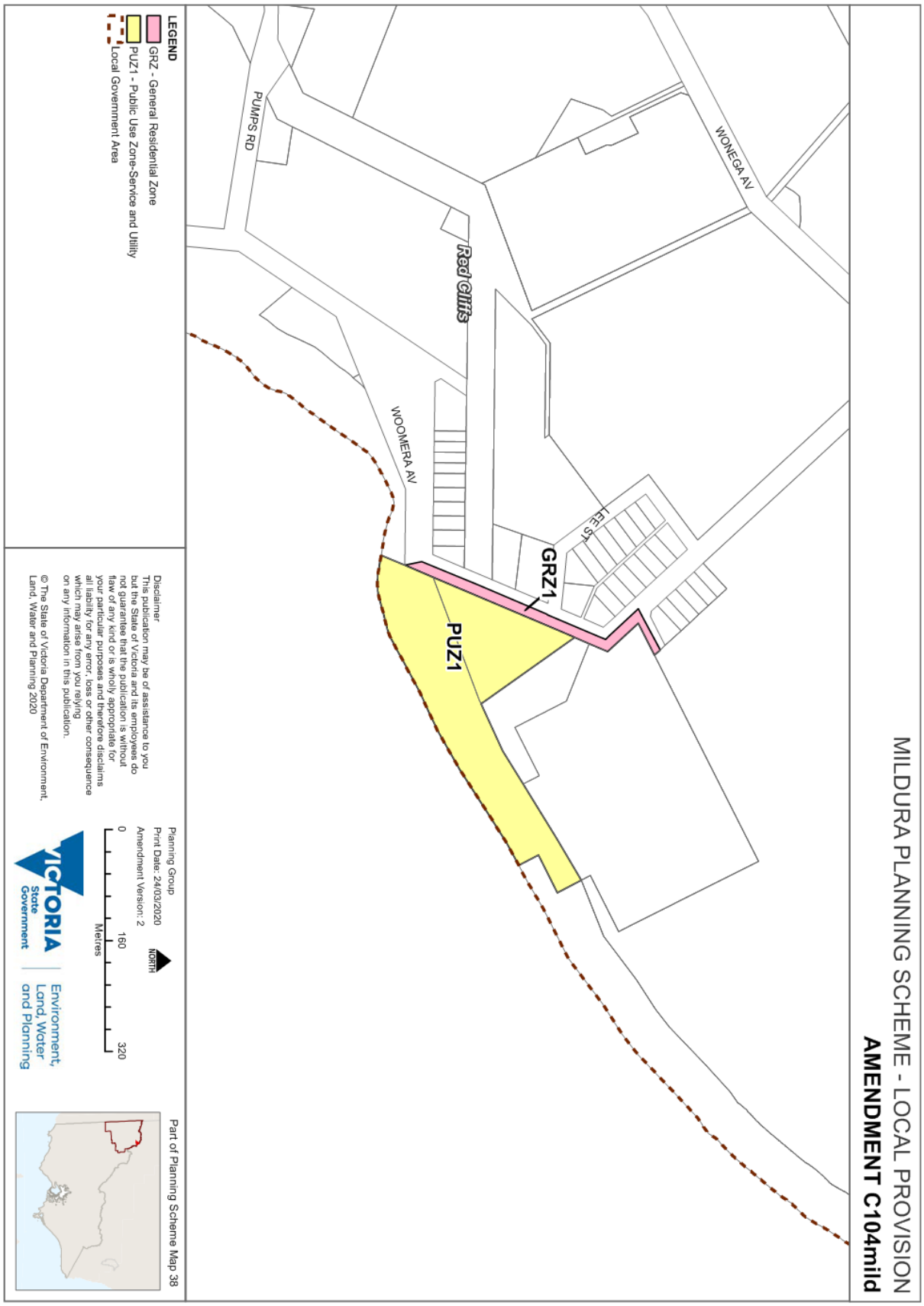


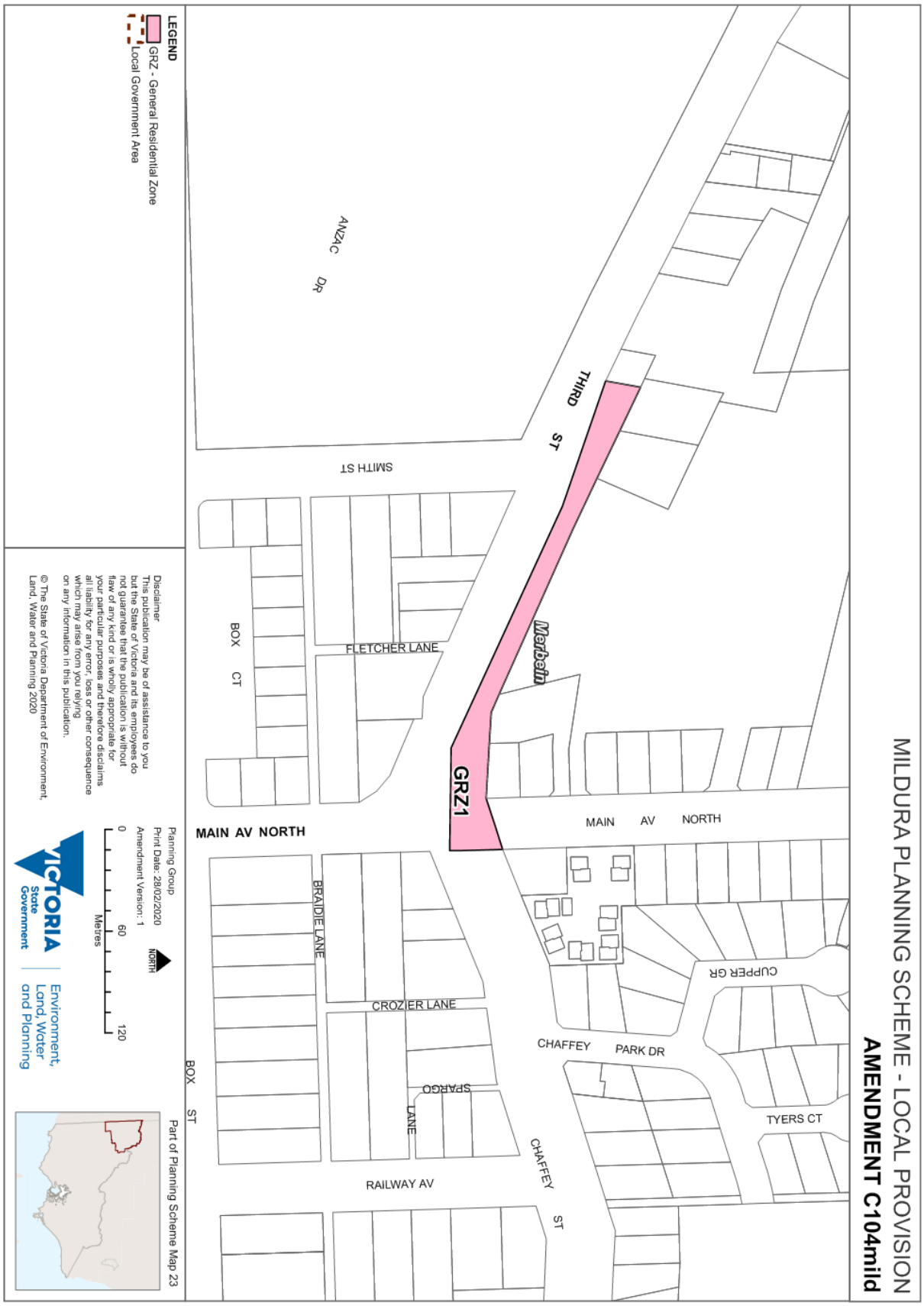
THURLA STRUCTURE PLAN

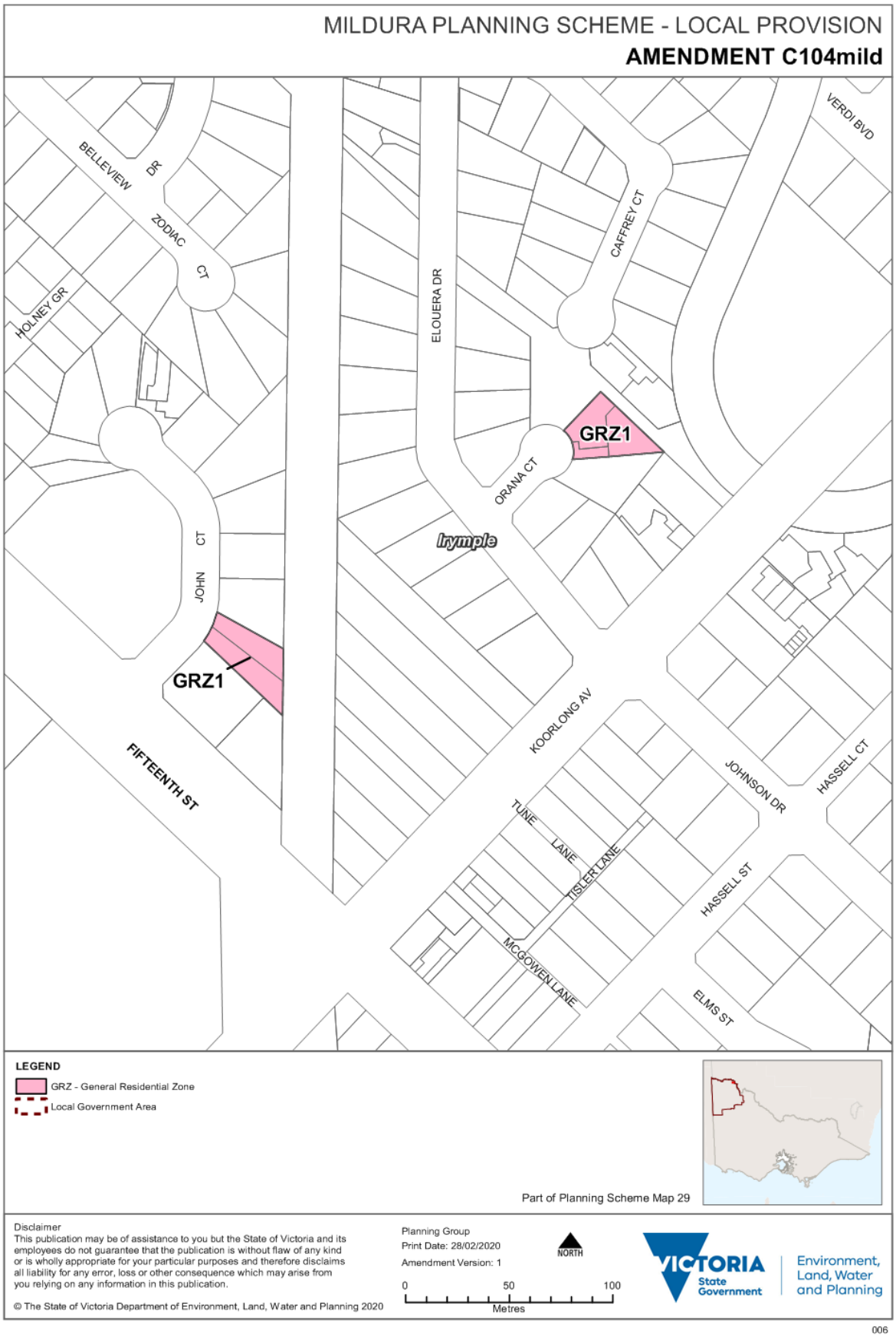

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
Mildura
LDRZ1
KIDMAN CT
HENRYS RUN DR
RIVERSIDE AV
RENSHINKAN CT
FIFTEENTH ST
STANFORD RISE
BRAMPTON WAY
WISTERIA WAY
LEGEND
LDRZ - Low Density Residential Zone
Local Government Area
Part of Planning Scheme Map 28
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0
80
160
Metres
VICTORIA State Government
Environment, Land, Water and Planning
001

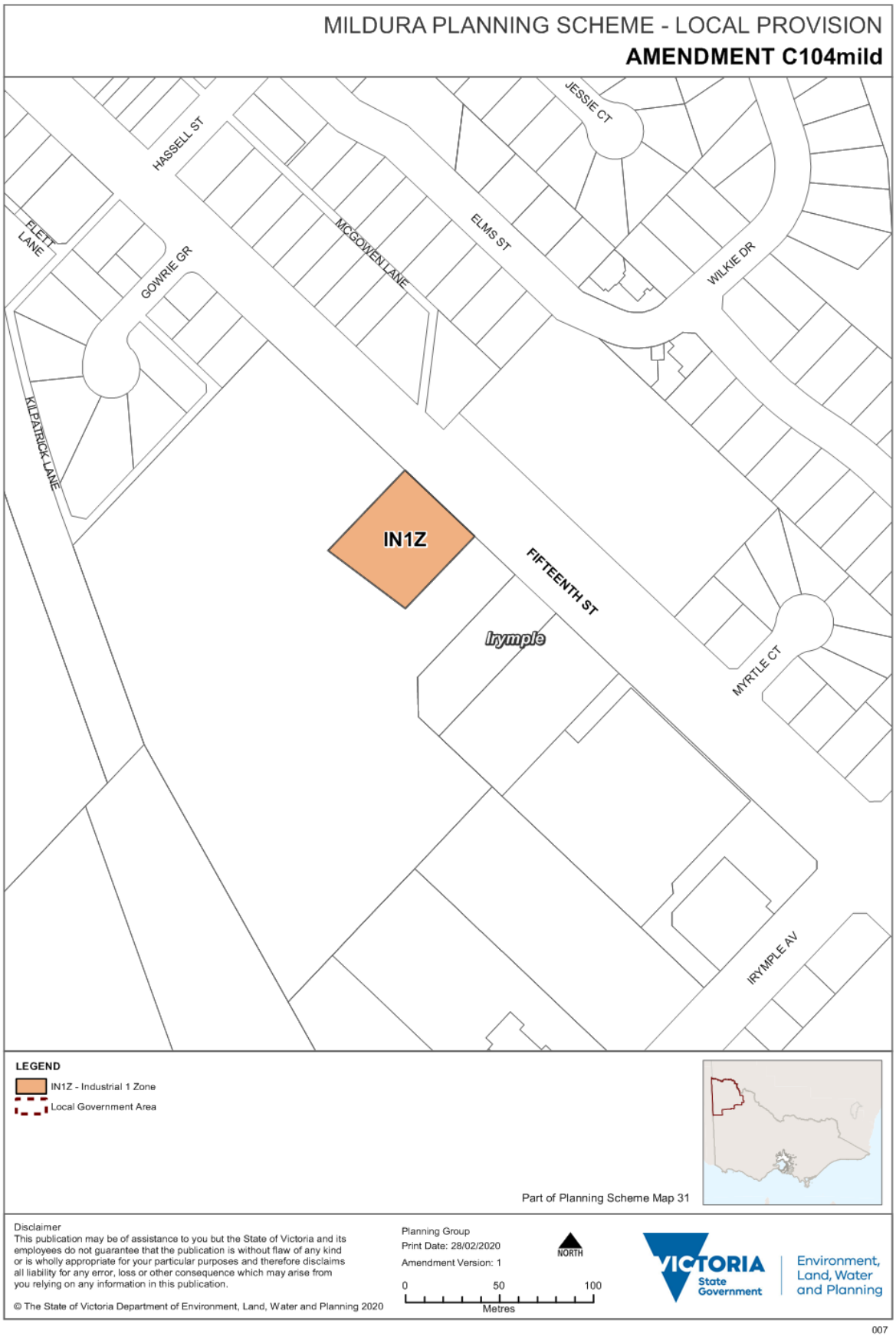

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
RETREAT CT
TWENTY FIRST ST
HAVEN CT
TERRAIN CT
COWRA AV EXTENSION
Irymple
LDRZ1
DAL FARRA RD
LEGEND
LDRZ - Low Density Residential Zone
Local Government Area
Part of Planning Scheme Map 34
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0 110 220
Metres
VICTORIA State Government
Environment, Land, Water and Planning
002

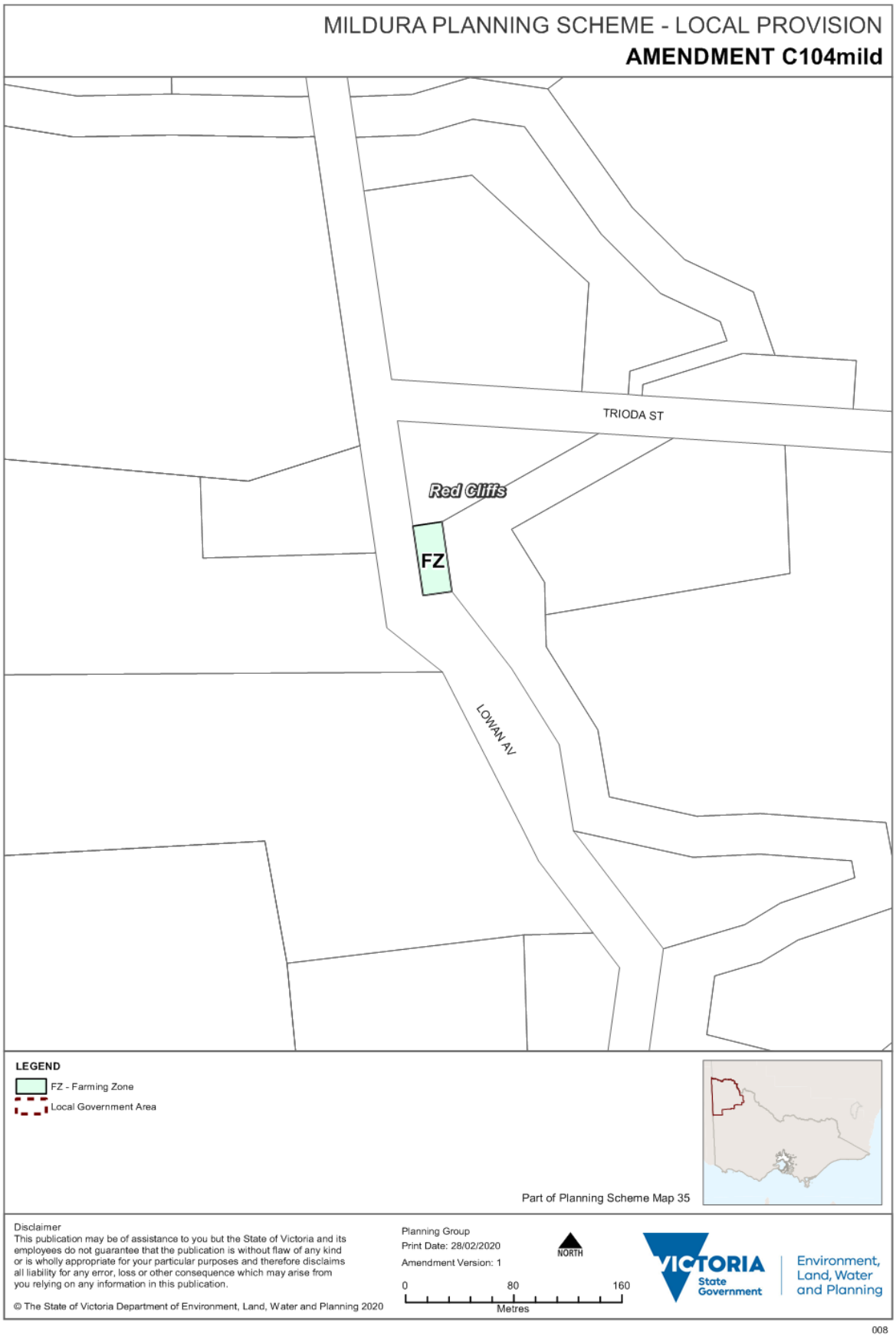

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
SEVENTEENTH ST
DEAKIN AV
DEAKIN AV
SEVENTEENTH ST
Mildura
GRZ1
SAN MATEO AV
LEGEND
GRZ - General Residential Zone
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
90
180
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 28
003

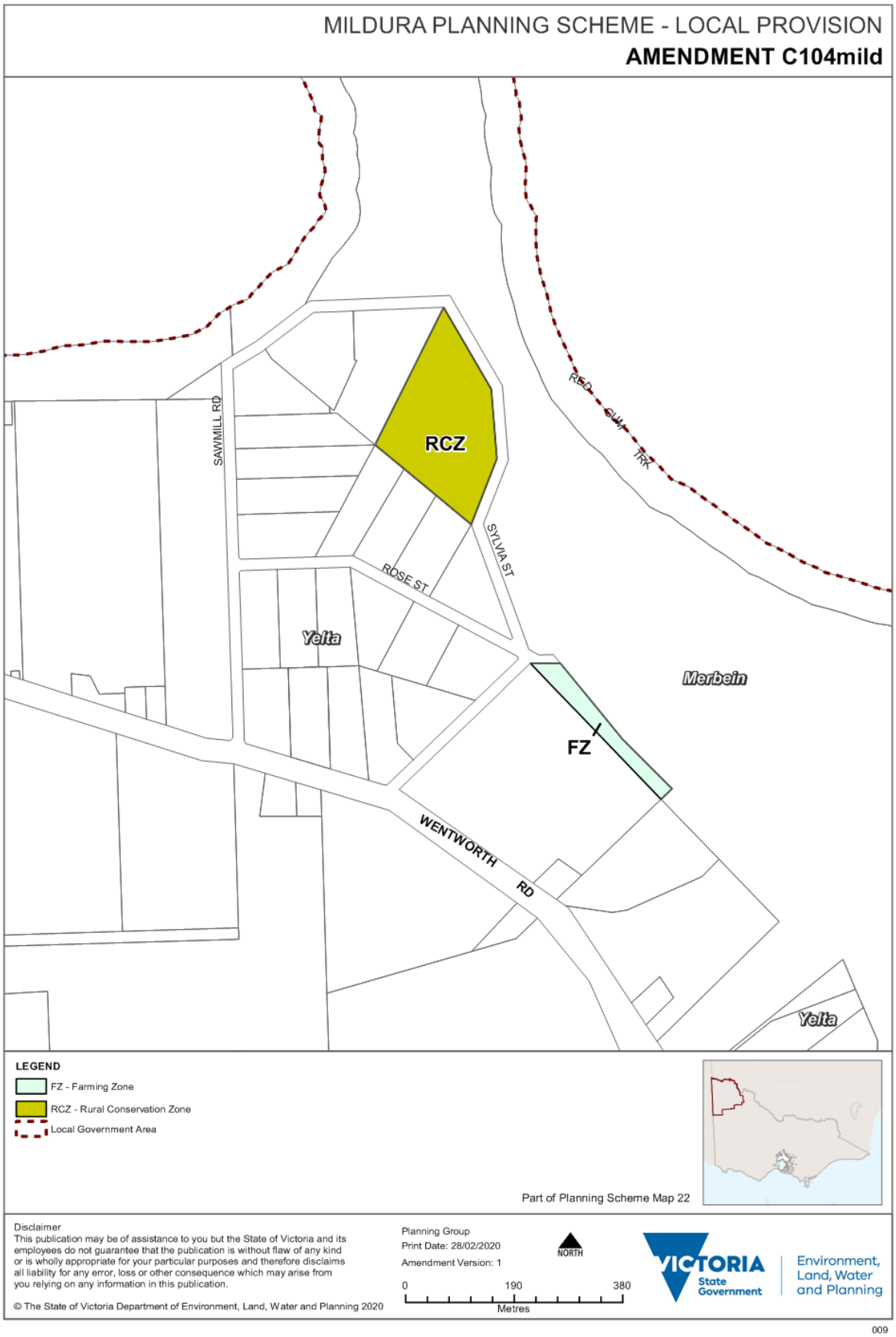

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
WONEGA AV
PUMPS RD
Red Cliffs
WOOMERA AV
LEE ST
GRZ1
PUZ1
LEGEND
GRZ - General Residential Zone
PUZ1 - Public Use Zone-Service and Utility
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0
160
320
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 38
004

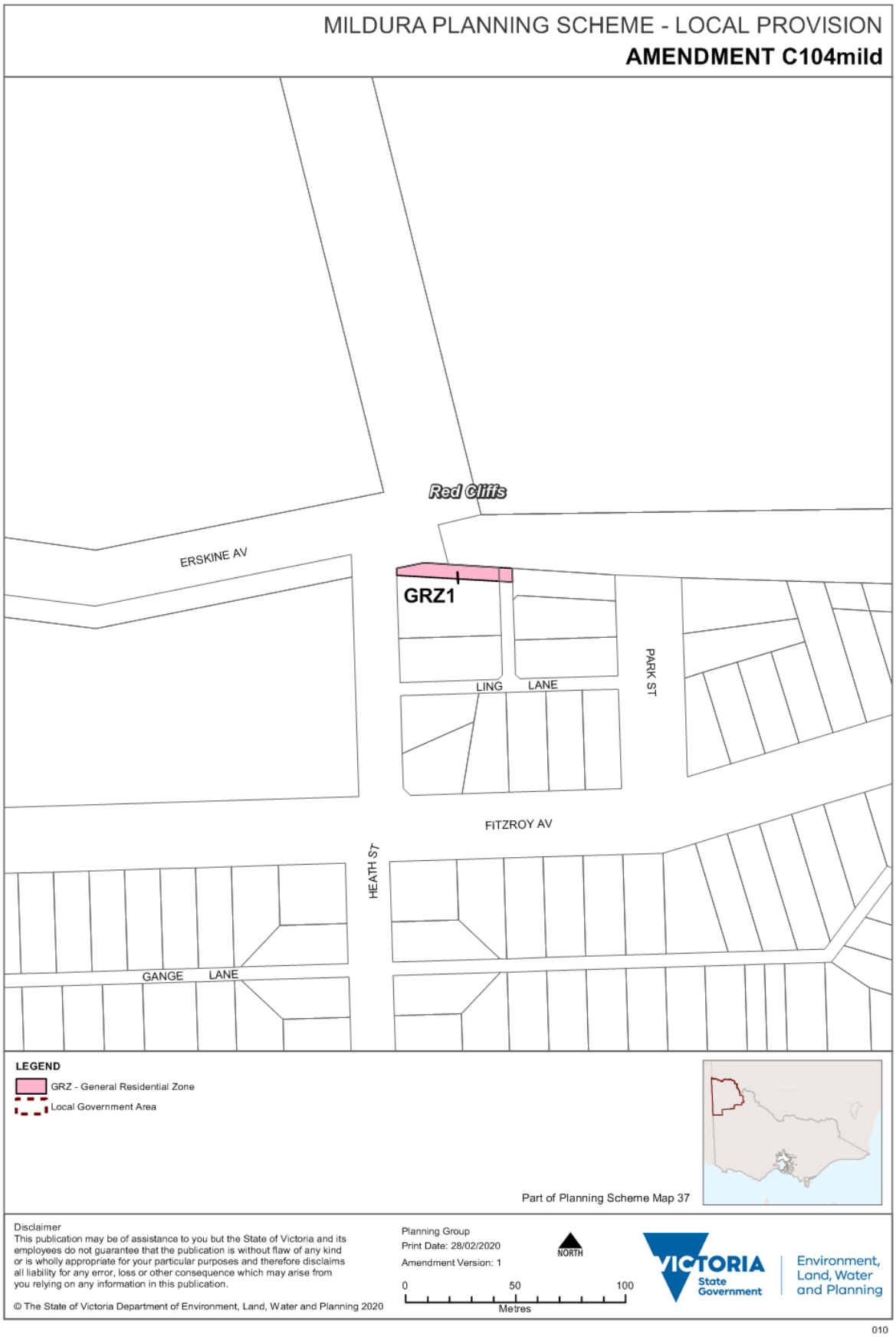

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
LEGEND
GRZ - General Residential Zone
Local Government Area
GRZ1
THIRD ST
Merbein
ANZAC DR
SMITH ST
BOX CT
FLETCHER LANE
MAIN AV NORTH
MAIN AV NORTH
BRAIDIE LANE
CROZIER LANE
SPARGO LANE
CHAFFEY PARK DR
CUPPER GR
TYERS CT
CHAFFEY ST
RAILWAY AV
BOX ST
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
60
120
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 23
005

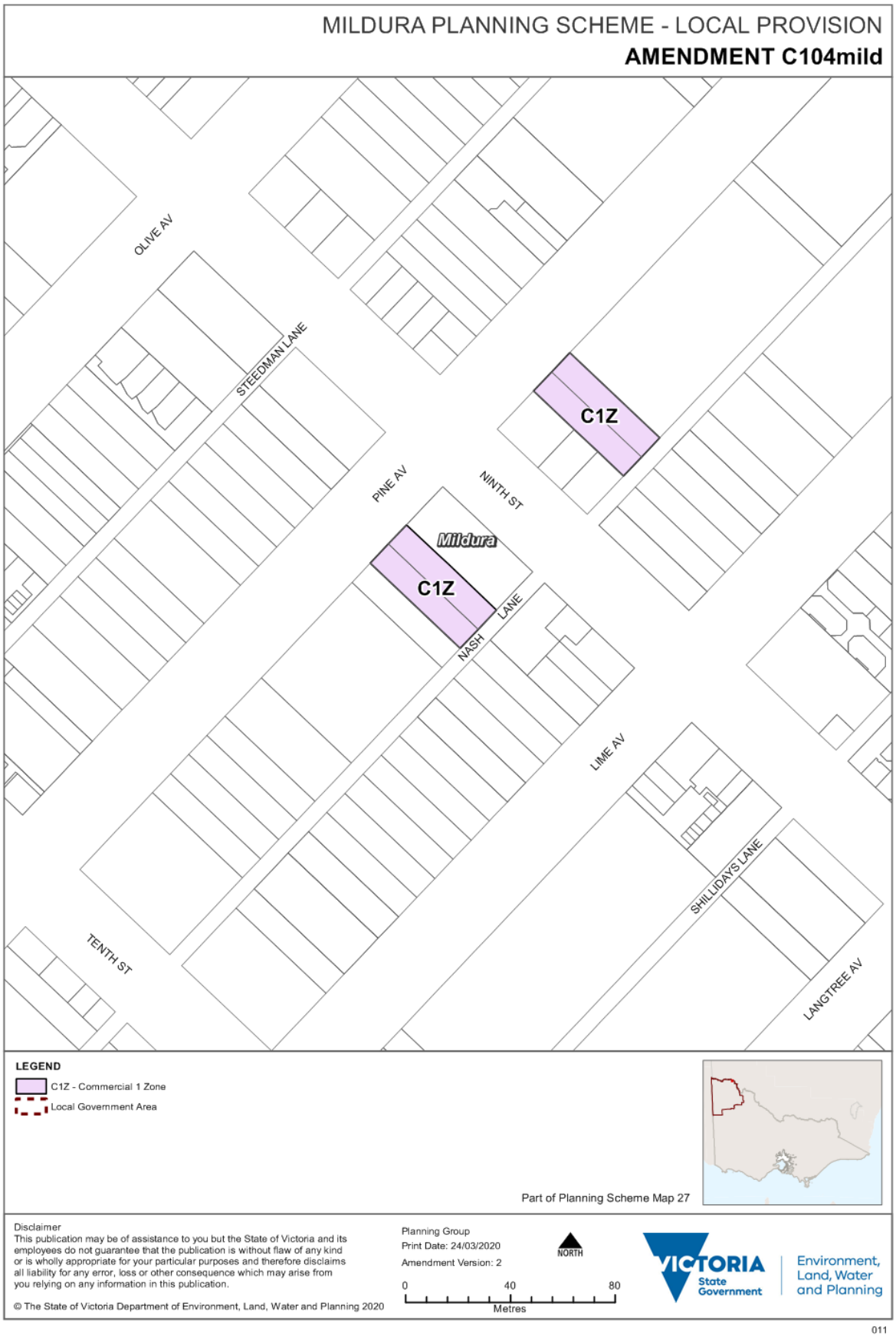

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
BELLEVIEW DR
ZODIAC CT
HOLNEY GR
JOHN CT
ELOUERA DR
CAFFREY CT
VERDI BVD
ORANA CT
GRZ1
GRZ1
Irymple
KOORLONG AV
FIFTEENTH ST
TUNE LANE
TISLER LANE
JOHNSON DR
HASSELL CT
HASSELL ST
MCGOWEN LANE
ELMS ST
LEGEND
GRZ - General Residential Zone
Local Government Area
Part of Planning Scheme Map 29
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 50 100
Metres
VICTORIA State Government
Environment, Land, Water and Planning
006

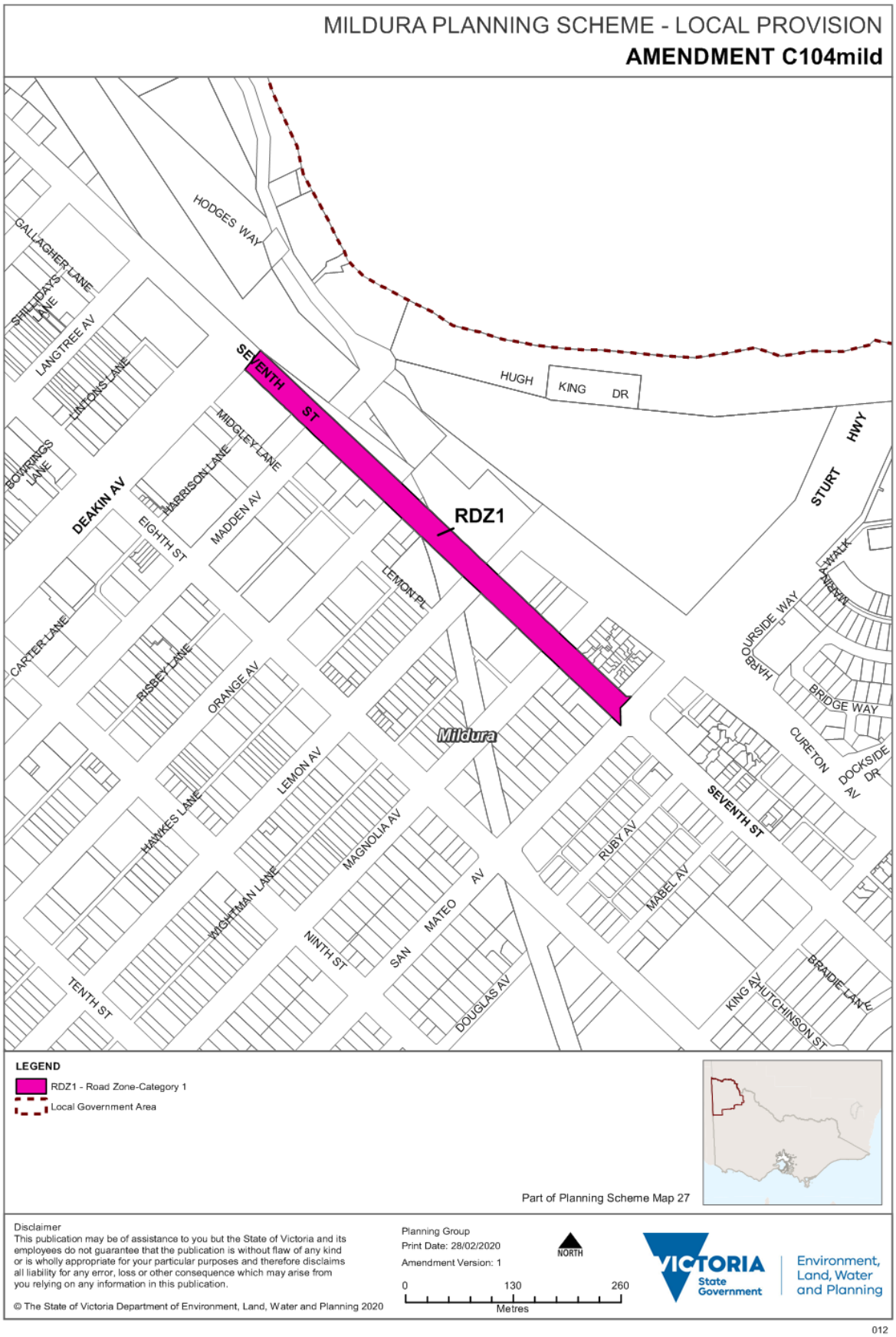

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
HASSELL ST
JESSIE CT
FLETT LANE
GOWRIE GR
MCGOWEN LANE
ELMS ST
WILKIE DR
KILPATRICK LANE
IN1Z
FIFTEENTH ST
Irymple
MYRTLE CT
IRYMPLE AV
LEGEND
IN1Z - Industrial 1 Zone
Local Government Area
Part of Planning Scheme Map 31
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 50 100
Metres
VICTORIA State Government
Environment, Land, Water and Planning
007

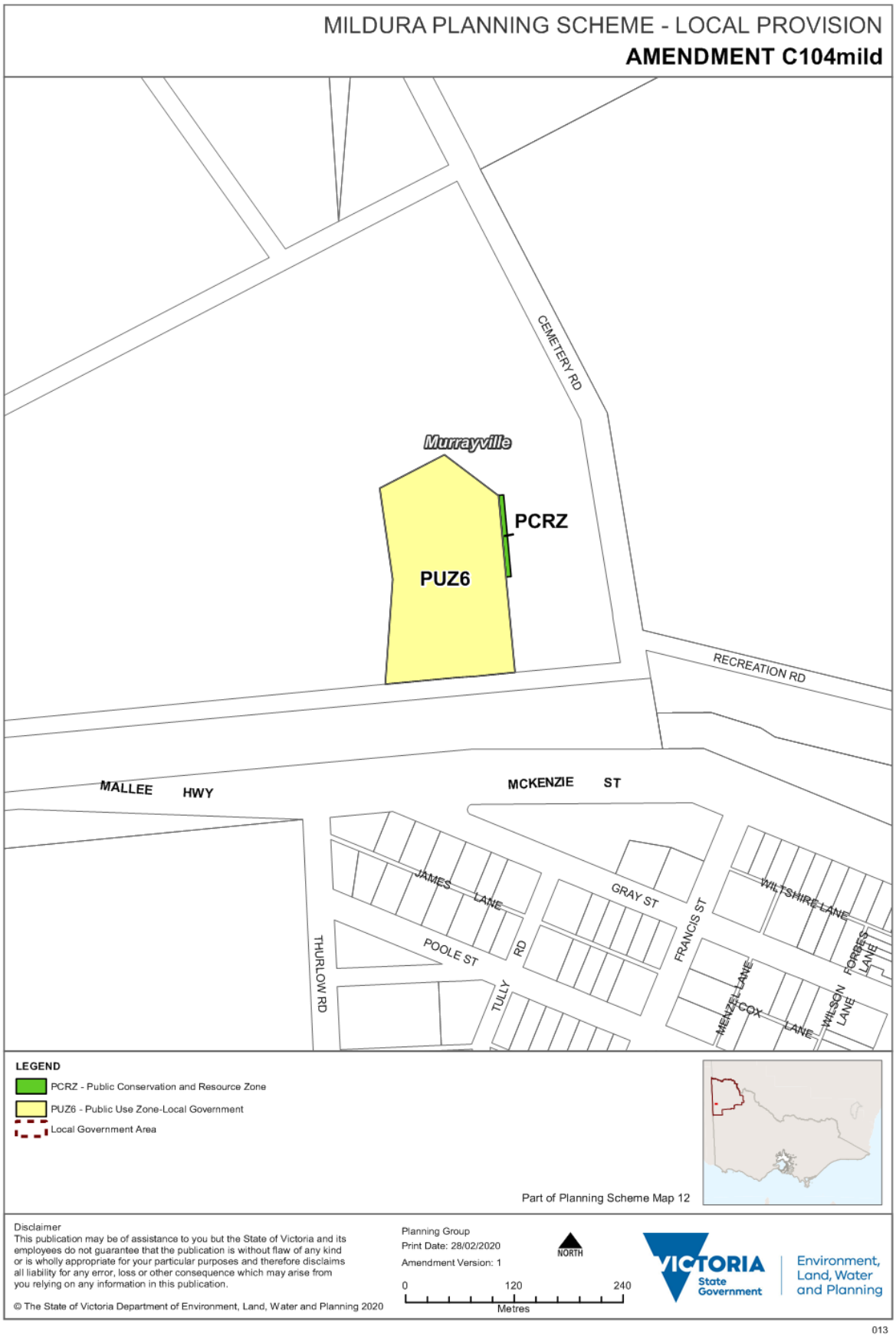

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
TRIODA ST
Red Cliffs
FZ
LOWAN AV
LEGEND
FZ - Farming Zone
Local Government Area
Part of Planning Scheme Map 35
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
80
160
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
008

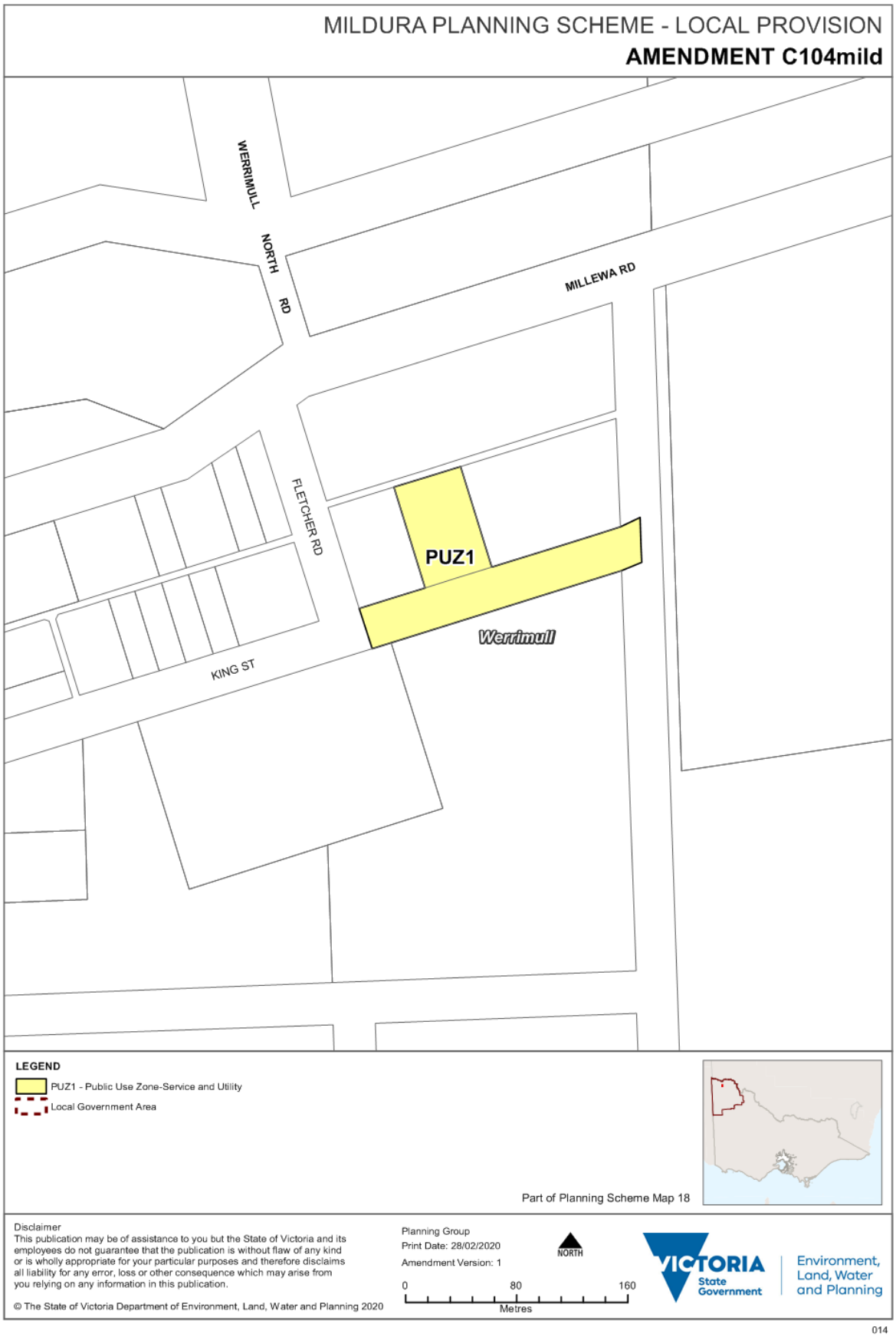

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
RCZ
FZ
SAWMILL RD
RED GUM TRK
SYLVIA ST
ROSE ST
Yelta
Merbein
WENTWORTH RD
Yelta
LEGEND
FZ - Farming Zone
RCZ - Rural Conservation Zone
Local Government Area
Part of Planning Scheme Map 22
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
190
380
Metres
VICTORIA State Government
Environment, Land, Water and Planning
009

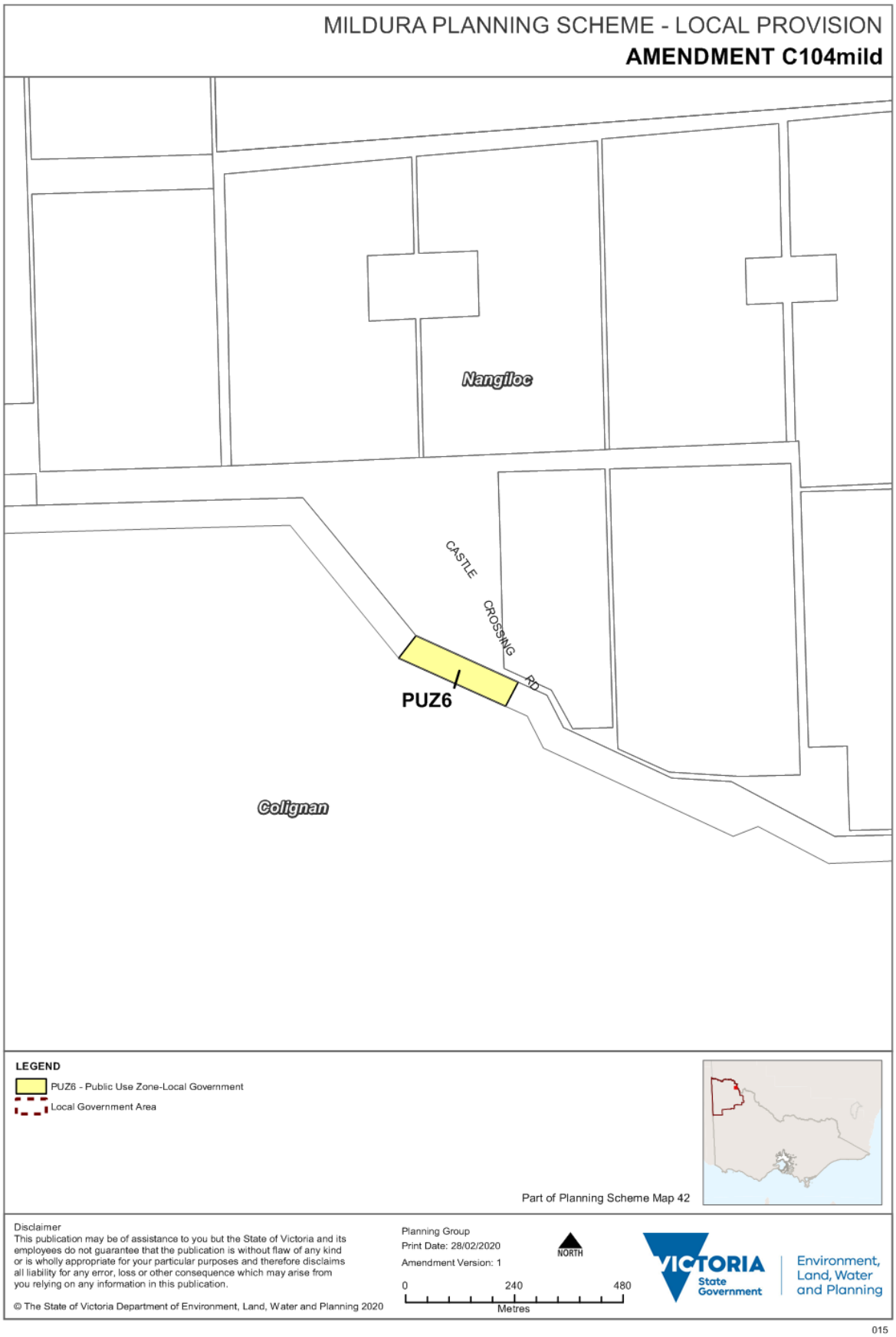

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
Red Cliffs
ERSKINE AV
GRZ1
LING LANE
PARK ST
FITZROY AV
HEATH ST
GANGE LANE
LEGEND
GRZ - General Residential Zone
Local Government Area
Part of Planning Scheme Map 37
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 50 100
Metres
VICTORIA State Government
Environment, Land, Water and Planning
010


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
OLIVE AV
STEEDMAN LANE
PINE AV
NINTH ST
C1Z
Mildura
C1Z
NASH
LANE
LIME AV
SHILLIDAYS LANE
TENTH ST
LANGTREE AV
LEGEND
C1Z - Commercial 1 Zone
Local Government Area
Part of Planning Scheme Map 27
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0
40
80
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
011

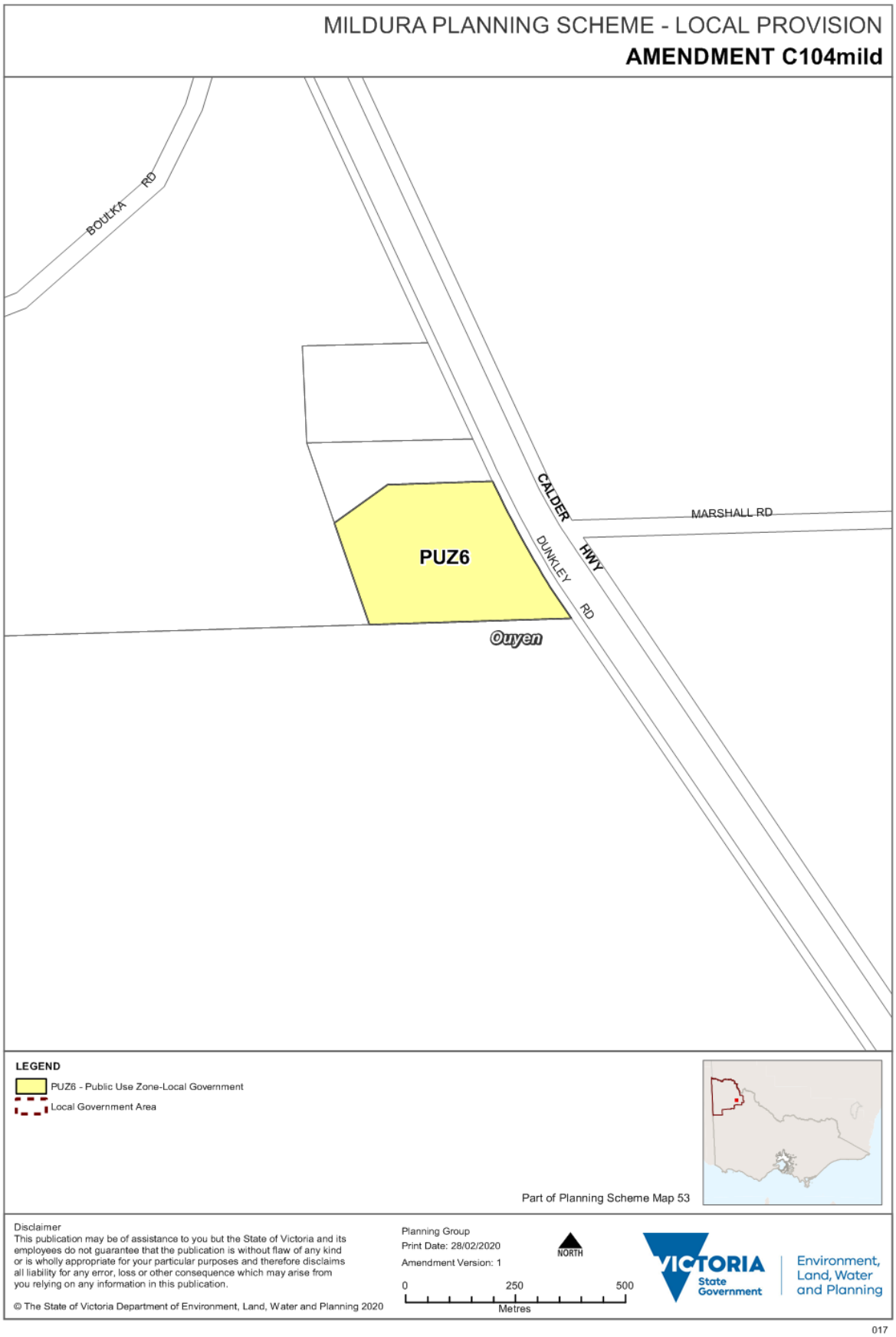

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
HODGES WAY
GALLAGHER LANE
SHILLIDAYS LANE
LANGTREE AV
LINTONS LANE
SEVENTH ST
HUGH KING DR
HWY
STURT
MIDGLEY LANE
HARRISON LANE
BOWRINGS LANE
DEAKIN AV
EIGHTH ST
MADDEN AV
RDZ1
LEMON PL
WALK
MARINA
URSIDE WAY
HARBO
CARTER LANE
RISBEY LANE
ORANGE AV
BRIDGE WAY
Mildura
CURETON
DOCKSIDE DR
AV
LEMON AV
SEVENTH ST
HAWKES LANE
MAGNOLIA AV
RUBY AV
WIGHTMAN LANE
MATEO AV
MABEL AV
NINTH ST
SAN
BRAIDIE LANE
TENTH ST
DOUGLAS AV
KING AV
HUTCHINSON ST
LEGEND
RDZ1 - Road Zone-Category 1
Local Government Area
Part of Planning Scheme Map 27
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 130 260
Metres
VICTORIA State Government
Environment, Land, Water and Planning
012

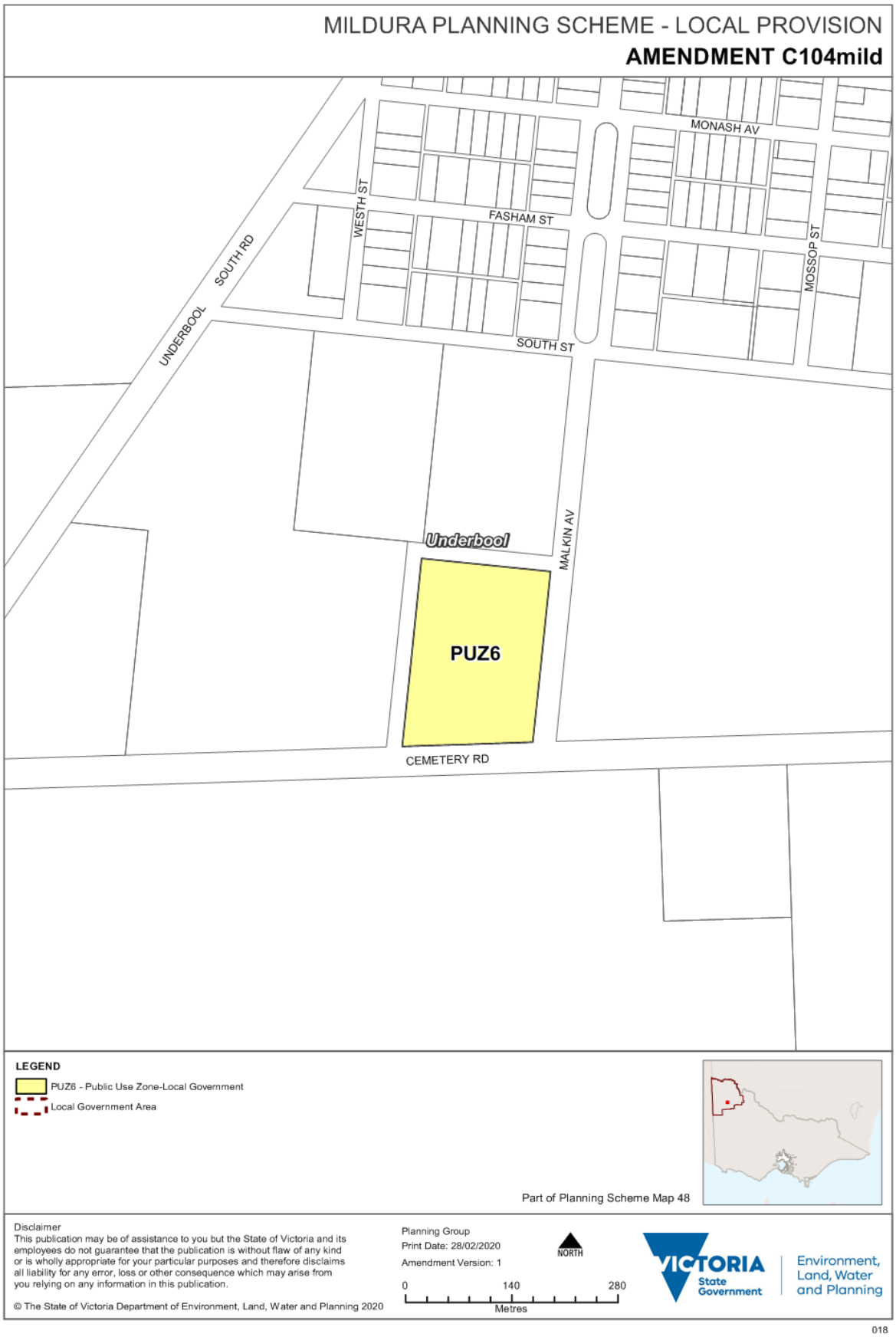

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
CEMETERY RD
Murrayville
PCRZ
PUZ6
RECREATION RD
MALLEE HWY
MCKENZIE ST
JAMES LANE
GRAY ST
FRANCIS ST
WILTSHIRE LANE
FORBES LANE
POOLE ST
RD
THURLOW RD
TULLY
MENZEL LANE
COX LANE
WILSON LANE
LEGEND
PCRZ - Public Conservation and Resource Zone
PUZ6 - Public Use Zone-Local Government
Local Government Area
Part of Planning Scheme Map 12
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 120 240
Metres
VICTORIA State Government
Environment, Land, Water and Planning
013

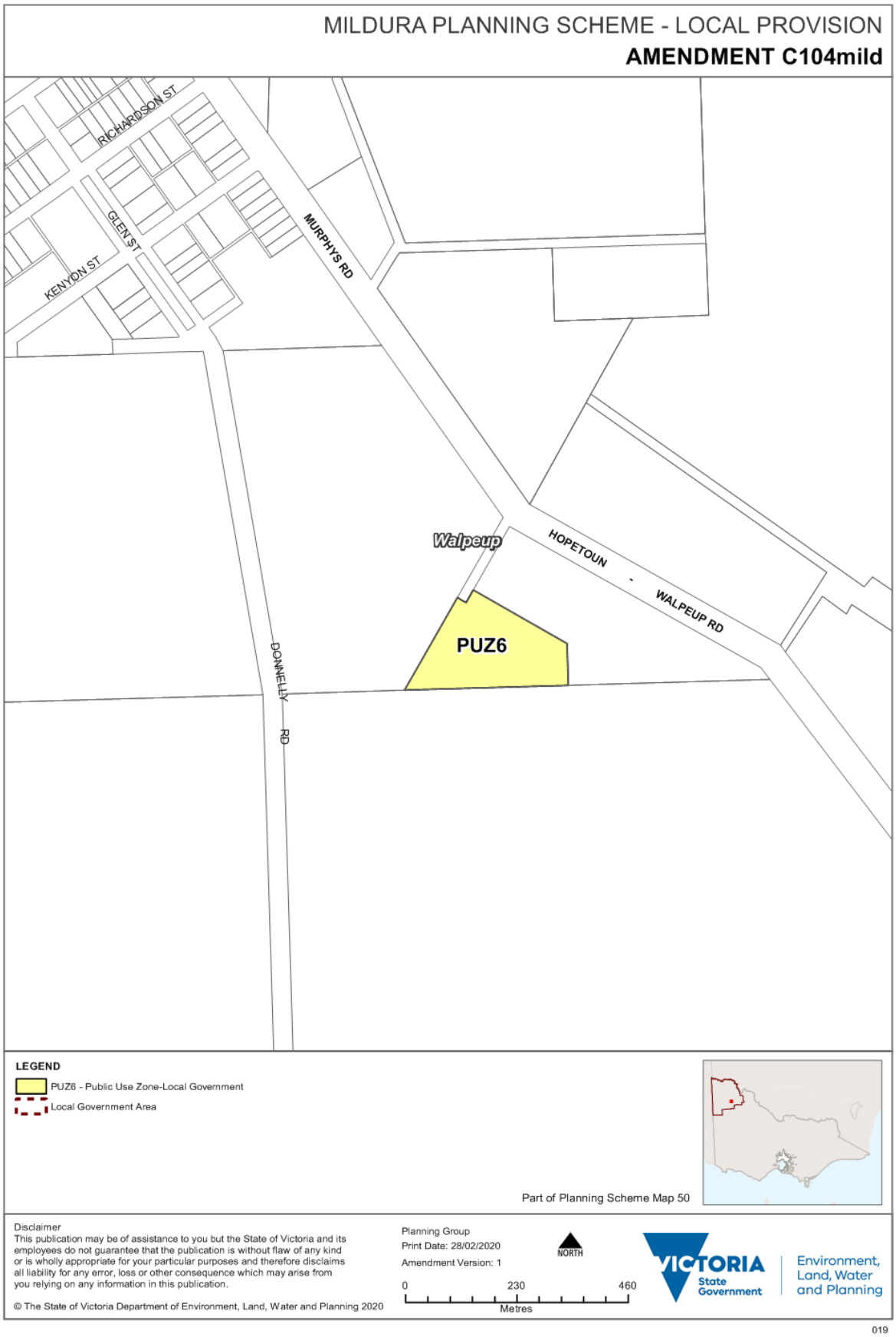

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
WERRIMULL NORTH RD
MILLEWA RD
FLETCHER RD
PUZ1
Werrimull
KING ST
LEGEND
PUZ1 - Public Use Zone-Service and Utility
Local Government Area
Part of Planning Scheme Map 18
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 80 160
Metres
VICTORIA State Government
Environment, Land, Water and Planning
014

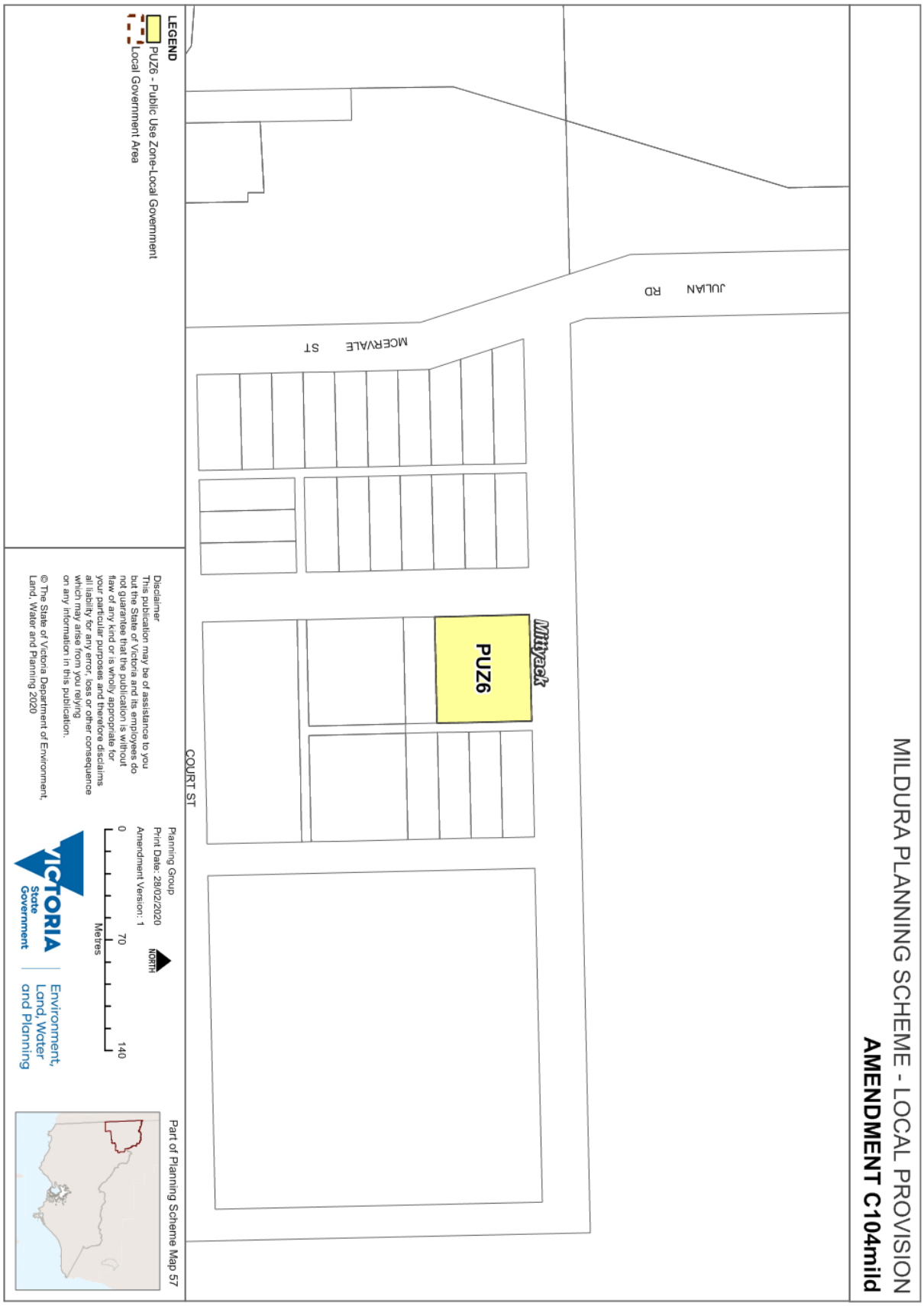

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
Nangiloc
CASTLE
CROSSING
RD
PUZ6
Colignan
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Part of Planning Scheme Map 42
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
240
480
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
015

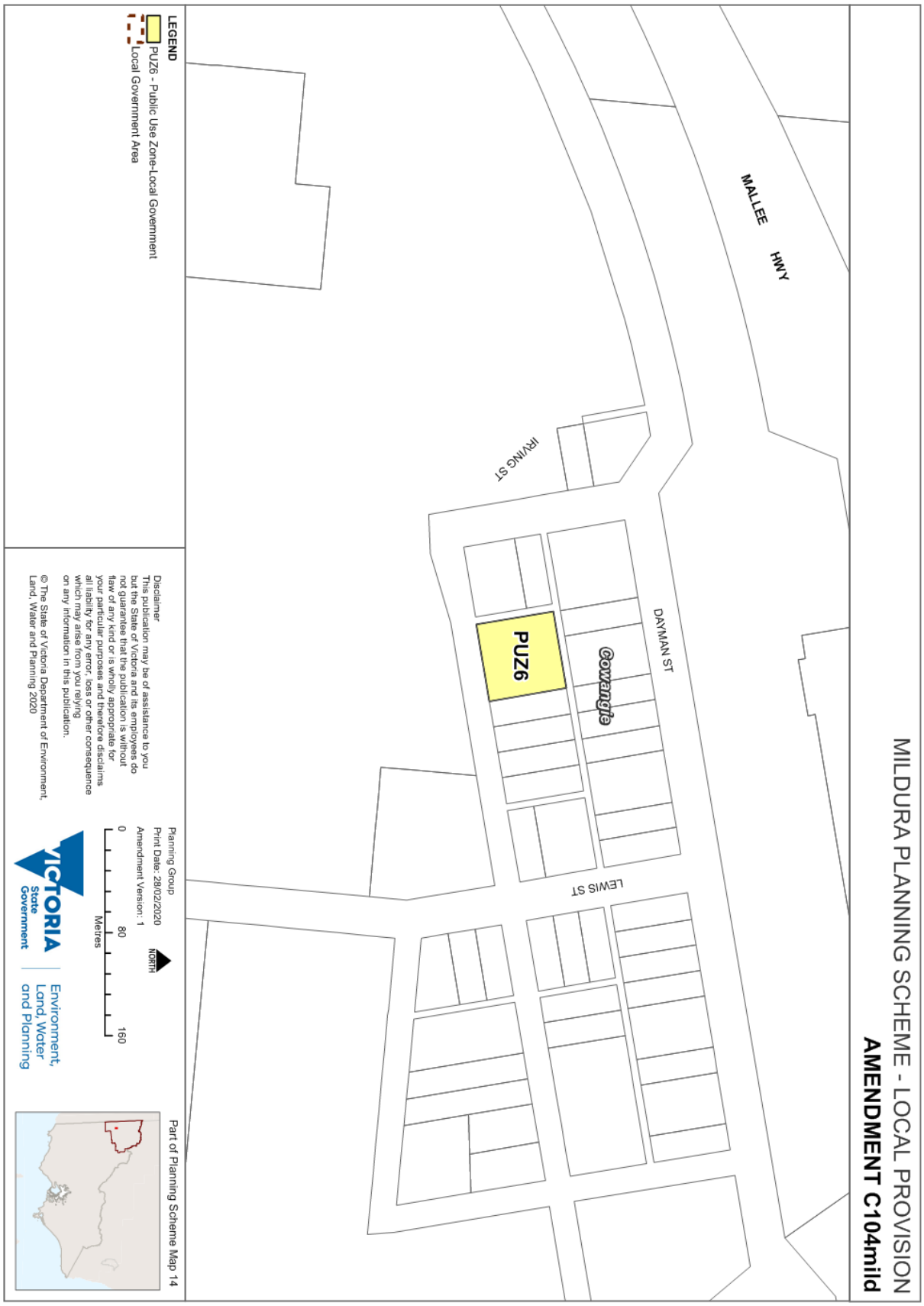

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
GOONEGUL
PARISH
TRL
Cullulleraine
PUZ6
PENINSULAR TRL
RD
PARK
LAKE
STURT
HWY
Werrimull
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Part of Planning Scheme Map 17
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
170
340
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
016

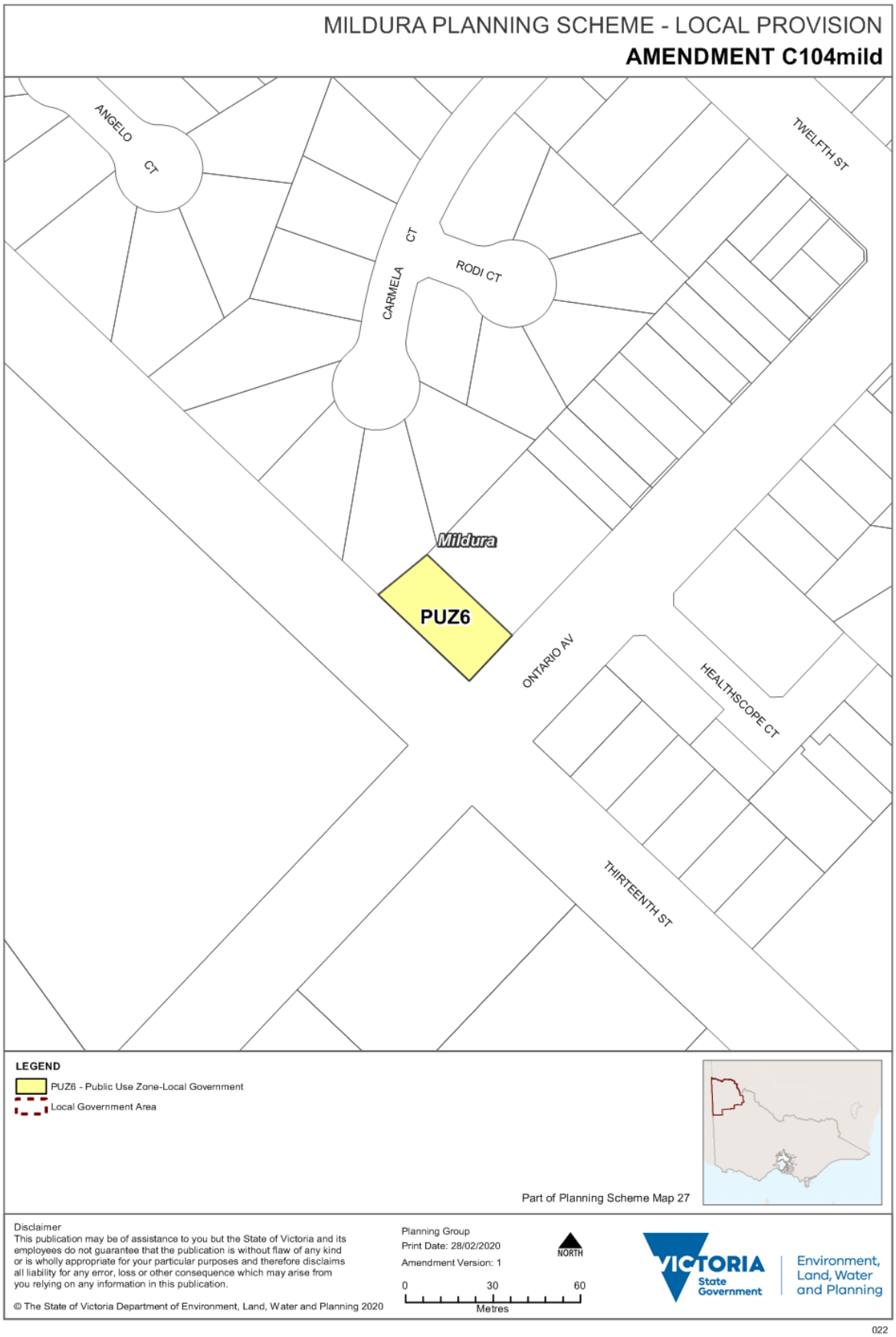

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
BOULKA RD
CALDER HWY
MARSHALL RD
DUNKLEY RD
PUZ6
Ouyen
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Part of Planning Scheme Map 53
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
250
500
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
017

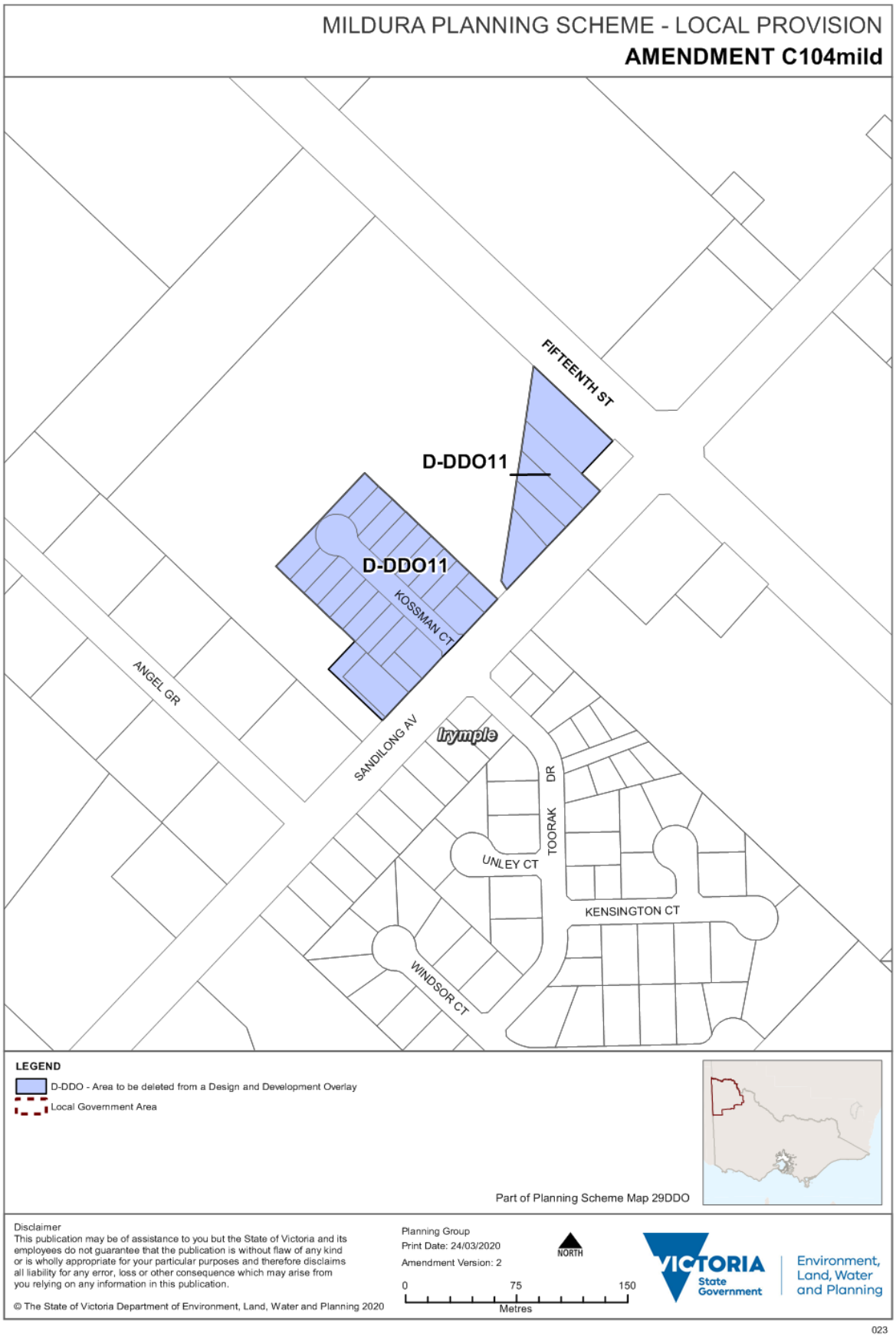

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
MONASH AV
WESTH ST
FASHAM ST
MOSSOP ST
SOUTH RD
UNDERBOOL
SOUTH ST
MALKIN AV
Underbool
PUZ6
CEMETERY RD
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Part of Planning Scheme Map 48
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
140
280
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
018

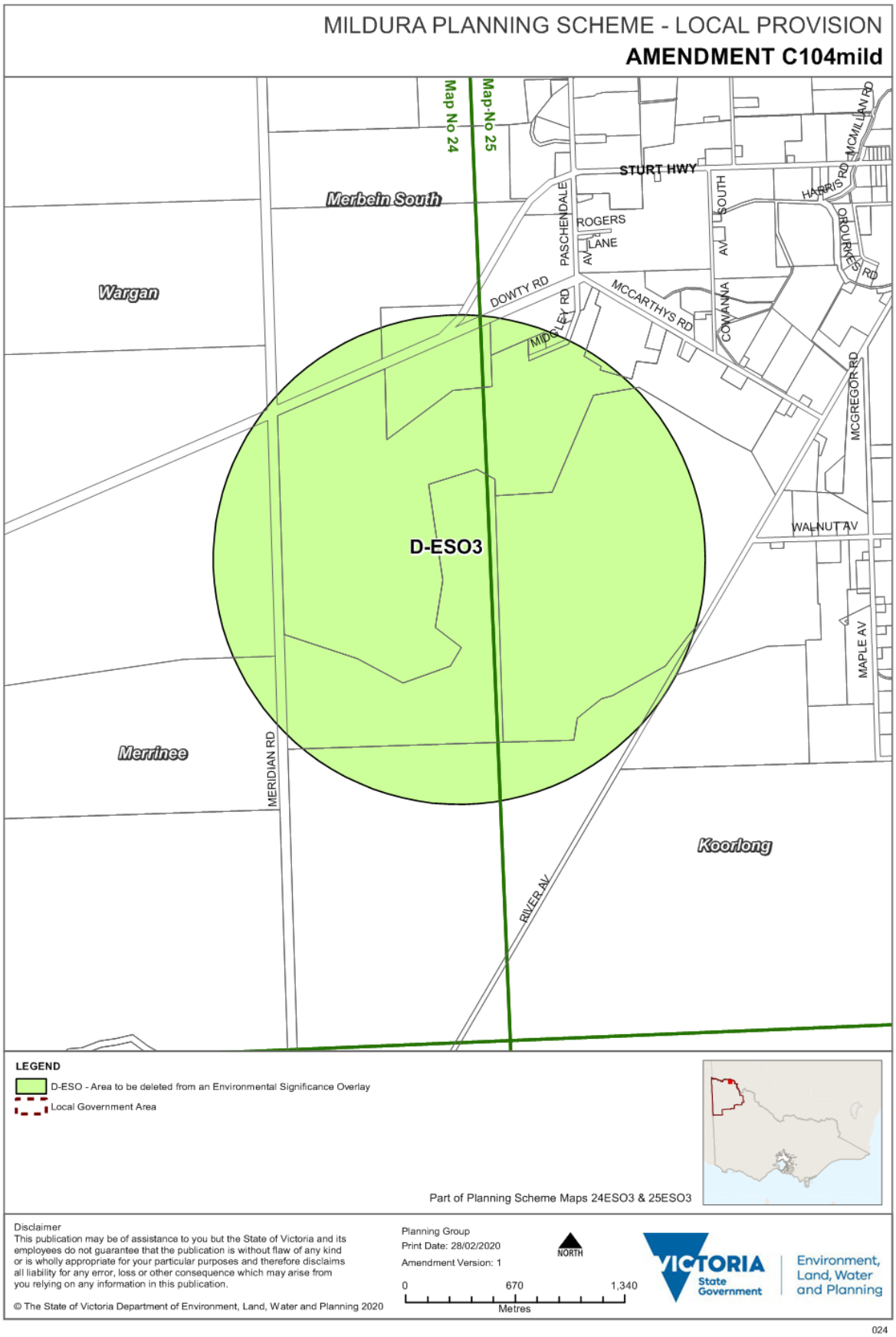

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
RICHARDSON ST
GLEN ST
KENYON ST
MURPHYS RD
Walpeup
HOPETOUN - WALPEUP RD
PUZ6
DONNELLY RD
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Part of Planning Scheme Map 50
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
230
460
Metres
VICTORIA State Government
Environment, Land, Water and Planning
019

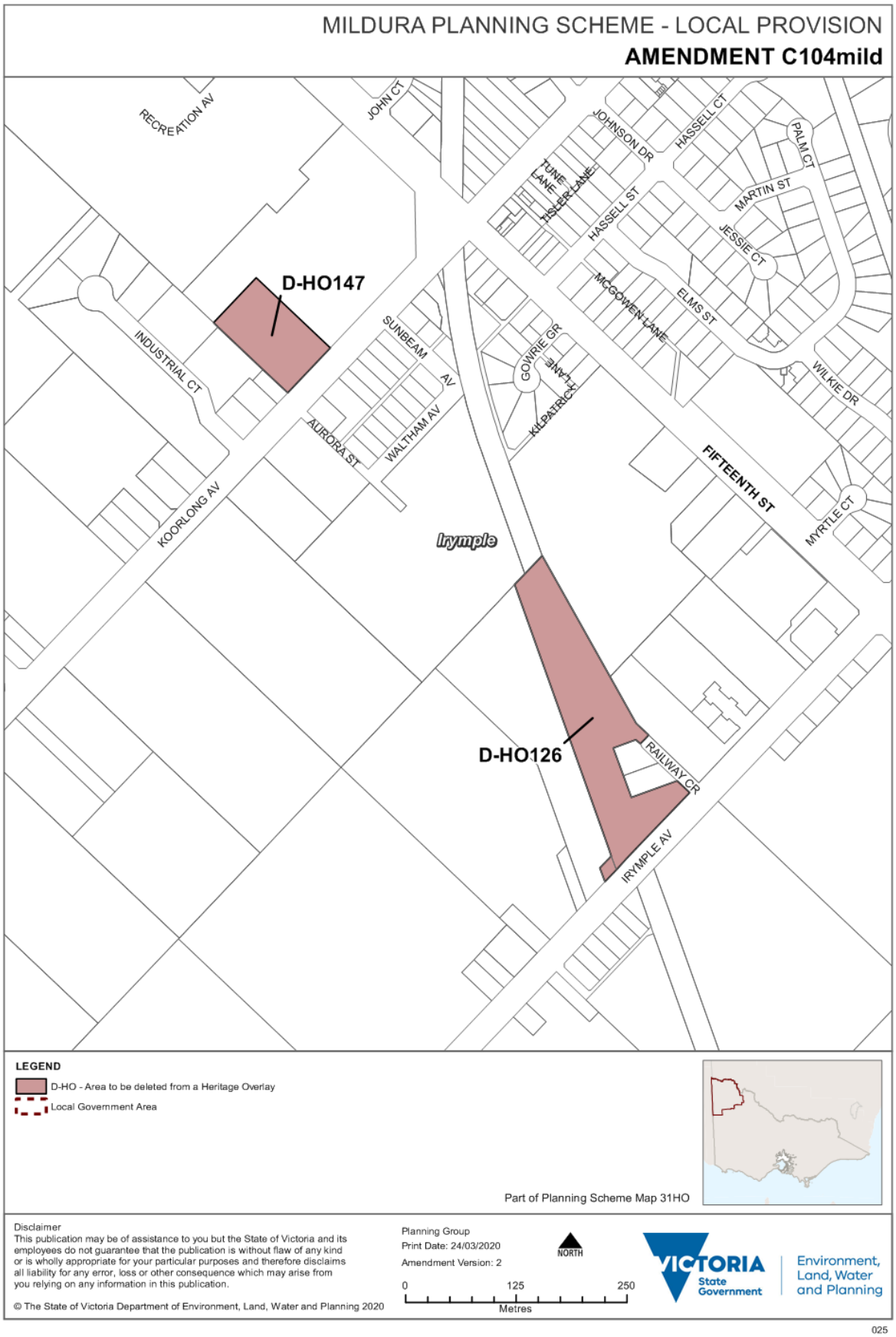

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
JULIAN RD
MCERVALE ST
COURT ST
Mittyack
PUZ6
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
70
140
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 57
020

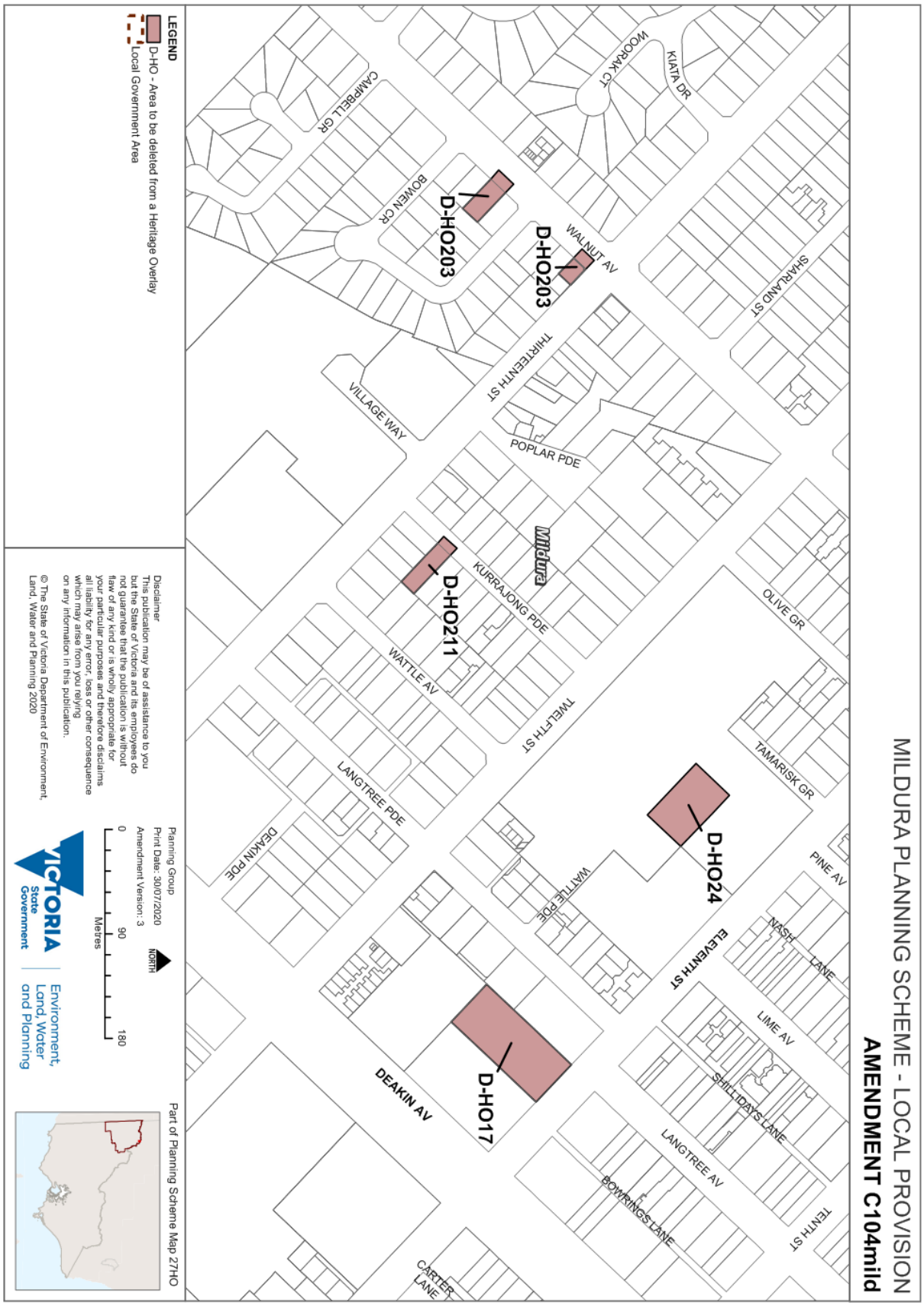

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
MALLEE HWY
IRVING ST
DAYMAN ST
LEWIS ST
PUZ6
Cowangie
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
80
160
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 14
021

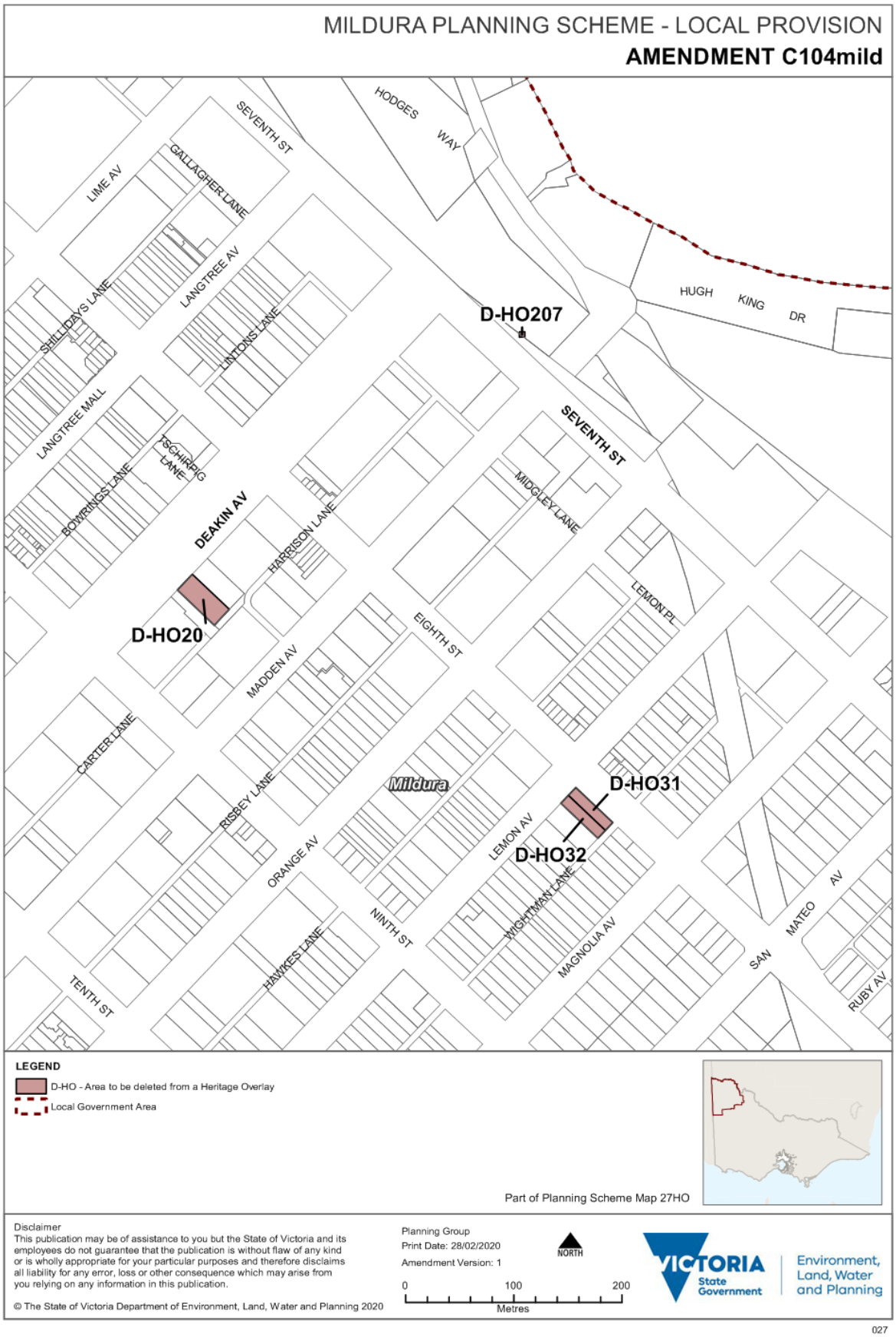

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
ANGELO CT
TWELFTH ST
CARMELA CT
RODI CT
Mildura
PUZ6
ONTARIO AV
HEALTHSCOPE CT
THIRTEENTH ST
LEGEND
PUZ6 - Public Use Zone-Local Government
Local Government Area
Part of Planning Scheme Map 27
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 30 60
Metres
VICTORIA State Government
Environment, Land, Water and Planning
022

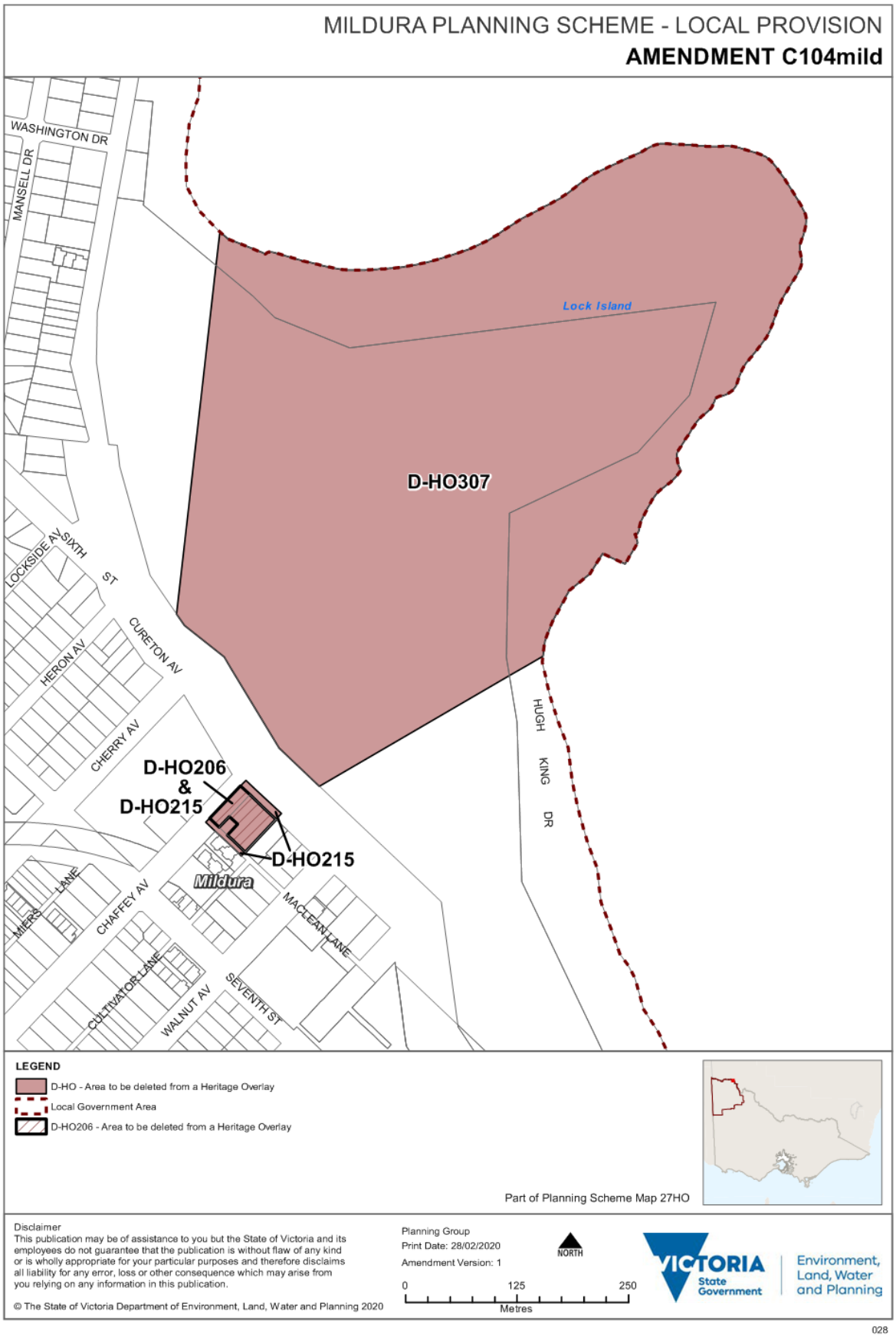

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
FIFTEENTH ST
D-DDO11
D-DDO11
KOSSMAN CT
ANGEL GR
SANDILONG AV
Irymple
DR
TOORAK
UNLEY CT
KENSINGTON CT
WINDSOR CT
LEGEND
D-DDO - Area to be deleted from a Design and Development Overlay
Local Government Area
Part of Planning Scheme Map 29DDO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0
75
150
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
023

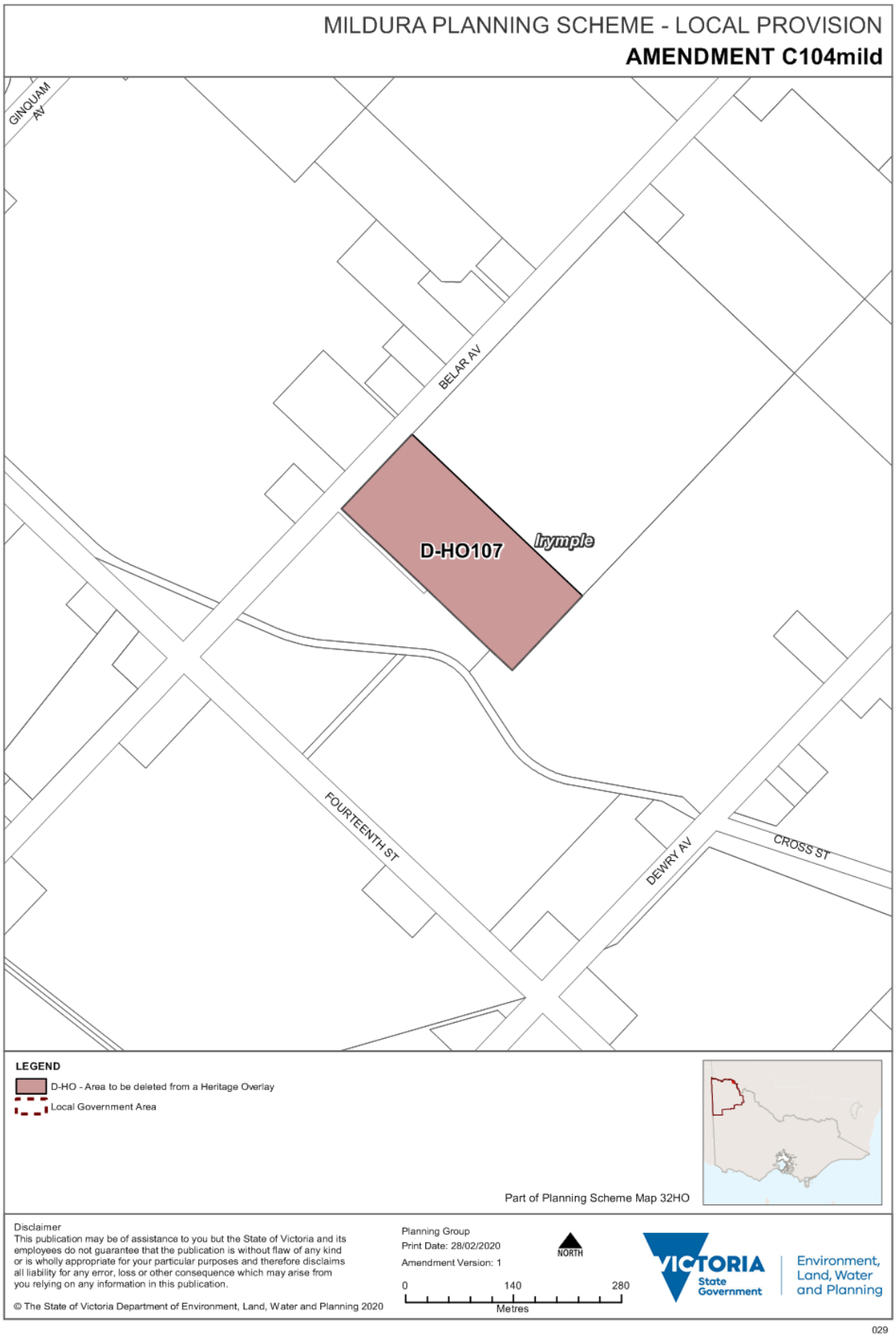

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
Map No 24
Map No 25
Merbein South
Wargan
Merrinee
Koorlong
STURT HWY
PASCHENDALE AV
ROGERS LANE
SOUTH AV
HARRIS RD
MCMILLAN RD
ORDOUNES RD
DOWTY RD
MIDDLEY RD
MCCARTHYS RD
CONVANA
MCGREGOR RD
WALNUT AV
MAPLE AV
MERIDIAN RD
RIVER AV
D-ESO3
LEGEND
D-ESO - Area to be deleted from an Environmental Significance Overlay
Local Government Area
Part of Planning Scheme Maps 24ESO3 & 25ESO3
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
670
1,340
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
024

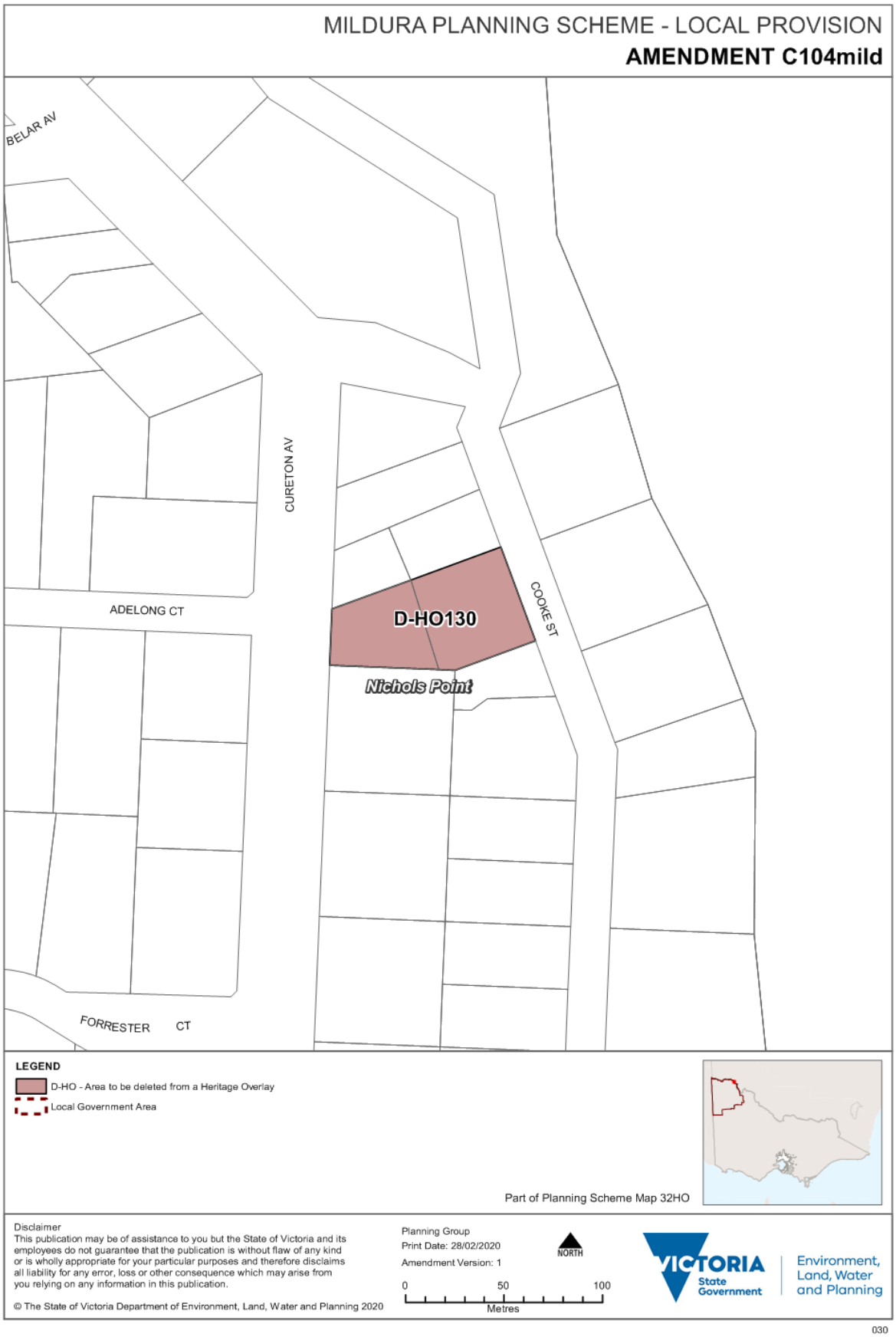

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
RECREATION AV
JOHN CT
JOHNSON DR
HASSELL CT
PALM CT
TUNE LANE
TISLER LANE
HASSELL ST
MARTIN ST
JESSIE CT
D-HO147
MCGOWEN LANE
ELMS ST
INDUSTRIAL CT
SUNBEAM AV
GOWRIE GR
T LANE
KILPATRICK
WILKIE DR
AURORA ST
WALTHAM AV
FIFTEENTH ST
KOORLONG AV
Irymple
MYRTLE CT
D-HO126
RAILWAY CR
IRYMPLE AV
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
Part of Planning Scheme Map 31HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0
125
250
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
025

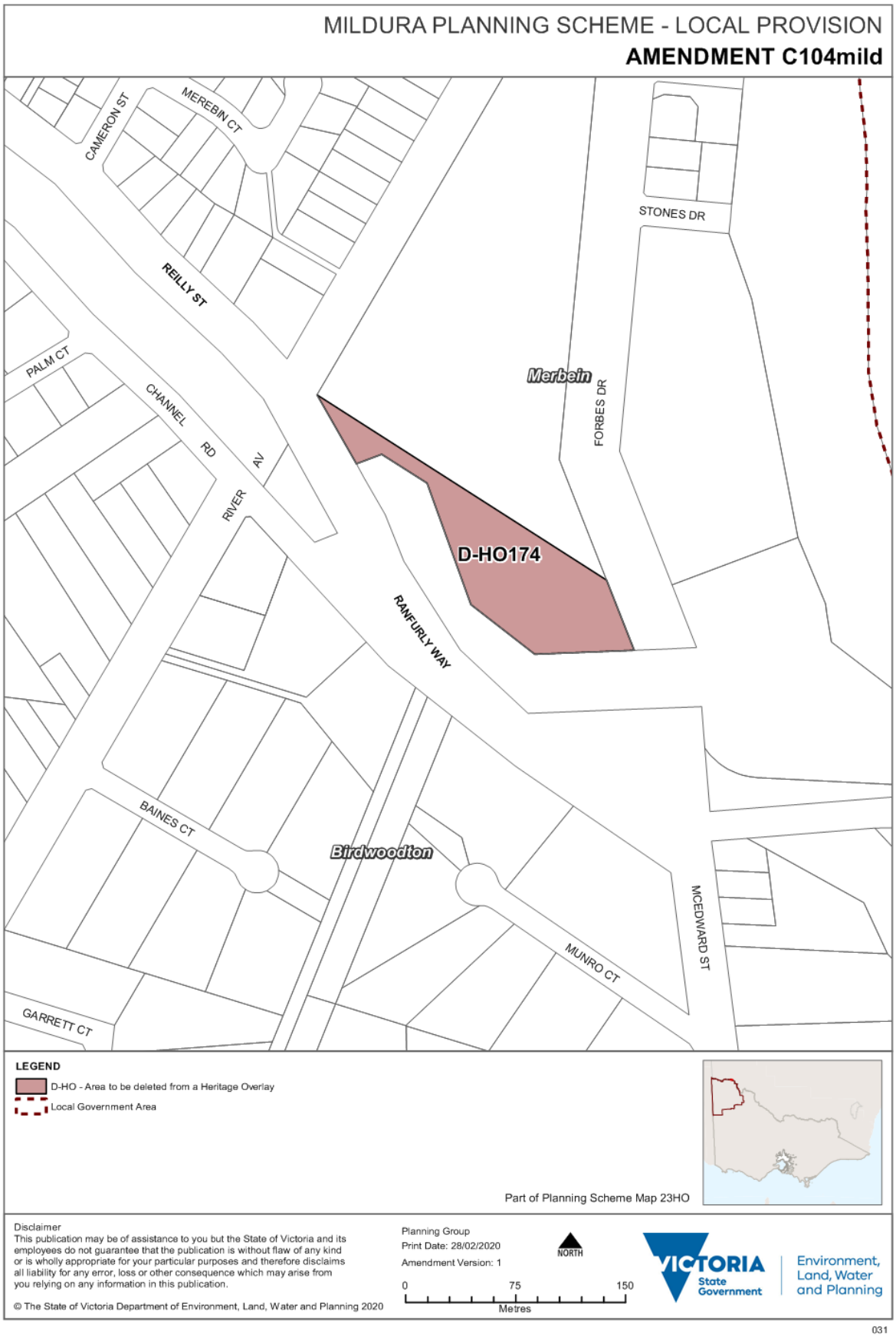

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
D-HO203
D-HO203
D-HO211
D-HO24
D-HO17
Mildura
KIATA DR
WOORAK CT
CAMPBELL GR
BOWEN CR
WALNUT AV
SHARLAND ST
THIRTEENTH ST
VILLAGE WAY
POPLAR PDE
KURRAJONG PDE
WATTLE AV
TWELFTH ST
OLIVE GR
TAMARISK GR
LANGTREE PDE
DEAKIN PDE
WATTLE PDE
PINE AV
NASH LANE
ELEVENTH ST
LIME AV
SHILLIDAYS LANE
LANGTREE AV
BOWRINGS LANE
TENTH ST
DEAKIN AV
CARTER LANE
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 30/07/2020
Amendment Version: 3
NORTH
0
90
180
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 27HO
026

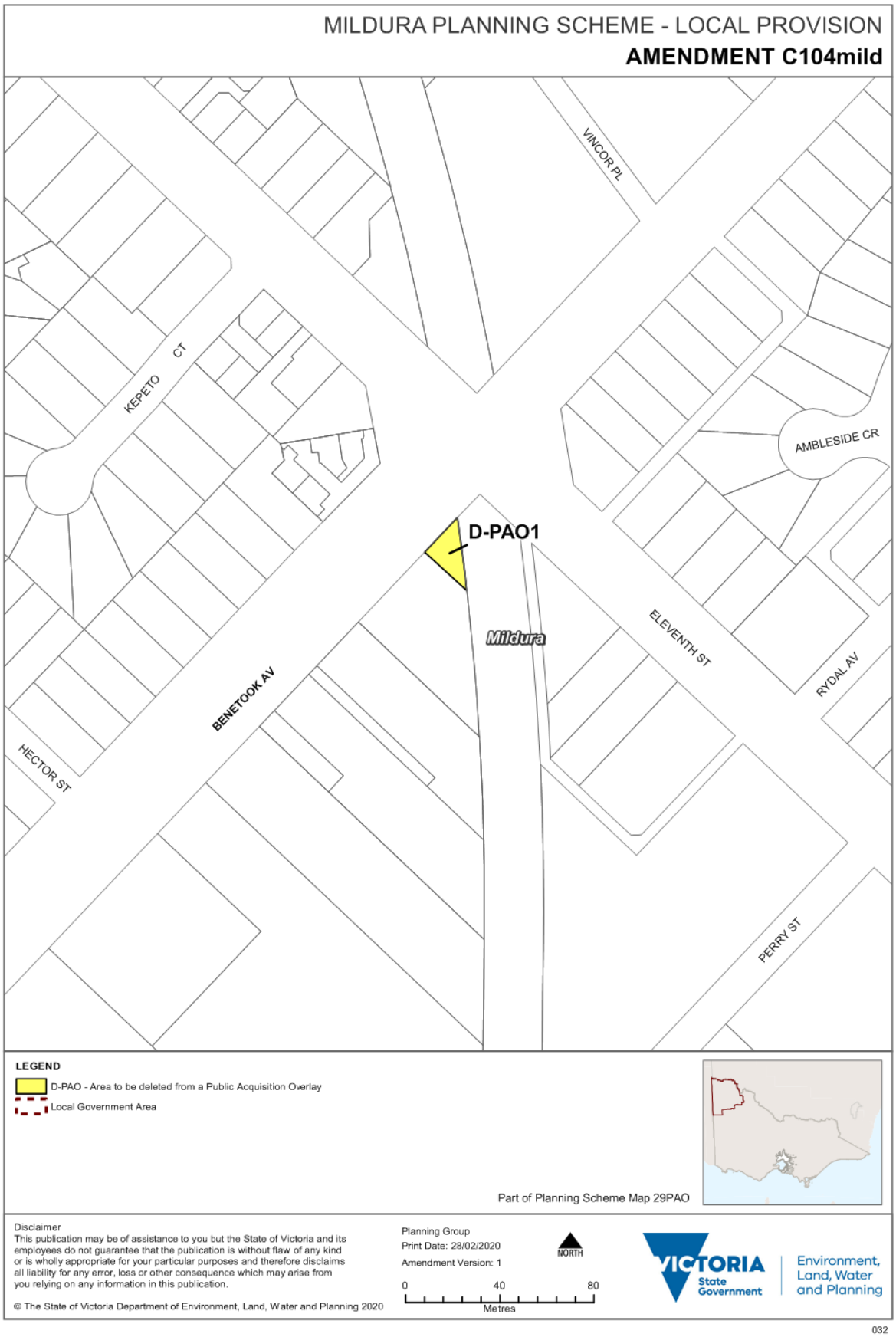

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
HODGES WAY
SEVENTH ST
LIME AV
GALLAGHER LANE
LANGTREE AV
SHILLIDAYS LANE
LINTONS LANE
HUGH KING DR
D-HO207
LANGTREE MALL
TSCHIRPIG LANE
BOWRINGS LANE
DEAKIN AV
HARRISON LANE
MIDGLEY LANE
LEMON PL
D-HO20
EIGHTH ST
MADDEN AV
CARTER LANE
RISBEY LANE
Mildura
D-HO31
D-HO32
LEMON AV
ORANGE AV
NINTH ST
WIGHTMAN LANE
MAGNOLIA AV
HAWKES LANE
TENTH ST
MATEO AV
SAN
RUBY AV
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
Part of Planning Scheme Map 27HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 100 200
Metres
VICTORIA State Government
Environment, Land, Water and Planning
027

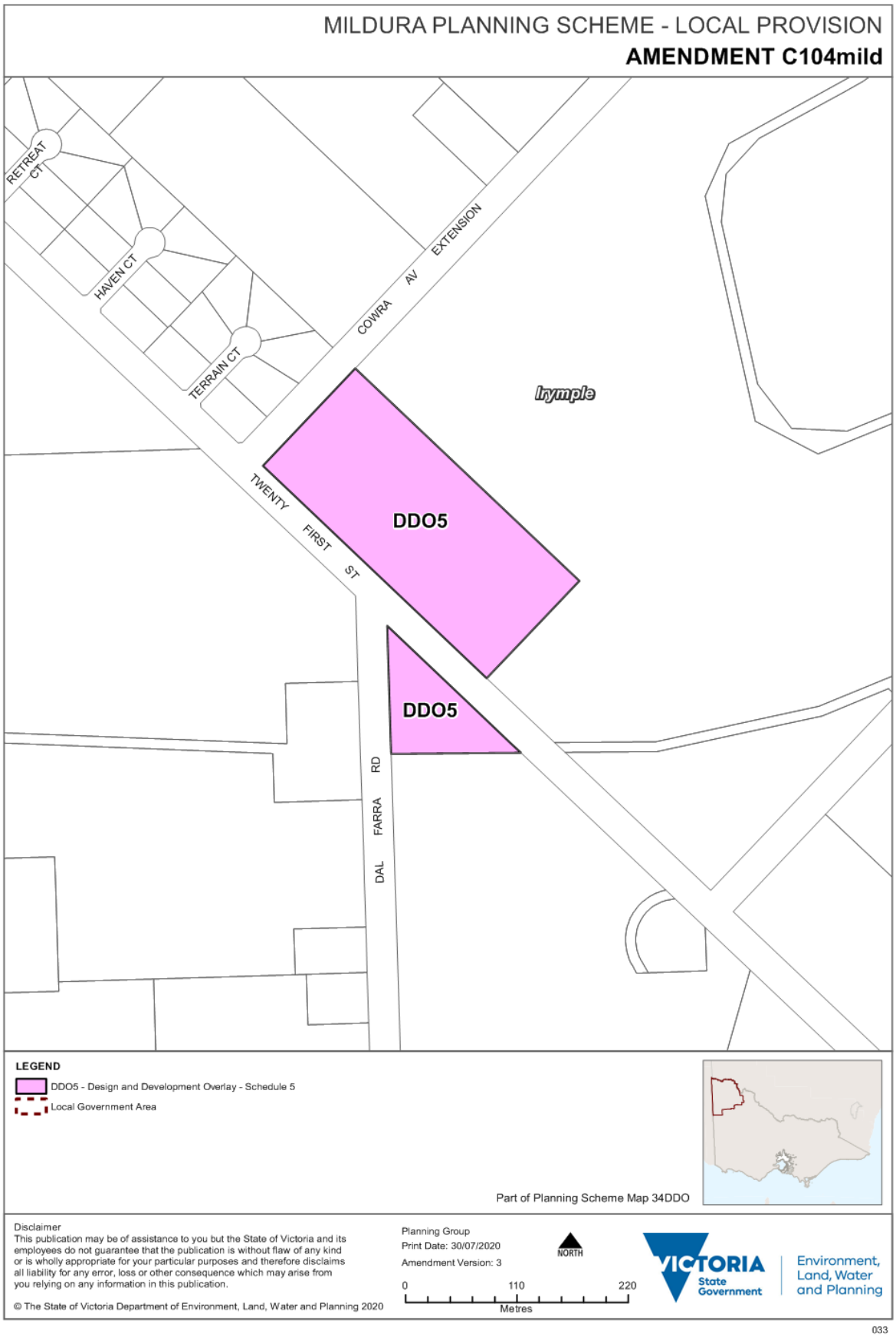

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
WASHINGTON DR
MANSELL DR
Lock Island
D-HO307
LOCKSIDE AV
SIXTH ST
CURETON AV
HERON AV
CHERRY AV
D-HO206
&
D-HO215
D-HO215
Mildura
HUGH KING DR
MIERS LANE
CHAFFEY AV
MACLEAN LANE
CULTIVATOR LANE
WALNUT AV
SEVENTH ST
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
D-HO206 - Area to be deleted from a Heritage Overlay
Part of Planning Scheme Map 27HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
125
250
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
028

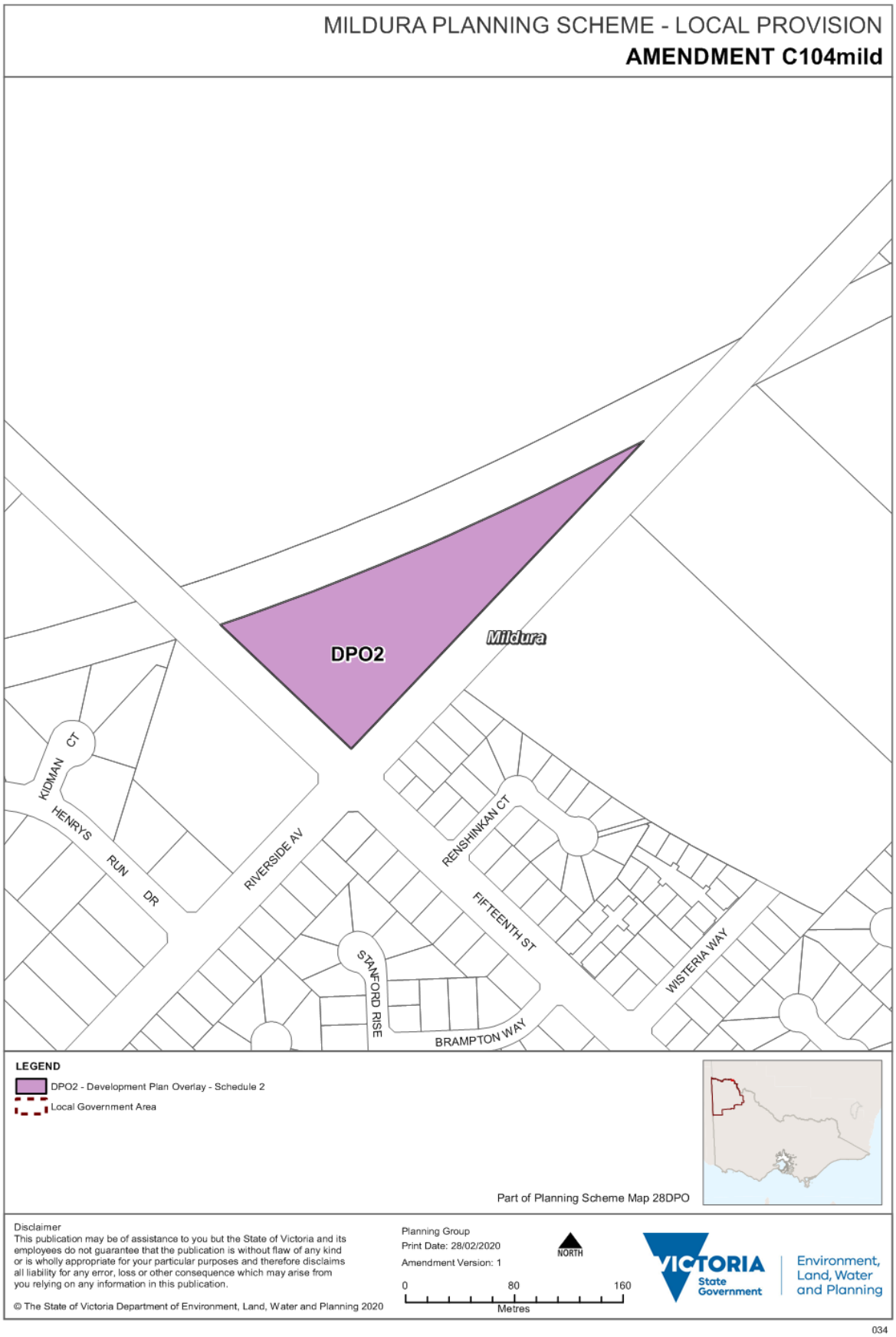

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
GINQUAM AV
BELAR AV
D-HO107
Irymple
FOURTEENTH ST
DEWRY AV
CROSS ST
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
Part of Planning Scheme Map 32HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
140
280
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
029

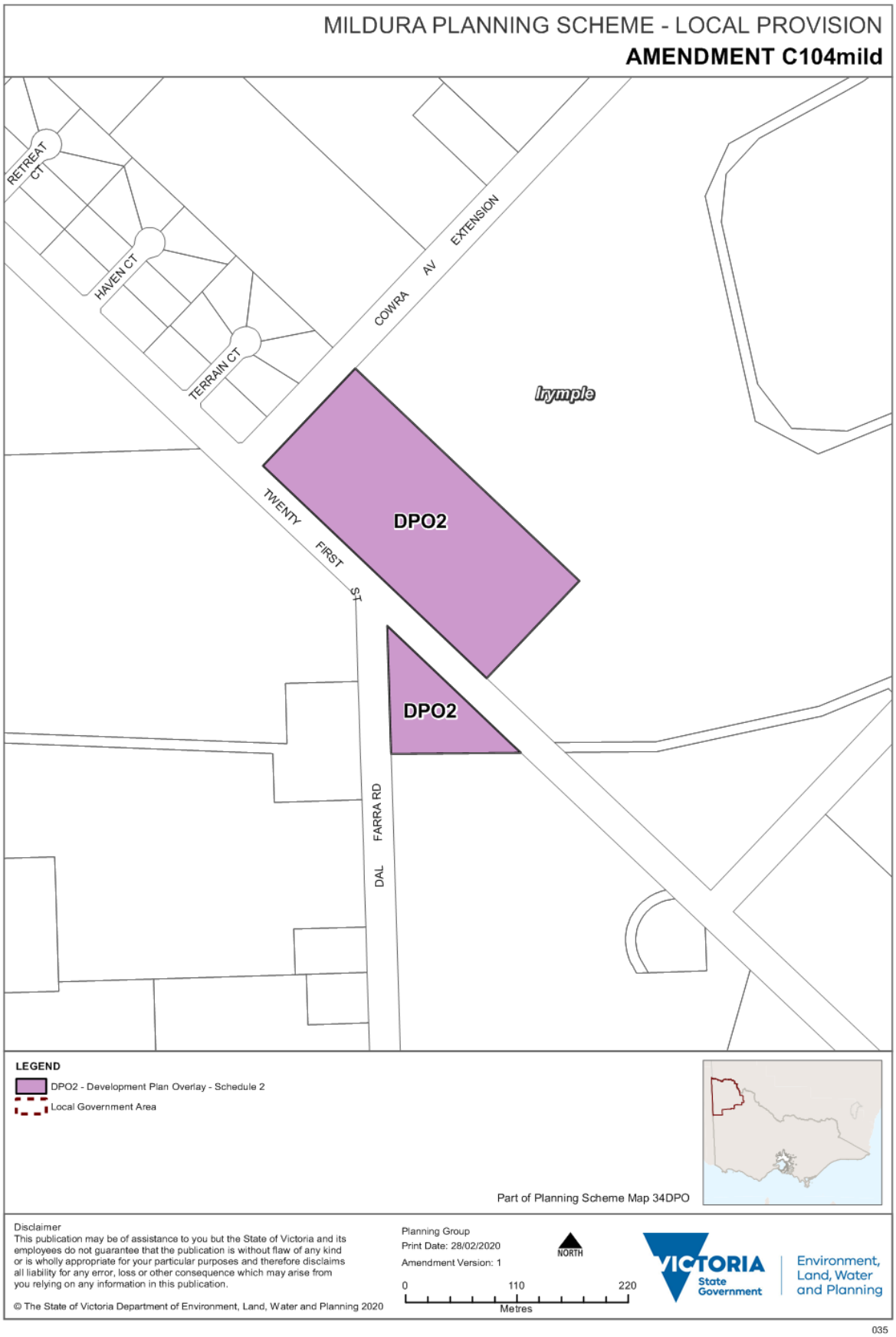

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
BELAR AV
CURETON AV
COOKE ST
ADELONG CT
D-HO130
Nichols Point
FORRESTER CT
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
Part of Planning Scheme Map 32HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
50
100
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
030

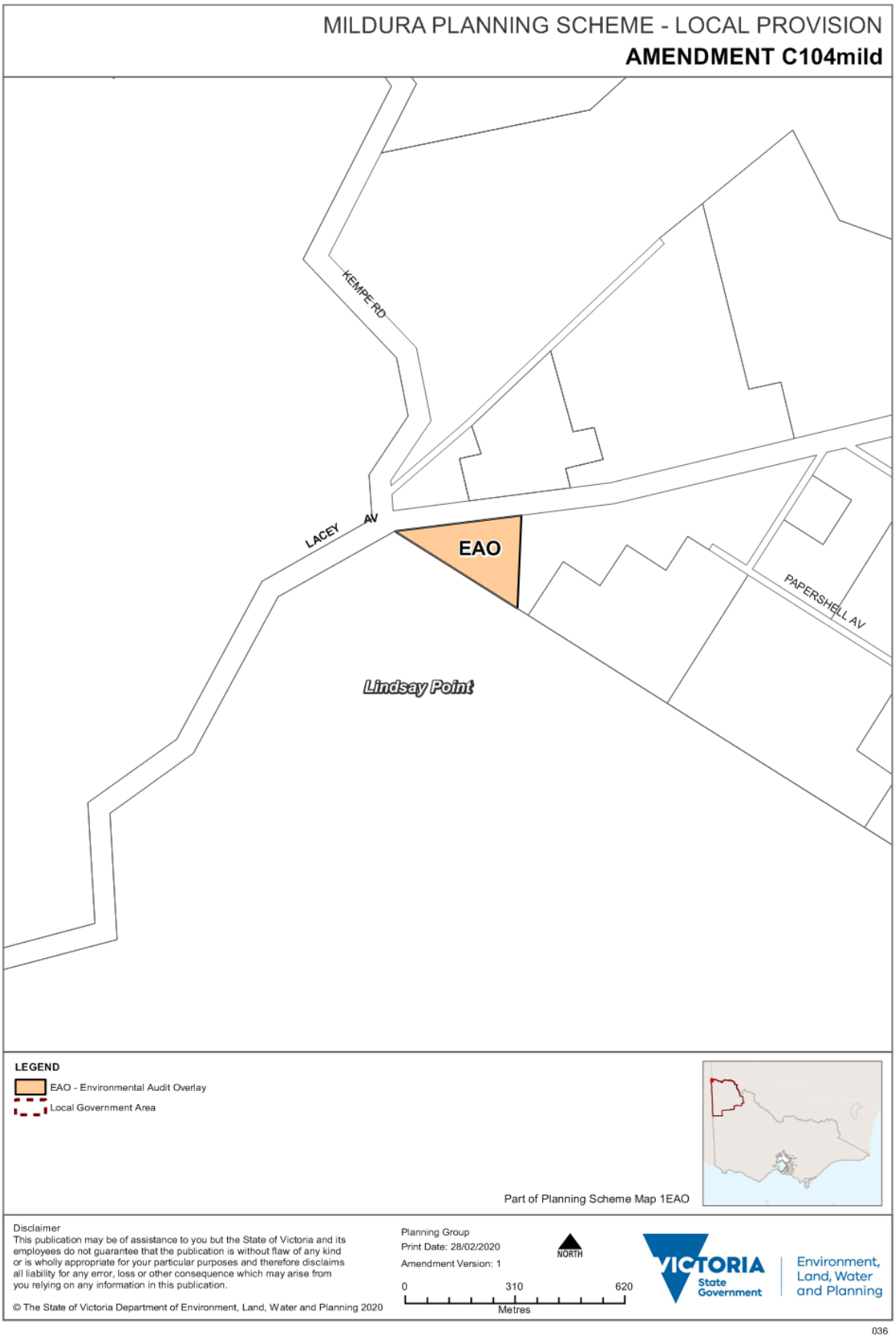

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
CAMERON ST
MEREBIN CT
STONES DR
REILLY ST
PALM CT
CHANNEL
RD
AV
RIVER
Merbein
FORBES DR
D-HO174
RANFURLY WAY
BAINES CT
Birdwoodton
MCEDWARD ST
MUNRO CT
GARRETT CT
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
Part of Planning Scheme Map 23HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
75
150
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
031

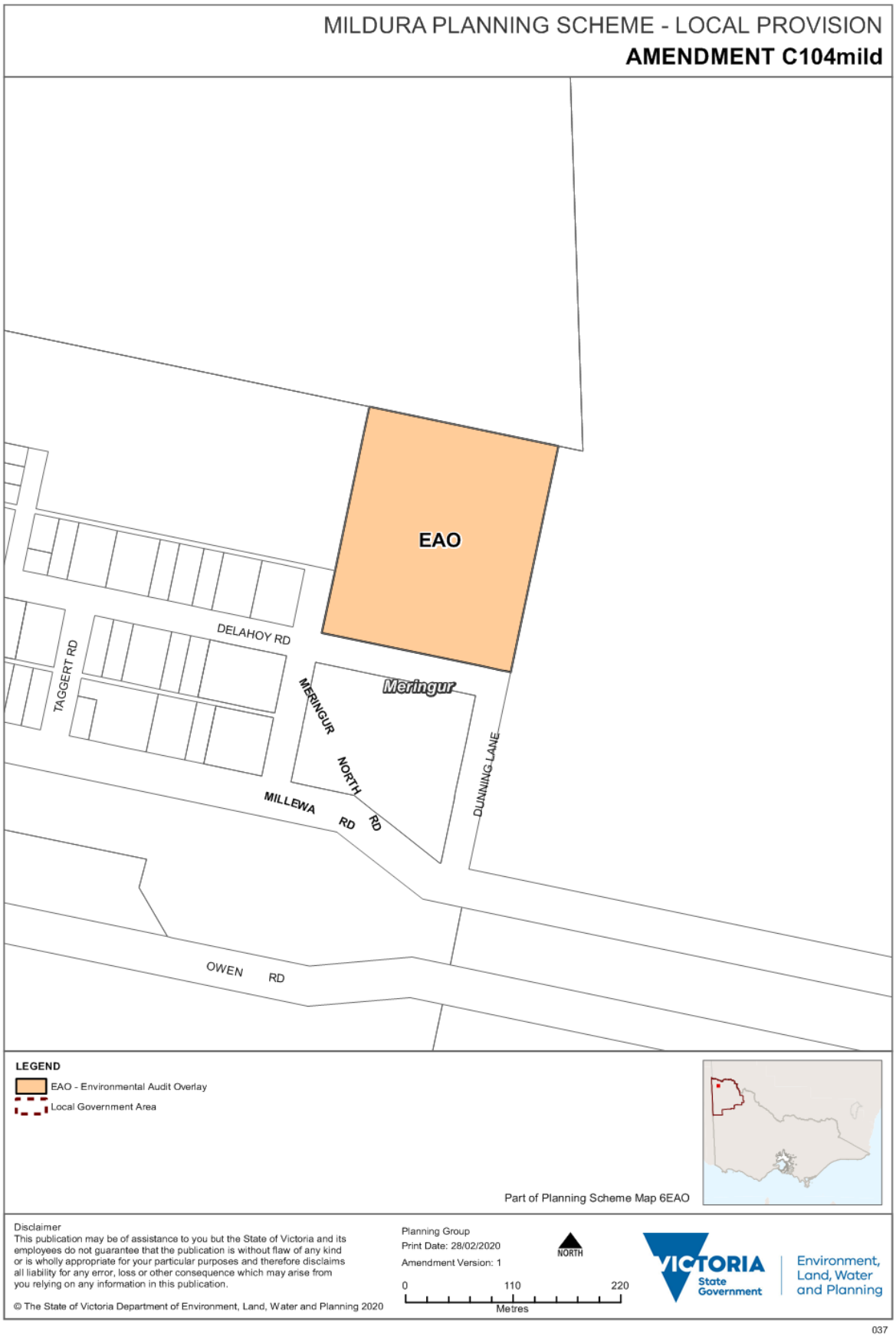

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
VINCOR PL
KEPETO CT
AMBLESIDE CR
D-PAO1
Mildura
ELEVENTH ST
RYDAL AV
BENETOOK AV
HECTOR ST
PERRY ST
LEGEND
D-PAO - Area to be deleted from a Public Acquisition Overlay
Local Government Area
Part of Planning Scheme Map 29PAO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 40 80
Metres
VICTORIA State Government
Environment, Land, Water and Planning
032


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
RETREAT CT
HAVEN CT
TERRAIN CT
COWRA AV EXTENSION
Irymple
TWENTY FIRST ST
DDO5
DDO5
FARRA RD DAL
LEGEND
DDO5 - Design and Development Overlay - Schedule 5
Local Government Area
Part of Planning Scheme Map 34DDO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 30/07/2020
Amendment Version: 3
NORTH
0 110 220
Metres
VICTORIA State Government
Environment, Land, Water and Planning
033

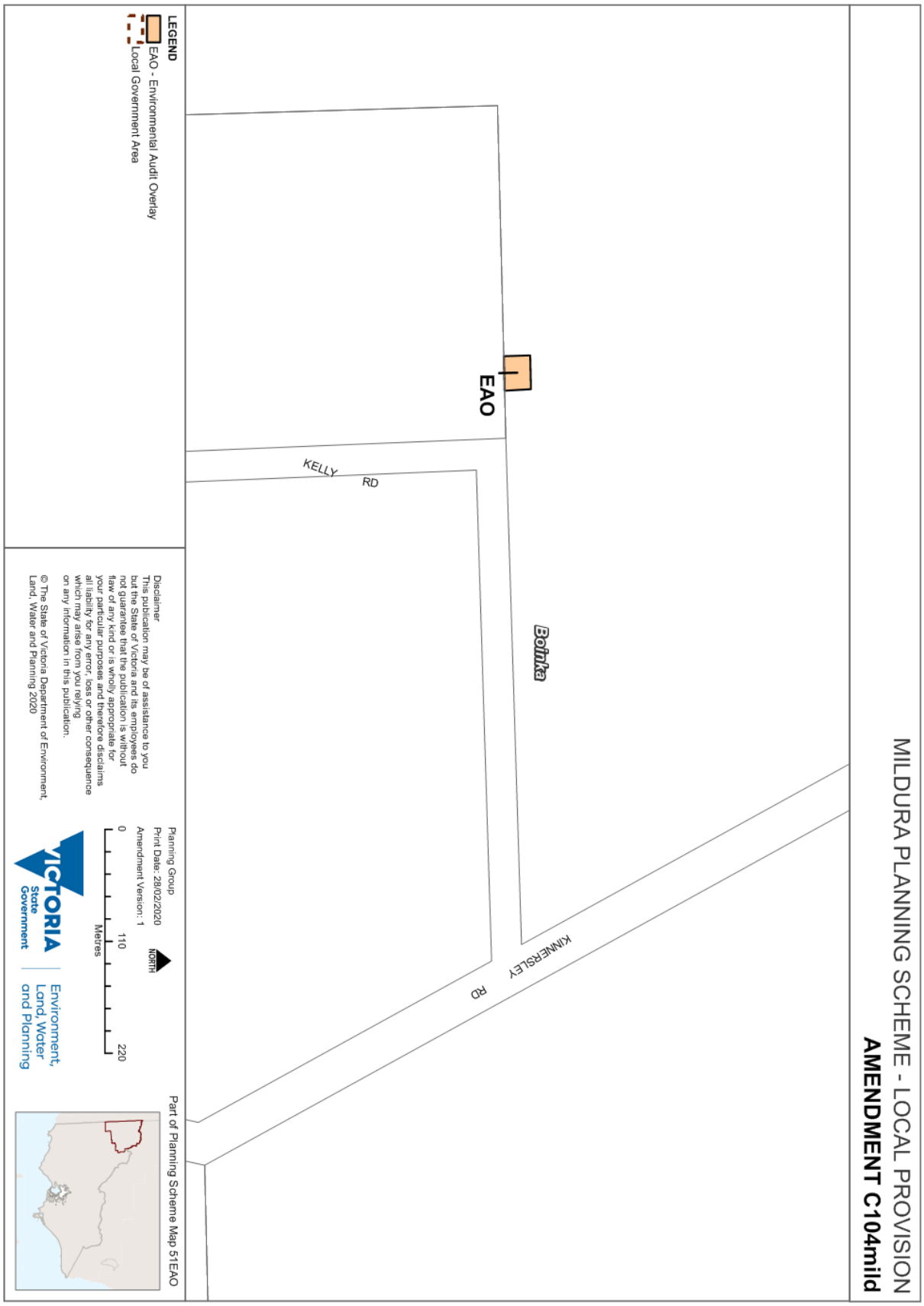

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
DPO2
Mildura
KIDMAN CT
HENRYS RUN DR
RIVERSIDE AV
RENSHINKAN CT
FIFTEENTH ST
WISTERIA WAY
STANFORD RISE
BRAMPTON WAY
LEGEND
DPO2 - Development Plan Overlay - Schedule 2
Local Government Area
Part of Planning Scheme Map 28DPO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
80
160
Metres
VICTORIA State Government
Environment, Land, Water and Planning
034


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
RETREAT CT
HAVEN CT
TERRAIN CT
COWRA AV EXTENSION
Irymple
TWENTY FIRST ST
DAL FARRA RD
DPO2
DPO2
LEGEND
DPO2 - Development Plan Overlay - Schedule 2
Local Government Area
Part of Planning Scheme Map 34DPO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 110 220
Metres
VICTORIA State Government
Environment, Land, Water and Planning
035

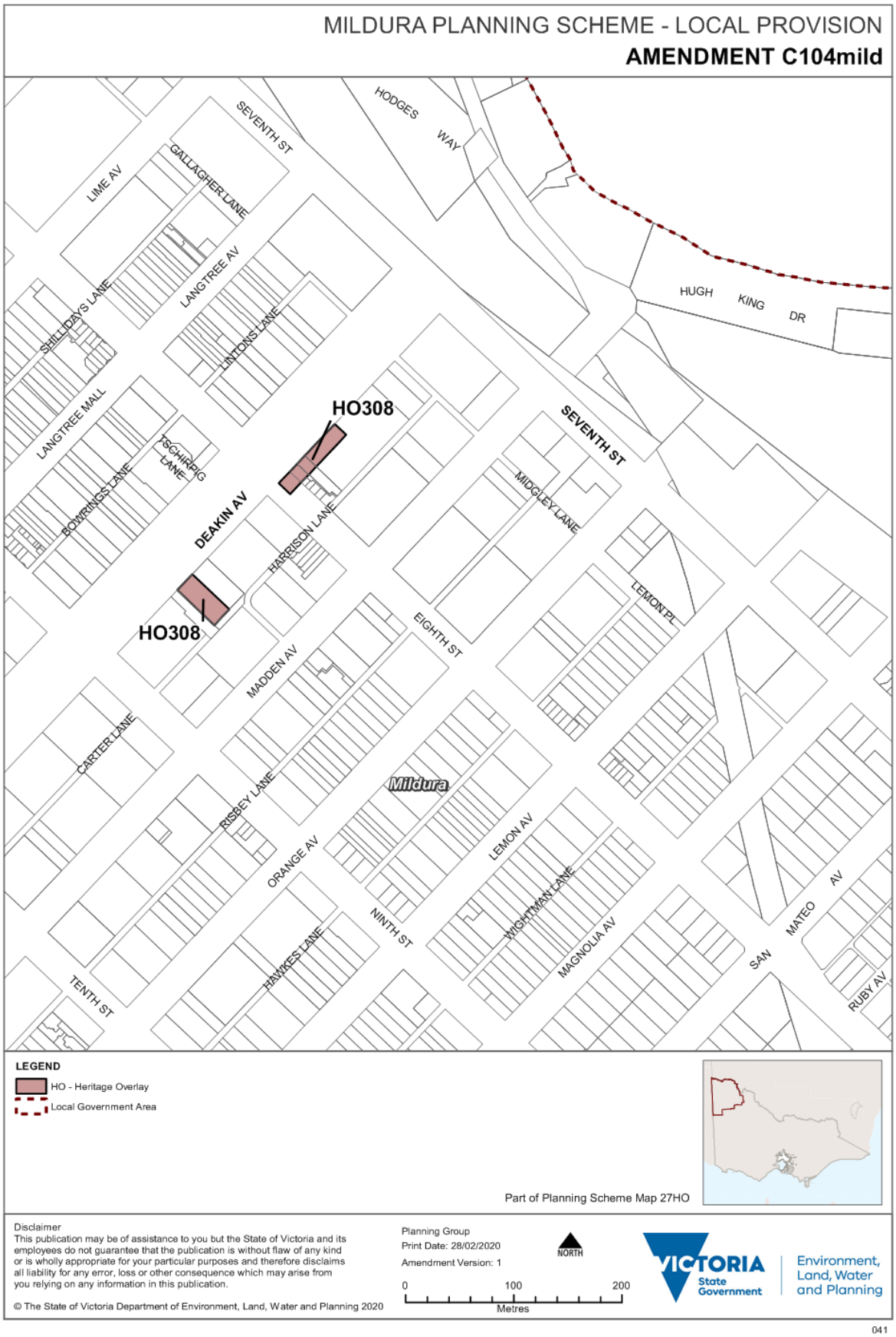

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
KEMPE RD
LACEY AV
EAO
PAPERSHELL AV
Lindsay Point
LEGEND
EAO - Environmental Audit Overlay
Local Government Area
Part of Planning Scheme Map 1EAO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
310
620
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
036

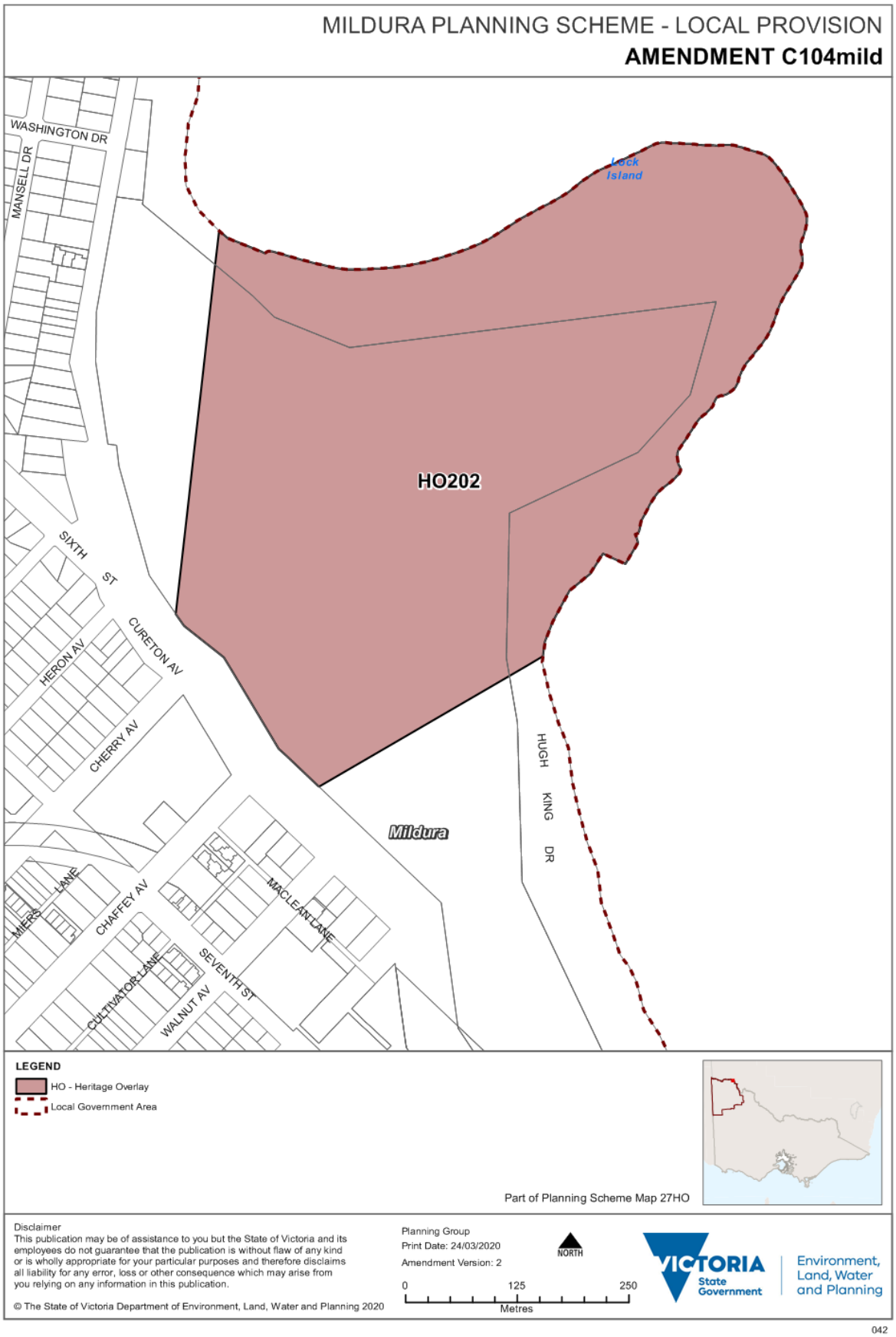

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
EAO
DELAHOY RD
TAGGERT RD
MERINGUR
Meringur
NORTH
RD
MILLEWA
RD
DUNNING LANE
OWEN
RD
LEGEND
EAO - Environmental Audit Overlay
Local Government Area
Part of Planning Scheme Map 6EAO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
110
220
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
037


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
MALLEE HWY
TYALLA RD
OLD STOCK ROUTE RD
EAO
Tutye
OLD MAIN RD
PARKER LANE
LEGEND
EAO - Environmental Audit Overlay
Local Government Area
Part of Planning Scheme Map 13EAO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 90 180
Metres
VICTORIA State Government
Environment, Land, Water and Planning
038

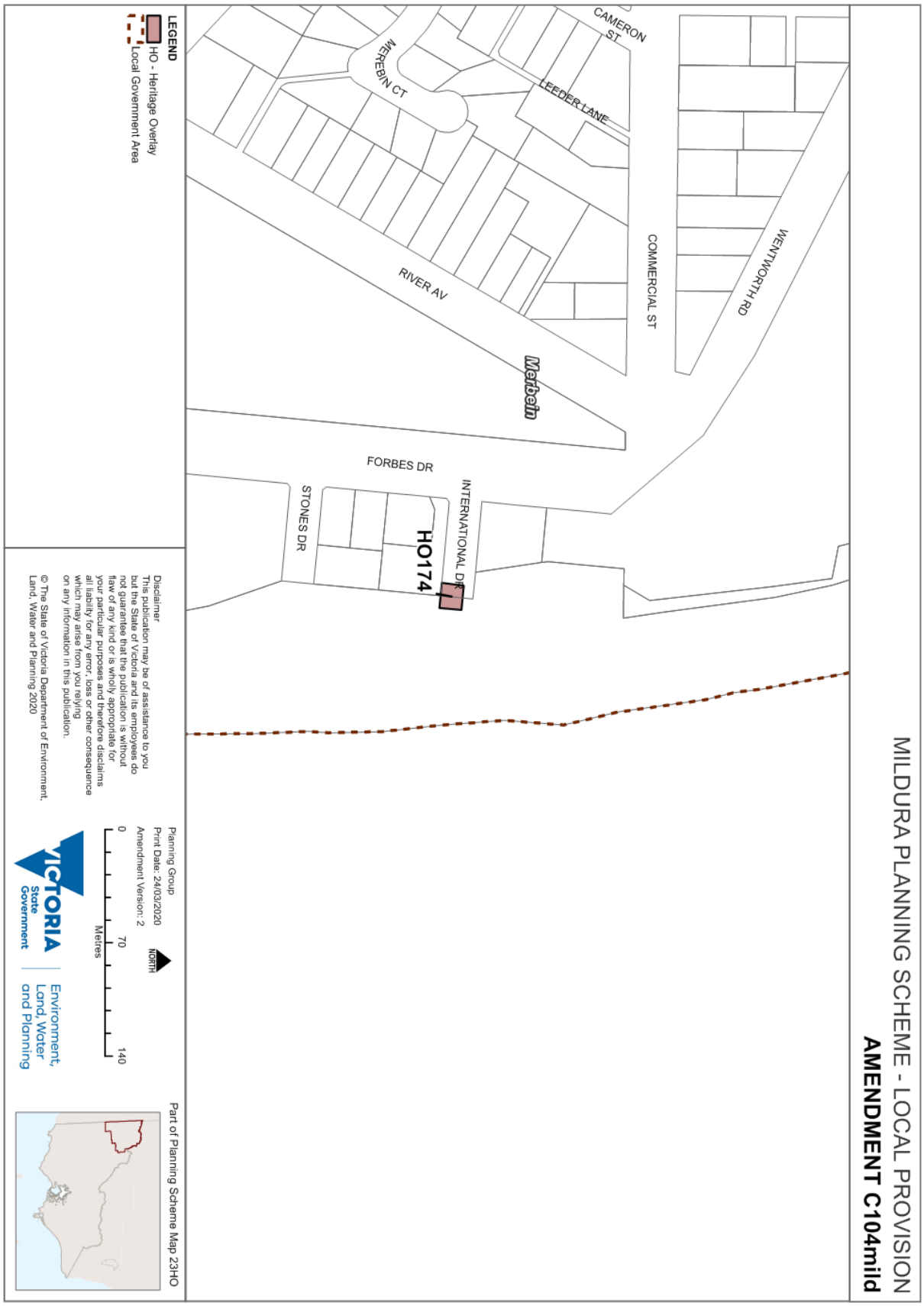

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
EAO
Bolinka
KELLY RD
KINNERSLEY RD
LEGEND
EAO - Environmental Audit Overlay
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
110
220
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 51EAO
039

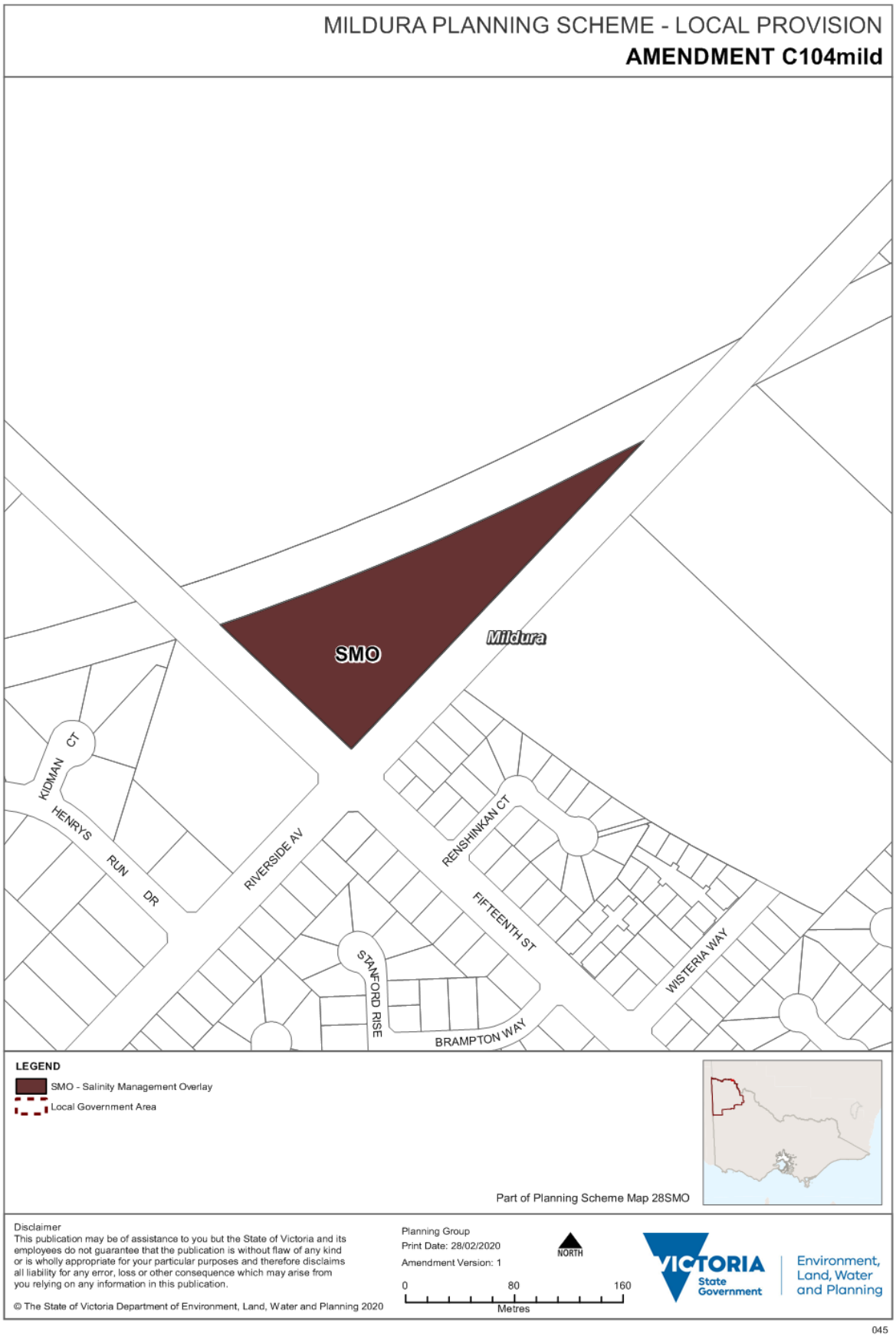

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
Map No 24
Map No 25
Merbein South
Wargan
Merrinee
Koorlong
STURT HWY
PASCHENDALE AV
ROGERS LANE
SOUTH AV
HARRIS RD
MCMILLAN RD
DOUGLAS RD
DOWTY RD
MIDDLEY RD
MCCARTHYS RD
CONVANA
MCGREGOR RD
WALNUT AV
MAPLE AV
MERIDIAN RD
RIVER AV
ESO4
LEGEND
ESO4 - Environmental Significance Overlay - Schedule 4
Local Government Area
Part of Planning Scheme Maps 24ESO4 & 25ESO4
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
670
1,340
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
040

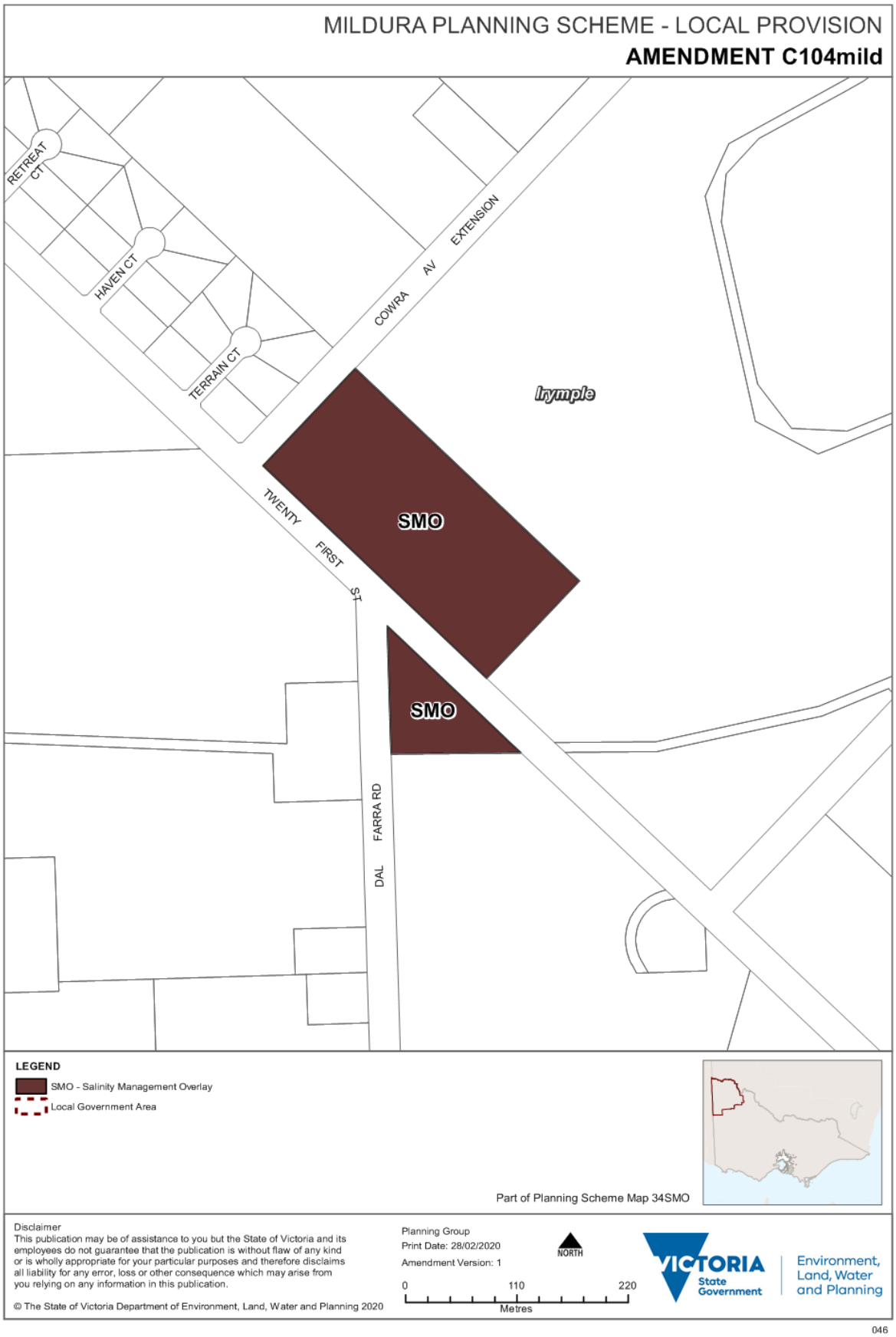

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
HODGES WAY
SEVENTH ST
LIME AV
GALLAGHER LANE
LANGTREE AV
SHILLIDAYS LANE
LINTONS LANE
HUGH KING DR
LANGTREE MALL
TSCHIRPIG LANE
BOWRINGS LANE
HO308
DEAKIN AV
HARRISON LANE
MIDGLEY LANE
SEVENTH ST
LEMON PL
HO308
EIGHTH ST
MADDEN AV
CARTER LANE
RISBEY LANE
Mildura
ORANGE AV
LEMON AV
NINTH ST
WIGHTMAN LANE
MAGNOLIA AV
HAWKES LANE
TENTH ST
SAN MATEO AV
RUBY AV
LEGEND
HO - Heritage Overlay
Local Government Area
Part of Planning Scheme Map 27HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 100 200
Metres
VICTORIA State Government
Environment, Land, Water and Planning
041

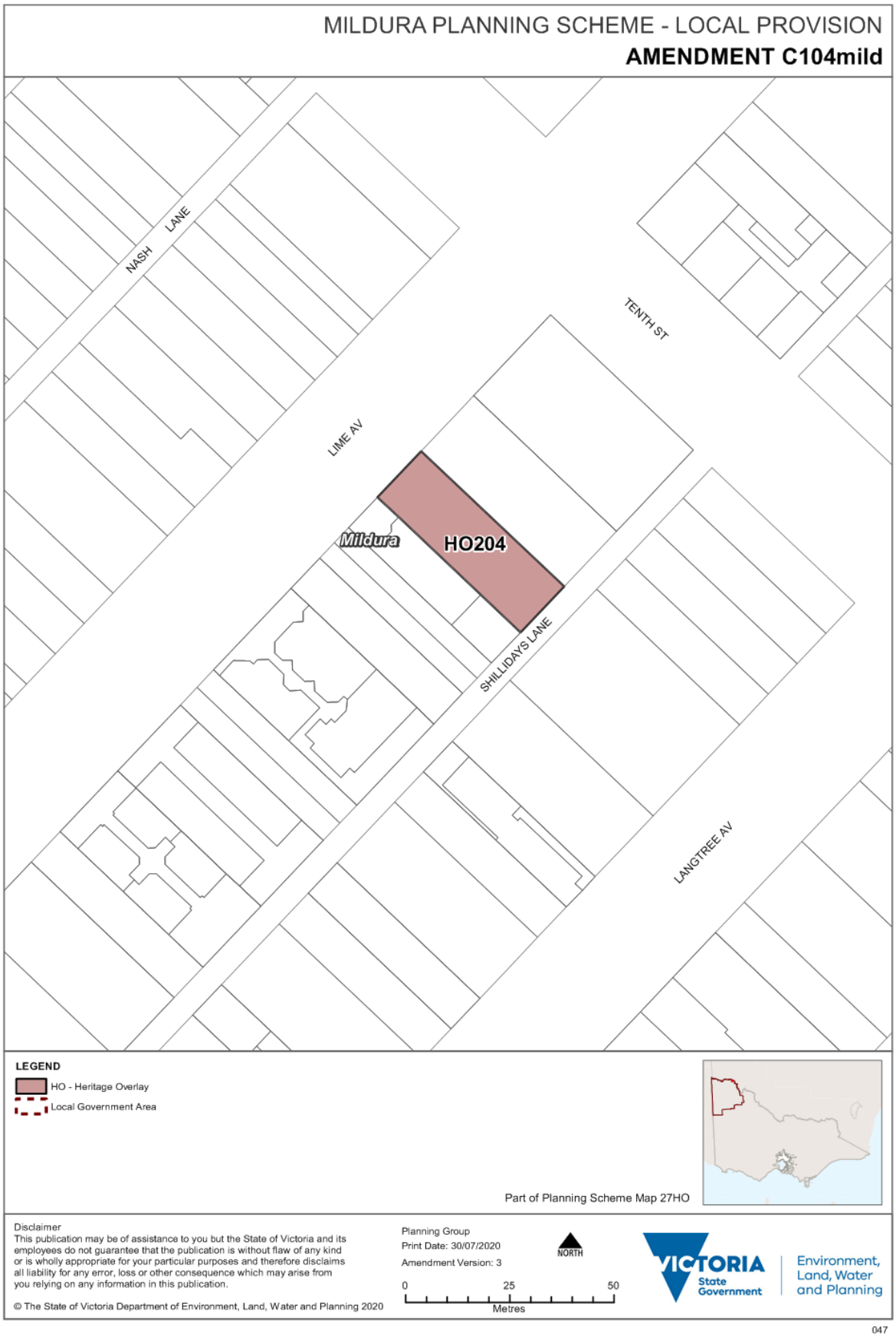

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
WASHINGTON DR
MANSELL DR
Lock Island
HO202
SIXTH ST
CURETON AV
HERON AV
CHERRY AV
Mildura
HUGH KING DR
MACLEAN LANE
CHAFFEY AV
MIERS LANE
SEVENTH ST
CULTIVATOR LANE
WALNUT AV
LEGEND
HO - Heritage Overlay
Local Government Area
Part of Planning Scheme Map 27HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0 125 250
Metres
VICTORIA State Government
Environment, Land, Water and Planning
042

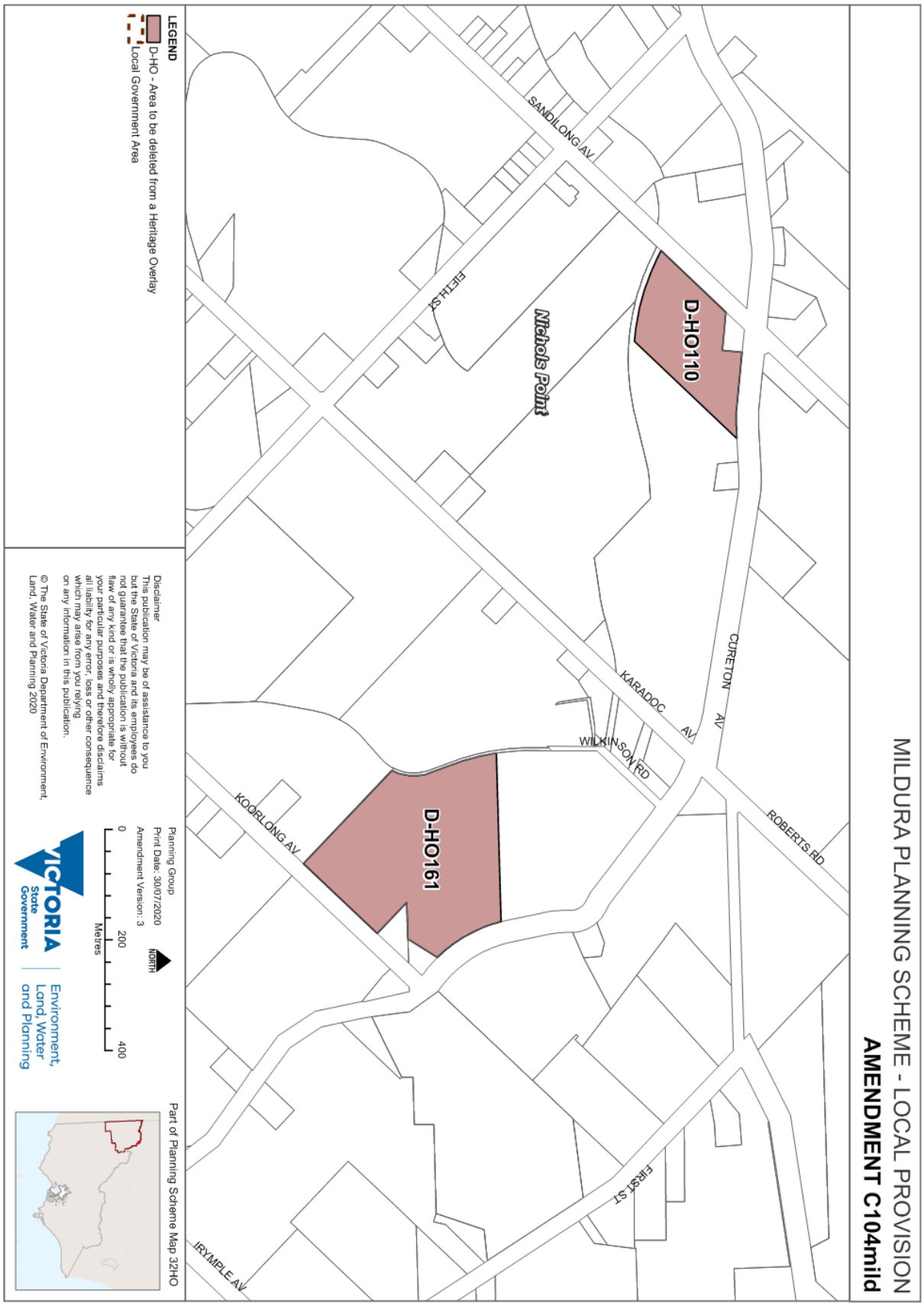

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
BELAR AV
CURETON AV
HO130
COOKE ST
ADELONG CT
Nichols Point
FORRESTER CT
LEGEND
HO - Heritage Overlay
Local Government Area
Part of Planning Scheme Map 32HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
50
100
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
043

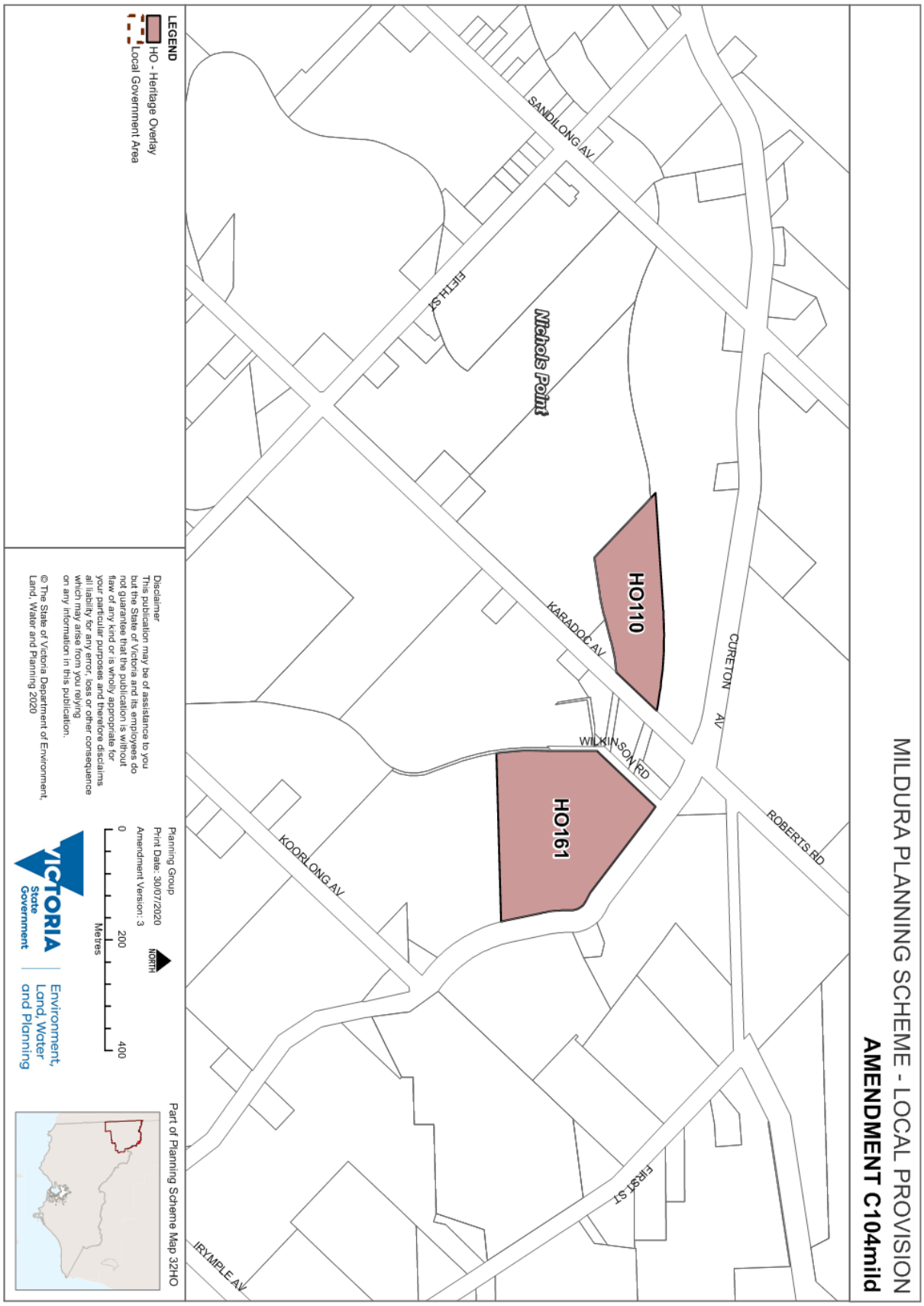

MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
CAMERON ST
MERRIBIN CT
LEEDER LANE
COMMERCIAL ST
WENTWORTH RD
RIVER AV
Merbein
FORBES DR
STONES DR
INTERNATIONAL DR
HO174
LEGEND
HO - Heritage Overlay
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 24/03/2020
Amendment Version: 2
NORTH
0
70
140
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 23HO
044


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
SMO
Mildura
KIDMAN CT
HENRYS RUN DR
RIVERSIDE AV
RENSHINKAN CT
FIFTEENTH ST
STANFORD RISE
BRAMPTON WAY
WISTERIA WAY
LEGEND
SMO - Salinity Management Overlay
Local Government Area
Part of Planning Scheme Map 28SMO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0
80
160
Metres
VICTORIA State Government
Environment, Land, Water and Planning
045


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
RETREAT CT
HAVEN CT
TERRAIN CT
COWRA AV EXTENSION
Irymple
SMO
SMO
TWENTY FIRST ST
FARRA RD
DAL
LEGEND
SMO - Salinity Management Overlay
Local Government Area
Part of Planning Scheme Map 34SMO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 28/02/2020
Amendment Version: 1
NORTH
0 110 220
Metres
VICTORIA State Government
Environment, Land, Water and Planning
046


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
NASH LANE
TENTH ST
LIME AV
Mildura
HO204
SHILLIDAYS LANE
LANGTREE AV
LEGEND
HO - Heritage Overlay
Local Government Area
Part of Planning Scheme Map 27HO
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 30/07/2020
Amendment Version: 3
NORTH
0 25 50
Metres
VICTORIA State Government
Environment, Land, Water and Planning
047


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
D-HO110
D-HO161
Nichols Point
SANDILONG AV
FIFTH ST
CURETON AV
KARADOC AV
WILKINSON RD
ROBERTS RD
KOORLONG AV
FIRST ST
IRYMPLE AV
LEGEND
D-HO - Area to be deleted from a Heritage Overlay
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 30/07/2020
Amendment Version: 3
NORTH
0
200
400
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 32HO
048


MILDURA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C104mild
SANDILONG AV
FIFTH ST
Nichols Point
HO110
HO161
KARADOC AV
WILKINSON RD
CURETON AV
ROBERTS RD
KOORLONG AV
FIRST ST
IRYMPLE AV
LEGEND
HO - Heritage Overlay
Local Government Area
Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.
© The State of Victoria Department of Environment, Land, Water and Planning 2020
Planning Group
Print Date: 30/07/2020
Amendment Version: 3
NORTH
0
200
400
Metres
VICTORIA
State Government
Environment, Land, Water and Planning
Part of Planning Scheme Map 32HO
049

02 MUNICIPAL PLANNING STRATEGY

DD/MM/20.. Proposed CXX

02.01 CONTEXT

DD/MM/20--
Proposed
CXX

Situated in north west Victoria and sharing borders with New South Wales and South Australia, Mildura Rural City is the largest municipality in Victoria, covering an area of 22,330 sq kms. [21.01]

The main urban centre of the municipality is the Regional city of Mildura, surrounded by the satellite towns of Irymple, Red Cliffs and Merbein. Ouyen is the major town in the south of the municipality and there are a number of other smaller settlements throughout the rural areas including Meringur, Werrimul, Cullulleraine, Koorlong, Cardross, Nagiloc, Colignan, Walpeup, Underbool and Murrayville.[21.01]

The resident population of the municipality in 2018 was about 55,500 and Council expects the population to be approximately 62,500 by 2036. [21.01 updated by VF].

The environmental characteristics of the municipality vary considerably in climate, soil type, ground and surface water, riparian areas, and flora and fauna. The municipality hosts about 40% of the total area of the Victorian Parks system including the Hattah-Kulkyne, Murray-Sunset and Wyperfield National Parks, Big Desert Wilderness Park and the Murray-Kulkyne Park. Other reserves contain a significant proportion of remnant vegetation, particularly understorey and ground flora. [21.01]

The Murray River borders the municipality and forms part of the Murray-Darling basin, which is one of the world's largest river systems. [21.08-2]. Environmental flows in the Murray River are important in sustaining the significant amounts of riparian land within the municipality which are of environmental, ecological and economic importance. [21.01]

The municipality has over 3,800 Aboriginal places of cultural significance. The first European pioneers arrived in the region at Wentworth in the 1840's. The arrival of the Chaffey brothers and the development of irrigation infrastructure in the 1880's provided the impetus for growth in Mildura and the broader region. Many of the original buildings and irrigation infrastructure of that period still exist today and continue to have practical application and historical interest. Items of heritage significance in the former Shire of Walpeup provide a history of settlement and the burgeoning pastoral industry in the Mallee. [21.07-3]

The Mildura region has a $3 billion economy dominated by the agriculture and horticulture sectors. The Mildura Older Irrigated Areas (MOIA) and Newer Irrigated Areas (NIA) generate economic activity in agriculture and related sectors such as manufacturing, wholesale trade, transport and storage. The economic base of the municipality is now diversifying with emerging industries such as mineral sands, salt extraction, boat building, packaging and solar power generation. [21.01]

The municipality and surrounding region are served with a range of transport infrastructure including State highways, railways, Mildura airport and limited public transport. [21.01]

02.02 VISION

DD/MM/20-- Proposed

Council plan vision

Council has developed a Vision for the year 2025 that includes: [21.03-1]

Making this the most liveable, people friendly community in Australia[21.03-1]

02.02-2 Land use planning vision

Council has also developed a land use planning vision for 2036 as follows: [21.03-1]

- Mildura Rural City will have a population of about 62,500 people. [21.03-1 VF update]
- Residents will be living in a variety of housing styles ranging from medium density clusters in the major towns to rural living in clearly defined rural settings. [21.03-1 edited]
- The major concentration of population will be in the 'Main Urban Area' (MUA) of Mildura, Irymple and Nichols Point. [21.03-1]
- Other main population centres will be in Merbein, Red Cliffs and Ouyen. [21.03-1]
- Rural residential development will be in planned estates at Merbein, Cabarita and Cardross. [21.03-1]
- The municipality's towns will be clearly defined and separated. [21.03-1]
- Deakin Avenue will be Mildura's premier boulevard and gateway transitioning in built form and land use from its horticultural entrance to the Murray River. [C95]
- Natural resources will be protected and maintained to provide a diversity of species that are ecologically sustainable. [21.03-1]
- Salinity and nutrient levels in the municipality's water system will be at their lowest concentration in 40 years. [21.03-1]
- Agricultural and horticultural production will be the foundation of the strong economy and will be uninhibited by urban encroachment. [21.03-1]
- Extensive value-adding and processing of agricultural and horticultural produce will be occurring in well sited industrial estates served by power and natural gas. [21.03-1]
- Mildura will be the centre of Australia's solar industry. [21.03-1]
- The region's industrial needs will be served by the existing industrial precincts at Mildura, Red Cliffs, Irymple, Merbein, Thurla and Kulkyne Way. [21.03-1]
- Mildura CBD will be the primary activity centre providing retail, commercial, residential, financial, community service, recreation and entertainment opportunities. [21.03-1]
- There will be a sub-regional activity centre on Fifteenth Street complementing the Mildura CBD. [DDO12 Vision]
- Mildura Airport will be one of the country's main regional passenger and freight centres. [21.03-1]

02.03 STRATEGIC DIRECTIONS

DD/MM/20-- Proposed

SETTLEMENT

Main Urban Area

The existing settlement structure of the municipality is identified on the Strategic Framework Plan at Clause 02.04. [21.04-1]

The 'Main Urban Area' (MUA) comprises Mildura, Irymple and Nichols Point each with their own distinct identity. The MUA is supported by smaller townships and low density settlements. Other than the MUA and Ouyen, most settlements are experiencing population decline. [21.04-1]

Mildura is the largest town in the municipality with a population of about 32,700 (ABS 2019) having more than doubled its population since 1981. Mildura services the Sunraysia region with a catchment population of 60,000 that extends into New South Wales and South Australia. [21.10-1] Mildura is identified as the 'Regional City' in the *Loddon Mallee North Regional Growth Plan* where growth will be promoted. In that context, Mildura has identified growth areas to its south and east. [Council].

Irymple (5300) is located about 5 kilometres south-east of Mildura along the Calder Highway and it has also seen rapid population growth. While Irymple's identity has historically been supported by its physical separation from Mildura, this separation has been eroded over time by incremental development. [21.10-1] An 'Urban Transition Area' between Irymple and Mildura separates these two distinct urban areas.

Nichols Point is a small residential hamlet located 4 kilometres east of Mildura along Fifth Street. Nichols Point has a distinct neighbourhood character as a result of its larger landscaped lots. An expansion of the township to facilitate further development of lower density housing options is proposed. [21.10-1]

Other settlements

Merbein (2700) is located 7 km west of Mildura and has had low but steady population growth since 1981. It is a service centre for the local community with a town centre on Commercial Street and an industrial estate focused around the existing rail line. Low density residential estates are located to the south-east of the town and in an isolated pocket to the north-west. [21.10-4]

Red Cliffs (2900) is a service centre located 13 km south of Mildura with its historic town centre located to the east of the Calder Highway and some industrial land to the west. The town's residential growth area extends to the east and south. [21.10-5]

Ouyen (1200) is located 98 km south of Mildura at the junction of the Calder and Mallee Highways. It is the dominant service centre for the southern half of the municipality. Ouyen experiences relatively low demand for growth. Ouyen is a transport and service centre for a vast area occupied by agricultural and pastoral properties and regional extractive industry operations. [21.10-6]

Cabarita is a small rural residential settlement between Mildura and Merbein wrapping around Lake Hawthorn. It is a low density residential settlement that relies on Mildura and Merbein for many of its services and facilities. Walking tracks connect the settlement with Mildura and the Murray River to the north. [21.10-3]

There are 184 commercial and residential properties in the municipality that are the subject of unique 'College lease' arrangements. Some of these properties are strategically important but their retention in the College lease program has the potential to inhibit development. [21.04-4]

Council's key **strategic directions** relating to 'Settlement' are to:

- Facilitate the urban expansion of the 'Main Urban Area' (Mildura, Irymple and Nichols Point) as the focal point for residential growth. [21.04-2]
- Facilitate an 'Urban Transition Area' between Irymple and Mildura on Fifteenth Street (between Sandilong and Cowra Avenues) with a range of education, health, tourism and community uses with attractive buildings within a spacious landscape setting. [21.03-1]

- Avoid reliance on a single development front by defining growth areas at 'Mildura South' and a new growth area in 'Mildura East'. [21.03-1]
- Ensure residential development in the Main Urban Area does not encroach beyond Seventeenth Street for the long term protection of the Mildura Airport. [21.03-1]
- Support Merbein as a satellite urban township and a service centre for the local community. [21.04-1]
- Support Red Cliffs as a satellite township and a service centre for the surrounding horticultural industry. [21.04-1]
- Support Ouyen as a rural service centre and the largest settlement in the southern part of the municipality. [21.04-1]
- Support the service role of the smaller towns and smaller settlements such as the Millewa community, the Mallee Track community and the Nangiloc / Colignan community. [21.04-1]

02.03-2 ENVIRONMENT AND LANDSCAPE VALUES

The Murray River, which forms the northern and eastern municipal boundary is an important asset of the region. [21.02-1] There are significant amounts of riparian land along the Murray River that have environmental, ecological, social and economic importance. [21.05-1] The Murray River Reserve includes a 60 metre wide permanent public purposes reserve running along the southern bank of the river. [21.05-4]

Due to the extent of agricultural clearing and development over the past 150 years, remnant vegetation is in severe decline or is threatened with further degradation and fragmentation. Most large areas of remaining native vegetation are on public land. Scattered remnant vegetation pockets also exist on freehold land, roadsides and smaller conservation reserves. Roadside vegetation often forms linear corridors that act as important biolinks between substantial areas of vegetation especially between the river and inland environs. [21.05-2]

The municipality hosts approximately 40% of the total area of the Victorian Parks system. The major parks all contain highly significant landscape, flora, fauna and cultural values and they represent the least disturbed Mallee ecosystems in Australia. [21.05-4]

Council's key **strategic directions** relating to 'Environmental and landscape values' are to:

- Preserve remnant vegetation and habitat. [21.03-1]
- Encourage use and development to protect land with significant landscapes, public parks, reserves, forests, flora, fauna, cultural and scientific values. [21.02-1 reworded]
- Manage the interface between public and crown land for the protection of public lands. [21.02-1]
- Maintain and restore connectivity to the fragmented habitat landscape to provide for the long term survival of species. [21.05-2]

02.03-3 ENVIRONMENTAL RISKS AND AMENITY

Extensive development along the Murray River has brought with it a series of problems including increased salinity and nutrient levels; reduced water availability downstream; out breaks of blue green algae; pollution of the river; changes to flood regimes; the threat of flood waters overtopping levees; and the loss of habitats and flora and fauna species. [21.05-1] The Murray River has a history of flooding of low lying areas with the potential to cause significant property and agricultural damage although flooding has significant environmental benefits for the redgum forests and fauna that rely upon it. [21.05-3]

Recharge to the regional groundwater and local perched water tables occur in the cleared dryland area and the irrigated area. Arresting rising salinity and nutrient levels in the Murray River requires control of the water table and the drainage of saline and nutrient rich water from the irrigation and urban areas. [21.05-1]

Rainfall in the municipality is insufficient to fully sustain horticultural, stock and domestic demand and is reducing as a result of climate change. There is high demand on river and stored

water to sustain horticulture and domestic needs, particularly in the summer months. [21.01] Climate changes (resulting in droughts and floods) and the deregulation of the water industry have resulted in the removal of land from intensive horticulture, underutilisation of irrigated land and increased pressure for non-agricultural uses.There are extensive areas of Mallee dune fields within the municipality and significant areas of the municipality that are affected by wind erosion. [21.02-1]

There is the potential for land use conflicts in and around the major urban areas of Mildura, Merbein, Irymple and Red Cliffs arising from the proximity of dwellings to land uses with adverse amenity potential. These uses include the Mildura Airport, the Merbein Mushrooms plant, the Mildura Wastewater Treatment Plant and agricultural activity surrounding these towns. [21.07-1]

Council's key **strategic directions** relating to 'Environmental risks' are to:

- Protect floodplains from development that would hinder their capacity to convey and store floodwaters. [21.05-3
- Discourage residential development on land liable to flooding. [21.05-3]
- Manage the threat to urban development from urban salinity and rising groundwater levels.
- Facilitate development that responds to local climatic conditions, including the impacts of climate change. [21.02-1]
- Avoid land use conflicts between residential and agricultural or industrial activities. [21.02-1]
- Manage existing uses with adverse amenity potential to minimise impacts on nearby sensitive land uses. [21.07-1]

02.03-4 NATURAL RESOURCE MANAGEMENT

There are two broad agricultural areas in the municipality.

The Horticultural Areas are in the northern irrigated areas being the 'Mildura Older Irrigation Area' (MOIA) and the 'Newer Irrigation Areas' (NIA). They consist mainly of dried vine fruit, wine grapes, table grapes, citrus and vegetable production. [21.08-1]

The Dryland Agricultural Area is to the south and north of the Murray Sunset National Park and consists mainly of mixed cereal, sheep, some grain and pasture legumes, wool and beef production. [21.08-1]

The MOIA surrounds the main urban settlements of Mildura, Irymple and Red Cliffs and because of this proximity, horticulture is challenged by the pressure to use land for rural living purposes. The *Mildura Older Irrigated Area Incorporated Document May 2020* supports a vision for the MOIA that: [21.06-1]

- *Seeks to protect the land for horticulture* [21.06-1]
- *Accommodates growth in planned estates around existing towns and hamlets* [21.06-1]
- *Acknowledges the existing rural residential development* [21.06-1]
- *Contributes to the ongoing economic prosperity and quality lifestyle of Mildura.* [21.06]

Council's key **strategic directions** relating to 'Natural resource management' are to:

- Expand agricultural and horticultural production throughout the municipality. [21.08-1]
- Protect irrigated horticultural land for agriculture particularly in the Mildura Older Irrigated Areas (MOIA) and the Newer Irrigated Areas (NIA). [21.02-1]
- Avoid unplanned small lot subdivision and 'rural lifestyle' development in the MOIA that could undermine irrigated horticulture. [21.06-1]
- Allow applications for dwellings in the MOIA in locations abutting existing development where there is likely to be minimal impact on horticulture or the irrigation footprint.[C110]
- Avoid the use of rural land for purposes other than agriculture, horticulture, extractive industry, leisure and recreation, mining or natural systems. [21.06-1]

02.03-5 BUILT FORM AND HERITAGE

Areas of cultural heritage significance as defined by the *Aboriginal Heritage Regulations 2018* have been identified in the municipality. In addition, thirteen specific precincts and over 180 individual buildings, sites or natural features of special heritage significance have also been identified. [21.07-3]

The growth of new residential areas plays a key role in defining a local 'sense of place' or character. This also contributes to the environmental performance and the physical and mental health of Mildura's residents. [21.07-4]

Deakin Avenue forms one of the premier boulevards in regional Victoria. It reflects a transition along its length from horticultural land, through residential, mixed use and the city centre to the Murray River environs. [21.10-2] The boulevard has a very high visual amenity abutting and within the road reserve. Inappropriate use and development could jeopardise the maintenance of Deakin Avenue as the grand boulevard entrance into Mildura. [21.07-2]

Council's key **strategic directions** relating to 'Built environment and heritage' are to:

- Preserve and protect the history and cultural heritage of the municipality. [21.02-1] & [21.03-1 trimmed]
- Require development in growth areas to establish a sense of place or a 'character'. [New]
- Maintain Deakin Avenue as a significant entrance boulevard that enhances the entrance to and image of Mildura. [21.02-1 C95 merged]

02.03-6 HOUSING

The demographic profile of Mildura's population is changing and the population is ageing, driving the need for medium density housing. An ageing population also requires housing that is accessible or is able to be adapted to meet accessibility requirements. [21.04-3]

Currently, the majority of housing is detached 'family' homes and, in time, this will result in a significant mismatch between the types of housing needed by the community and the housing stock available. A more diverse range of housing and lot sizes is needed to support housing affordability and choice. [21.04-3]

To accommodate the 2036 growth projections, it is estimated that an additional 370 dwellings per annum will need to be built. Approximately 85% of new dwellings will be constructed in the 'Main Urban Area' particularly in the Mildura South Growth Area. An additional long term residential front is to be provided in the area between Irymple, Nichols Point and Mildura known as the Mildura East Growth Area. [21.01]

Given the amount of land currently zoned for residential development in Mildura, Irymple, Merbein and Red Cliffs, there is no need for short term rezoning of land to facilitate urban residential development. However, it is important for Mildura's planned long term growth to be commenced for the next stage of development to avoid delays in the release of land within the Main Urban Area. [21.04-2]

Rural residential living is a popular choice in Mildura. It is critical to the continued economic development of the region that this type of housing is accommodated in areas where it will not compromise long term agricultural production. The *Mildura Housing and Settlement Strategy 2013* identified a number of existing low density areas, as well as new areas where low density residential and rural living opportunities can be provided. [21.04-5]

Budget and worker accommodation is important to the economy of the region as it provides short to medium stay accommodation for seasonal horticultural workers. [22.01] It is estimated that in the peak season, up to 10,000 visitors to Mildura are actively working in the harvest of horticultural produce. Existing accommodation types for these workers include camping on the farm site, on-site pickers huts, caravan parks, motels, hotels, bed and breakfast and backpacker hostels.

Some forms of worker and budget accommodation have had negative impacts on neighbouring amenity especially in wholly residential areas by way of hours of operation, on site management, provision of car parking and noise. [22.01]

Council's key **strategic directions** relating to 'Housing' are to:

- Facilitate a diversity of housing to meet anticipated future need.
- Direct the majority of housing development to established urban centres. [21.04-3]
- Accommodate the demand for low density residential development in planned rural residential estates [21.04-5] that will not compromise long term agricultural production. [21.02-1]
- Facilitate worker and budget accommodation in locations that protect residential amenity from the adverse impacts of such uses. [21.08-2 trimmed]

02.03-7 ECONOMIC DEVELOPMENT

The Mildura local economy is driven by its nationally significant horticultural industries and their value added activities such as packaging and processing. Dryland farming provides economic diversity and important regional income. [21.08-1] Significant economic potential also exists through the solar industry; the extraction of limestone aggregate, gypsum, and salt; future mineral sands mining and apiculture. [21.02-1]

There is an established retail hierarchy with the Mildura CBD as the primary activity centre comprising retail, commercial, financial, community service, recreation and entertainment uses. The City Gate Activity Centre on Fifteenth Street is an important sub regional retail centre with the adjoining Fifteenth Street Precinct providing bulky goods retailing and trade supplies. [21.08-3] Irymple, Merbein, Red Cliffs and Ouyen have a range of small neighbourhood centres and local shops. [21.08-3]

The Mildura Retail Strategy 2018 anticipates that potential exists for 33,000 square metres of additional retail development in Mildura, Irymple, Merbein and Red Cliffs to 2035. [21.08-3]

Major concentrations of industrial activity are located at the Mildura industrial estate, the Irymple industrial area and the Thurla greenfield precinct.[21.08-4]

Mildura is a key attraction in the Mallee tourism sub-region. The major tourist assets of the region include national and state parks; the World Heritage listed Willandra Lakes System (incorporating Mungo National Park in NSW); the Murray and Darling Rivers; Aboriginal and non-Aboriginal cultural heritage; climate; high quality recreation features; extensive accommodation opportunities; wineries; the horticultural industry; and major events and festivals.

Mildura Airport supports the regional business and tourism economy [21.08-2]

Council's key **strategic directions** relating to 'Economic development' are to:

- Support irrigated and dryland agricultural production, being the critical economic driver in the region. [21.02-1 edited]
- Support use and development that maintains the role of each centre in the retail hierarchy. [21.02-1]
- Facilitate diverse industries by providing industrial land with varying land size and buffer requirements. [21.02-1]
- Encourage the development of tourism opportunities. [21.02-1 reworded]

02.03-8 TRANSPORT

The municipality is served with a range of transport infrastructure including state highways, railways, Mildura airport and limited public transport. [21.09-1] Extensive rail infrastructure that is primarily utilised to move grain to ports is currently under-utilised. [21.02-1]

The *Mildura Transport Plan for Long Term Regional Development May 2005* provides a staged program of highway and rail upgrades to address passenger and freight needs. [21.09-1] Local transport issues include the Benetook Avenue bypass of Mildura; traffic flow for domestic and commercial traffic; alleviating truck congestion and improving pedestrian safety on Deakin Avenue; bicycle links; and the upgrade of several major transport arteries. [21.01]

Mildura Airport is the largest and busiest regional airport in Victoria and is an important contributor to the regional economy. The *Mildura Airport Master Plan 2017* provides a

framework for the growth of development opportunities associated with the airport precinct and surrounding land. [21.09-2]

Council's key **strategic directions** relating to 'Transport' are to:

- Establish Benetook Avenue as the major heavy vehicle internal bypass route around the township of Mildura. [21.03-1]
- Establish a pedestrian and cyclist priority zone along Deakin Avenue and in the Mildura CBD. [21.02-1 C95]
- Protect Mildura Airport by avoiding urban (residential) development that constrains the future operation or expansion of the airport. [21.10-1 reword]
- Accommodate a range of allied business and technology activities in the Mildura Airport Special Use precinct. [21.03-1]

02.03-9 INFRASTRUCTURE

The equitable provision of infrastructure is a key issue in the growth areas of the municipality and is supported by Development Contribution Plans. The staging of urban land release needs to be co-ordinated with Council's infrastructure program especially as some infrastructure, such as stormwater, is expensive and requires a long time to fund and construct. [21.02-1]

Extensive irrigation infrastructure is located within the horticultural districts. Piped and channelled stock and domestic water supply systems are located in Hattah, Nowingi, Carwarp and the Millewa. [21.02-1]

Council's key **strategic directions** relating to 'Infrastructure' are to:

- Share the cost of urban infrastructure and facilities equitably between developers and the community. [21.03-1]
- Recover Council's upfront construction costs for the development of physical and community infrastructure on an equitable and staged basis through Development Contribution Plans. [21.09-1]
- Coordinate the staging and location of urban land release with Council's infrastructure program. [21.02-1]
- Maximise the use of infrastructure and services in a staged and orderly manner avoiding out of sequence development and avoiding development in environmentally sensitive or prime agricultural areas. [21.03-1]
- Utilise land, water and physical infrastructure in agricultural and horticultural areas for their most productive agricultural or horticultural use. [21.03-1]

02.04 STRATEGIC FRAMEWORK PLANS

DD/MM/20-- Proposed CXX

Insert Mildura Strategic Framework Plan

11.01-1L Mildura and Nichols Point

Policy application

This policy applies to all land within the 'Growth Areas' identified on the Main Urban Area Framework Plan to this Clause.

Strategies

Develop Mildura South and Mildura East as the two main urban growth areas for the municipality. [21.04-2]

Support development of the Mildura Riverfront, including with higher density residential development outside the floodplain that protects the values of the Murray River. [21.10-1]

Maintain Seventeenth Street as the southern boundary of the City to protect the operations of Mildura Airport. [21.10-1]

Discourage the ad-hoc expansion of urban uses into the Mildura Older Irrigation Areas (MOIA). [21.10-1]

Maintain large landscaped lots sizes in the northern part of Nichols Point. [21.10-1 split]

Provide a transition from large landscaped lots in the northern part of Nichols Point to the rural areas adjoining the Murray River floodplain. [21.10-1 split]

11.01-1L Urban transition area

Policy application

This policy applies to all land within the Urban Transition Area Structure Plan to this Clause.

Strategies

Encourage development along Fifteenth Street between Mildura and Irymple that supports a sense of land use, built form and landscape transition between the settlements. [21.10-1]

Identify the western end of the Urban Transition Area as the urban edge of Mildura. [21.10]

Identify the eastern end of the Urban Transition Area as the urban edge of Irymple. [21.10]

Provide low density residential development at the periphery of Irymple and Mildura, where these will form the long term urban growth boundary. [21.10-1]

Encourage a range of education, health, tourism and community uses within the Urban Transition Area on Fifteenth Street between Sandilong Avenue and Cowra Avenue. [21.10]

Encourage a range of smaller scale restricted retail premises and commercial activities within the Urban Transition Area on Fifteenth Street between Benetook Avenue and Cowra Avenue. [21.10-2]

Design development on Fifteenth Street between Benetook Avenue and Sandilong Avenue that achieves a spacious landscape setting through:

buildings of a low scale setback from the road. [21.10-2]

significantly landscaped frontages. [21.10-2]

car parking within the landscaped front building setback. [21.10-2]

breaks between buildings. [21.10-2]

11.01-1L Irymple

Policy application

This policy applies to all land within the Irymple Town Structure Plan to this Clause.

Strategies

Discourage the expansion of Irymple beyond the boundaries identified on the Irymple Framework Plan to this Clause. [21.10-1]

Accommodate residential growth primarily to the north of the town. [21.10-1].

Consolidate Irymple's Town Centre. [21.10-1]

Locate industrial uses in the southern part of Irymple. [21.10-1 split]

Encourage longer term expansion of the industrial estate to the south. [21.10-1]

Support industrial uses that do not require buffers or have off site amenity impacts at the outer limit of the industrial estate. [21.10-1]

Discourage residential development that may compromise ongoing operations or future expansion of Irymple's industrial area. [21.10-1]

Support the growth of existing industries in Irymple. [21.10-1 split]

Support use and development that provides for the specialist needs of the horticultural industry in Irymple. [21.10-1]

11.01-1 L Merbein

Policy application

This policy applies to all land within the Merbein Town Structure Plan to this Clause.

Strategies

Promote sequential development on residential zoned land north of Chaffey Street and in the south-east of the township, west of River Avenue. [21.10-4]

Support the development of low density residential areas to the south-east of the town. [21.10-4]

Support the long-term growth of Merbein to the south of Channel Road when existing zoned land has been developed. [21.10-4]

Consolidate retail development on either side of Commercial Street west of O'Bryan Street and around the Calder Highway intersection. [21.10-4]

Improve the land use, built form and landscape presentation of Merbein at the eastern gateway from Mildura. [21.10-4]

Develop public land around the Reilly Street channel as an 'entrance' park to mark the eastern town entrance. [21.10-4]

Support the growth and consolidation of existing industries in Merbein. [21.10-4]

Encourage the retention of palm trees adjacent to the Lower Murray Water open channel. [21.10-4]

11.01-1L Red Cliffs

Policy application

This policy applies to all land within the Red Cliffs Town Structure Plan to this Clause.

Strategies

Support Red Cliffs role as a service centre for the surrounding horticultural and wine industry. [21.10-5]

Encourage infill residential development in established residential areas. [21.10-5]

Encourage sequential residential development in the southern part of Red Cliffs and surrounding the Tambo Road estate. [21.10-5]

Locate industrial uses with no off-site impacts or need for buffers in the industrial estate west of the Calder Highway. [21.10-5]

11.01-1L Cabarita

Policy application

This policy applies to all land within the Lake Hawthorn precinct in the Main Urban Area Framework Plan to this Clause.

Strategies

Support low density residential development in Cabarita between McEdward Street and Lake Hawthorn. [21.10-3]

Integrate any new low density residential land in Cabarita with existing development that responds to the interface with Lake Hawthorn. [21.10-3]

Design development adjoining Lake Hawthorn to avoid any negative impacts on the environment. [21.10-3]

Encourage the planting of indigenous flora in estates adjoining Lake Hawthorn. [21.10-3]

Connect development adjoining Lake Hawthorn to existing walking tracks. [21.10-3]

Provide a connection to Regina Avenue using the existing Robertson Street road reserve along Lake Hawthorn as part of development. [21.10-3]

11.01-1L Ouyen

Policy application

This policy applies to all land within the Ouyen Town Structure Plan to this Clause.

Strategies

Facilitate future residential growth east of Ritchie Street once reticulated sewerage has been provided. [21.10-6]

Encourage infill residential development abutting the hospital. [21.10-6]

Support medium density housing to increase the diversity of housing available in the southern parts of the municipality. [21.04-1]

Consolidate retail and commercial activity in Oke Street between Gregory Street and Cooper Street. [21.10-6]

Support development of aged care and retirement living opportunities in Ouyen and Murrayville to facilitate 'ageing in place'. [21.10-6]

Support the use and development of land for health services to provide for the needs of older persons and to allow then to 'age in place'. [21.10-6]

Discourage use and development that adversely impacts the operation of the Ouyen saleyards. [21.10-6]

11.01-1L College Lease land

Objective

To minimise the impact of College Lease land on urban development. [21.04-4]

Strategies

Develop College Lease land in support of adopted strategies for the area. [21.04-4]

Ensure any calculations of residential land supply take account of the constraints on development due to College Lease land. [21.04-4]

Integrate College Lease land in growth areas into future development. [21.04-4]

Attach six plans to this clause

- Main Urban Area Framework Plan
- Urban Transition Area Structure Plan
- Irymple Town Structure Plan
- Merbein Town Structure Plan
- Red Cliffs Town Structure Plan
- Ouyen Town Structure Plan

11.03-1L Mildura CBD

--/--/---
C---

Policy application

This policy applies to all land within the Mildura CBD Precincts Plan to this Clause.

Objective

To maintain the Mildura CBD as the Regional activity centre in the municipality [21.10-1]

Strategies

Reinforce the Mildura CBD as the primary activity centre in the region comprising retail, commercial, residential, community, recreation and entertainment components. [21.08-3]

Promote the Mildura CBD as the preferred location for head offices and large businesses. [21.10-1]

Consolidate and integrate residential uses within the CBD and adjoining mixed use areas, including by way of shop top housing. [21.10-1]

Encourage retail uses at ground level to create active street frontages and pedestrian movement. [21.10-1]

Encourage large scale development to include multi-level car parking structures. [21.10-1]

Encourage restaurant, café and entertainment uses within the 'Feast Street Precinct' at Langtree Avenue North. [21.10-1]

Facilitate connections between the CBD and higher density residential development, retirement accommodation or tourist accommodation in the 'Seventh Street Riverfront Interface Precinct'. [21.10-1]

Promote development of a CBD edge park on the land between the railway cutting and Seventh Street. [21.10-1]

Consolidate office uses at ground level and residential uses at upper levels on Madden Avenue between Eleventh Street and Midgley Lane. [21.10-1]

Encourage use and development adjacent to Deakin Avenue between Eleventh Street and Gallagher Lane that respects heritage features, setbacks and vegetation. [21.10-1 Split]

Encourage use and development adjacent to Deakin Avenue between Eleventh Street and Gallagher Lane that promotes higher built form and encourages large scale office and civic buildings. [21.10-1 split]

Support smaller scale retail showroom uses in the 'Eastern Mixed-Use Precinct'. [21.10-1]

Encourage medium density infill housing in the 'Peripheral Residential Precinct'. [21.10-1]

Encourage development to include mid-block links between Langtree Mall and Pine Avenue and Deakin Avenue. [21.10-1]

11.03-1L Fifteenth Street and City Gate Precincts

Policy application

This policy applies to the Fifteenth Street Precinct Structure Plan and the City Gate Precinct Structure Plan to this Clause.

Objective

To develop an integrated sub-regional retail centre at Mildura City Gate. [21.10-1]

Strategies

Develop the City Gate Activity Centre on Fifteenth Street from Deakin Avenue to San Mateo Avenue as an integrated sub-regional activity centre that complements the function of the Mildura CBD. [21.03-1]

Promote Fifteenth Street from San Mateo Avenue to Benetook Avenue as the homemaker / bulky goods retailing centre. [21.03-1]

Policy guideline

Consider as relevant:

- Discouraging the expansion of the Mildura Central Shopping Centre beyond 21,000 square metres of gross leasable floor area. [21.10-1]

11.03-1L Deakin Avenue

Policy application

This policy applies to all land within Design and Development Overlay Schedule 1 (DDO1).

Objective

To facilitate landscaped use and development within a landscaped setting that provides a transition from the city centre to the rural edge of Mildura. [21.10-2]

Strategies

Discourage land uses including fast food outlets, service stations, car sales yards, industrial and manufacturing uses and big box retail outlets and warehouses that dominate the streetscape due to built form, large advertising signage or a focus on vehicular access and movement.

Encourage residential, tourist accommodation and mixed-use developments and other uses compatible with residential uses (such as schools, medical centres, places of worship and community centres).

Achieve street activation and pedestrian interaction by shop front design, small scale offices and on-street dining and trading with long opening hours.

Direct retail uses and higher built forms to activity centres.

Site and design commercial land uses to respectfully interface with sensitive land uses such as open space, dwellings, community uses and places of worship.

11.03-1L Horticultural edge precinct

Policy application

This policy applies to all land within Map 1 to Design and Development Overlay Schedule 1 (DDO1).

Strategies

Retain existing agricultural opportunities and support agriculture as the primary land use.

Protect horticultural land on Deakin Avenue, west of Seventeenth Street from urban development. [21.02-1]

Discourage the development of residential buildings and more than one dwelling on a lot.

11.03-1L Residential precinct

Policy application

This policy applies to all land within Map 2 to Design and Development Overlay Schedule 1 (DDO1).

Strategies

Provide residential lots at a moderate density, with moderate front setbacks and rear vehicle access where possible.

Support community facilities, such as existing schools and community buildings on Deakin Avenue between Fifteenth and Sixteenth Streets.

11.03-1L City gate precinct

Policy application

This policy applies to all land within Map 3 to Design and Development Overlay Schedule 1 (DDO1).

Strategies

Encourage residential uses, including apartments, units and holiday accommodation.

Encourage mixed use commercial/residential developments.

Support the Sub-Regional Activity Centre role by providing appropriate retail opportunity, without detracting from the Regional role of the Mildura CBD.

Encourage commercial or civic opportunities fronting the Fifteenth Street intersection at key opportunity sites identified on Map 3 to DDO1.

Discourage bulky goods retail forms and other 'big box' retail forms on Deakin Avenue.

11.03-1L Mixed use precinct

Policy application

This policy applies to all land within Map 4 to Design and Development Overlay Schedule 1 (DDO1).

Strategies

Encourage a diverse range of uses that contribute to an active precinct with a community focus.

11.03-1L City core precinct

Policy application

This policy applies to all land within Map 5 to Design and Development Overlay Schedule 1 (DDO1).

Strategies

Encourage commercial uses that interact with and spill onto the street, including cafes and restaurants with kerb-side dining.

Maintain the strong civic presence.

Encourage shop-top housing and upper level commercial uses to create more 'eyes on the street' at all times of day and night and generate pedestrian traffic.

Discourage large format retail development.

Revitalise laneways (such as Gallagher Lane and Midgley Lane) as active pedestrian links by fronting buildings onto the lanes.

11.03-1L Policy document

Consider as relevant:

- *Deakin Avenue Design Guidelines* (Ethos Urban, 2016)

Attach three plans to this clause

- Mildura CBD Precincts Plan
- Fifteenth Street Precinct Structure Plan
- City Gate Precinct Structure Plan

11.03-2L Growth Areas

--/--/---
C---

Objective

To facilitate the orderly development of Mildura's growth areas. [21.04-2]

Strategies

Provide residential growth in both Mildura South and Mildura East growth areas as shown on the Main Urban Area Framework Plan at Clause 11.01-1. [21.10-1 merged]

Facilitate growth areas in the Main Urban Area (MUA) that are contiguous with existing residential estates and in locations that provide cost effective infrastructure servicing options. [21.04-2]

Provide a diversity in lot sizes in growth areas. [21.10-1]

Provide a balance between supply of land and diversity of development fronts when assessing additional land for residential development. [21.04-2]

Provide buffers from residential development to existing industrial areas in Mildura East to protect on-going industrial operations. [21.04-2]

Provide greater flexibility for dwellings in the Farming Zone in growth areas identified in the *Mildura Older Irrigation Area Incorporated Document* (May 2020). [21.04-2]

Avoid the development of dwellings compromising longer term urban growth by applying siting guidelines in growth areas. [21.04-2]

Incorporate independent living and aged care accommodation in new residential areas. [21.10-1]

Assess retirement living or aged care housing as medium density residential development. [22.03]

Policy guidelines

Consider as relevant:

Whether land in excess of 3ha that is proposed for residential development achieves the following targets: [22.03]

- 5% of the net residential development area should achieve a density of 35 dwellings per hectare located along main roads and adjoining any areas of non-residential uses such as retail, open space, schools etc. [22.03]
- 20% of the net residential development area should achieve a density of 6 dwellings per hectare. [22.03]
- The density of the remaining 75% of residential developable area in line with market demand [22.03]

12.01-1L Protection of biodiversity

--/--/---
C---

Strategies

Discourage native vegetation removal, stock grazing and urban development in riparian areas. [21.05-1]

Prioritise the conservation of remaining Mallee flora and fauna. [21.05-2]

Encourage use and development to protect land with significant landscapes, public parks, reserves, forests, flora, fauna, cultural and scientific values. [21.02-1 reordered]

Maintain existing wildlife corridors along road and railway reserves with supplementary revegetation in adjacent private lands. [21.05-2]

Encourage above and below ground infrastructure services to be located on private cleared rural land rather than on vegetated roadsides. [21.05-2]

Maintain the condition of waterways and wetlands in support of flora and fauna habitats. [21.05-2]

Support bio links and environmental nodes between areas of significant public land. [21.05-4]

12.03-1L River corridors, waterways, lakes and wetlands

--/--/---
C---

Objective

To improve river and wetland health within the Rural City of Mildura. [21.05-1]

Strategies

Limit nutrient level increases in ground water and surface water systems. [21.05-1]

Discourage the discharge of irrigation run-off directly into the Murray River and its tributaries. [21.05-1]

Discourage drainage evaporation ponds in wetlands and floodplain areas. [21.05-1]

Encourage drainage works that redirect rainfall run-off and minimise irrigation drainage. [21.05-1]

Encourage drainage works that reduce salt loads in rivers and the salinisation of land. [21.05-1]

12.05-1L Environmentally sensitive public land areas

--/--/---
C---

Policy application

This policy applies to all land in and abutting a Public Conservation and Resource Zone (PCRZ).

Objective

To protect the environmental, landscape, cultural heritage and archaeological value of public land. [21.05-4]

Strategies

Support nature conservation, recreation, tourism and eco-tourism initiatives in accordance with public land management plans. [21.05-4 merged]

Encourage fire breaks to be provided on cleared private land abutting public land. [21.05-4]

Improve the interface between public and private lands. [21.05-4]

Discourage urban or other intensive forms of use or development on land abutting public land that could have a negative impact on public land. [21.05-4]

Encourage use and development that assists in the preservation of and minimises adverse impacts on the natural environment and landscape values. [21.05-4 SP review]

Encourage the conservation of natural habitats and vegetation communities including multi-age stands of vegetation. [21.05-4 SP review]

Protect bee keeping sites from the impacts of development. [21.05-4 modified]

13.07-1L Land use conflicts

--/--/---
C---

Strategies

Limit the location of sensitive land uses in the vicinity of industries or any other activities with significant off-site effects such as noise, traffic and residual air emissions. [21.07-1]

Discourage housing in locations where amenity may be negatively impacted by farming activities. [21.07-1 Split]

Discourage housing where its location may inhibit rural activities. [21.07-1]

Discourage the siting of sensitive land uses such as residential development on land with frontage to:

- Benetook Avenue from Eleventh Street to Seventeenth Street. [21.07-1 Split]
- Seventeenth Street from Benetook Avenue to Deakin Avenue. [21.07-1]

Discourage residential development that may compromise the on-going operations of industrial development north of Channel Road, Merbein. [21.10-4]

Discourage residential development that may compromise the on-going operations of Irymple's industrial development. [SP Review]

14.01-1L Sustainable agricultural land use

--/--/---
C---

Strategies

Support the development of new horticultural areas. [21.08-1]

Support horticultural and agricultural diversification and value adding. [21.08-1]

Avoid the loss or fragmentation of land within an irrigation district. [21.06-1]

Minimise unplanned urban intrusion into horticultural areas. [21.08-1]

Protect rural and agricultural infrastructure such as roads, drainage and water supply. [21.08-1]

Avoid amenity impacts of a non-agricultural use on nearby dwellings. [21.06-1 split]

Avoid land use conflicts with surrounding agricultural activities. [21.06-1 split]

Discourage non-agricultural use other than those that contribute to value adding to agricultural activities on the site. [21.06-1 modified]

14.01-1L Use and development in the Farming Zone

--/--/---
C---

Policy application

This policy applies to all land in the Farming Zone (FZ).

Strategies

Discourage use or development not directly required to support the agricultural use of the land. [21.06-1]

Ensure dwellings or subdivision are associated with the agricultural use conducted on the land. [21.06-1]

Facilitate lot consolidation to reflect a viable unit of production by applying minimum subdivision sizes [21.08-1 reordered]

Ensure rural industries have a direct nexus with the agricultural use of the land. [21.06-1]

Discourage non-agricultural uses on main roads including food and drink premises, convenience shops, peripheral sales and industry. [21.06-1]

Policy guidelines

Consider as relevant:

Whether a Section 173 agreement should be entered into between the landowner and Council to prevent further subdivision. [21.06-1]

Whether any dwellings on the parent lot and new subdivided lot(s) should: [21.06-1]

- use a common driveway and common services; and [21.06-1]
- be located as close as possible to achieve a grouping of buildings; and
- be sited to minimise the removal of native vegetation. [21.06-1 split]

14.01-1L Dwellings and subdivision in the Mildura Older Irrigated Areas (MOIA)

--/--/---
C---

Policy application

This policy applies to all land in the Farming Zone (FZ) that is within the Mildura Older Irrigated Areas (MOIA) as identified by Special Control Overlay Schedule 1. [21.06-1]

Strategies

Discourage non-agricultural use and development within the MOIA. [21.06-1]

Ensure subdivision and new dwellings are consistent with the *Mildura Older Irrigation Area Incorporated Document* (May 2020). [21.06-1 and C110]

Policy guidelines

Consider as relevant:

- Prohibiting new dwellings on lots under 10 hectares except where permitted by the *Mildura Older Irrigated Area Incorporated Document* (May 2020). [21.06-1 and C110]

14.01-1L Dwellings in 'Future growth areas' in the Farming Zone

--/--/---
C---

Policy application

This policy applies to land in the Farming Zone that is identified as in the 'Mildura East Growth Area' in the Plan to Clause 11.01-1.

Strategies

Discourage a dwelling if it will compromise an existing horticultural use on the land. [21.04-2]

Discourage a dwelling if it affects any on-going agricultural use of adjoining land. [21.04-2]

Provide easements or setbacks to facilitate long term movement through growth areas. [21.04-2]

Design dwellings to have a frontage to main streets and avoid unnecessary setbacks. [Siting Principles pg 1]

Facilitate consistent streetscape setbacks by discouraging the siting of dwellings at the rear of lots. [Siting Principles pg 2]

Discourage dwellings that eliminate access to the rear of the land. [Siting Principles pg 2]

Locate dwellings close to neighbours to avoid unnecessary frontage gaps. [Siting Principles pg 3]

Support heights and boundary setbacks that respect the existing or preferred character. [Siting Principles pg 3 split]

Support heights and boundary setbacks that limit the impact on the amenity of existing dwellings. [Siting Principles pg 3 split]

Policy guidelines

Consider as relevant:

- Providing a minimum 5m wide landscape buffer on the site between the dwelling and abutting agricultural land. [21.04-2 modified]
- Providing a 50m clearance from the side of the dwelling in accordance with the *Siting Principles – Housing Development in the Mildura South and Mildura East Future Growth Areas* (Mildura Rural City Council, 2017) [Siting Principles pg 2]

Policy documents

Consider as relevant:

- *Mildura Older Irrigated Area Incorporated Document* (May 2020). [21.06-1 and C110]
- *Siting Principles – Housing Development in the Mildura South and Mildura East Future Growth Areas* (Mildura Rural City Council, 2017)

15.01-1L Urban design in Mildura

-/-/---
C---

Objective

To require building and neighbourhood design to be responsive to Mildura's climate. [21.07-4]

Strategies

Encourage building design to employ passive cooling techniques to reduce reliance on air conditioners. [21.07-4]

Discourage building designs that dominate public spaces or imply private ownership of public spaces. [22.03]

Discourage dwellings that are dominated by garages and that create a sense of disconnection between the dwelling and the street. [22.03]

Require the provision of generous eaves on all residential development. [21.07-4]

Require residential neighbourhoods to incorporate shaded vegetated greenways or linear parks to connect areas of activity. [21.07-4 trimmed]

Design roads in new residential neighbourhoods that are able to accommodate canopy tree planting. [21.07-4]

Encourage low or transparent fencing and landscaping that allows for passive surveillance. [22.03]

Maximise opportunities for landscaping by providing greater permeable surfaces in public and private development. [21.07-4]

Incorporate fast growing tree species in the development of new estates. [21.07-4]

Encourage a green landscape character along main boulevards including Deakin Avenue, Fifteenth Street and Sixteenth Street. [22.03]

Encourage development to increase tree cover in streets, backyards and as broad scale revegetation. [22.03]

Prioritise the protection of remnant vegetation patches where they can be integrated into urban areas. [22.03]

Encourage non-residential developments to provide landscaping in setback areas, ground floor open spaces and outdoor car parking areas. [22.03]

Discourage landscape treatments such as artificial turf and tanbark, particularly in non-natural colours. [22.03]

Policy guidelines

Consider as relevant:

- Including permeable areas and canopy trees or other shading mechanisms in at-grade car parking areas of more than 10 spaces. [22.03]

15.01-3L Subdivision design

-/-/---
C---

Strategies

Require road alignments to incorporate a broad grid network, with local roads connecting to adjoining urban areas. [22.03]

Avoid courts and culs-de-sac in neighbourhood subdivision design. [22.03 split]

Provide pedestrian connections in a court bowl to allow direct pedestrian access (if a cul-de-sac is unavoidable). [22.03 split]

Require subdivision road layouts to facilitate future movement connections, including by use of easements where adjoining parcels are not developed concurrently. [22.03]

15.01-5L Low density residential character

--/--/---
C---

Policy application

This policy applies to all land within the Low Density Residential Zone (LDRZ).

Objective

To discourage the subdivision of land that will be inconsistent with the subdivision pattern that characterises the neighbourhood. [21.07-4 reworded and turned into objective]

Strategies

Discourage re-subdivision of land where this will be out of character with the neighbourhood. [21.07-4]

Encourage low density residential estates to employ 'non-urban' treatments in the provision of infrastructure, such as swale drains and post and wire fencing. [21.07-4]

Reflect the distinct neighbourhood character of Nichols Point in any development plan for the area. [21.10-1 reworded]

15.02-1L Energy and resource efficiency

--/--/---
C---

Strategies

Encourage the design and orientation of all development to take advantage of passive systems and climatic factors. [22.03]

Use landscape design to assist in passive solar heating and cooling through providing vegetation on the east, west and north side of dwellings. [22.03]

Encourage the use of environmentally sustainable design techniques that may include: [22.03]

low energy lighting systems and lighting management controls; [22.03]

solar and passive heating systems and natural or solar assisted ventilating and cooling systems; [22.03]

laminating, tinting or double glazing to control heat gain and loss; [22.03]

use of high thermal performance building materials; [22.03]

energy recovery systems; [22.03]

energy storage systems such as heat sinks and air conditioning automatic control systems; [22.03]

external facade elements that offer climate control benefits such as eaves on residential buildings. [22.03]

Design streets in subdivisions to maximise the solar orientation of lots. [22.03 SP]

Design development to maximise the adverse effects on the environmental performance of adjoining properties such as overshadowing of solar panels. [22.03]

Policy guideline

Consider as relevant:

- Supporting on-site renewable and low emission energy generation, such as solar hot water or photovoltaic cells. [22.03 SP]
- Encouraging the use of eaves and lighter coloured roofs and paving treatments to reduce heat absorption. [22.03 SP]

15.03-1L Heritage conservation in Mildura

--/--/---
C---

Policy application

This policy applies to all land within a Heritage Overlay (HO).

Strategies

Conserve the distinctive historic characteristics that contribute to the individual identity of places within the Rural City of Mildura. [22.02 trimmed]

Respect the heritage values of places associated with the early development of the municipality by the Chaffey Brothers. [22.02]

Encourage new development that becomes a valued addition to the heritage place. [22.02]

Conserve historic public realm features such as basalt gutters, unmade roadside verges and mature street trees. [22.02]

Discourage development that could diminish the significance of heritage places through: [22.02]

- the loss of any fabric that contributes to the significance of the heritage place. [22.02]
- development that overwhelms, obscures or is otherwise not respectful of the significance of the heritage place. [22.02]

Non-contributory places

Support the replacement of non-contributory buildings with development that responds positively to the historic context provided by any nearby heritage place. [22.02]

Significant and Contributory places

Conserve Significant and Contributory heritage places. [22.02]

Discourage the total demolition of Significant or Contributory heritage places unless: [22.02]

- the place is structurally unsound and cannot feasibly be repaired without undertaking significant alterations that would diminish the integrity of the place. [22.02]
- the replacement building is complementary in form, scale and materials to the elements of primary significance, but is contemporary in approach. [22.02]

Allow demolition of part of a Significant or Contributory place where demolition will: [22.02]

- not adversely affect the significance of the place; [22.02]
- assist in the long-term conservation or maintenance of the place; or [22.02]
- support the viability of the existing use of the place or will facilitate a new use that is compatible with the on-going conservation of the building. [22.02]

Development

Encourage the removal of non-significant alterations or additions, particularly where this would assist in revealing the significance of the place. [22.02]

Support development, including alterations or additions to existing heritage places, that: [22.02]

- creatively interprets and responds positively to the historic context provided by the heritage place. [22.02]
- is visually recessive and compatible in terms of its scale, siting, design, form and materials with the historic character and significance of the heritage place (including any associated building, trees or other significant elements). [22.02]

- does not distort the historic evidence provided by heritage places by simply copying or reproducing historic styles or detailing. [22.02]
- responds positively to significant features such as views, vistas, mature vegetation and landmarks. [22.02]
- includes landscaping that will enhance the historic landscape character of a heritage place. [22.02]

Subdivision

Support subdivision that: [22.02]

- is compatible with the historic subdivision pattern found in an area. [22.02]
- maintains significant fabric associated with a heritage place on a single lot. [22.02]

Signs

Support advertising signs in traditional forms and locations on buildings. [22.02 split]

Limit the number of advertising signs on heritage places. [22.02 split]

Vegetation

Support the maintenance and management of significant trees in a manner that ensures that they will survive in good condition according to their normally expected lifespan. [22.02]

Design development adjacent to a significant tree so that it will not have a detrimental impact upon the integrity and condition of the tree. [22.02]

Encourage strategic replanting programs of significant trees using the same species. [22.02]

Policy guidelines

Consider as relevant:

Whether buildings or works will assist in the conservation of a heritage place by: [22.02]

maintaining, protecting, restoring, repairing or stabilising significant fabric. [22.02]

supporting the continued original use of the building by enabling it to be upgraded to meet current requirements and standards, including improved energy efficiency. [22.02]

implementing works in accordance with an approved Conservation Management Plan. [22.02 modified SP]

allowing an alternative use when the original use of the building is no longer viable, or if a Conservation Management Plan suggests that it will allow for the conservation of the building. [22.02 modified SP]

15.03-1L Chaffey Avenue and environs

Policy application

This policy applies to the Chaffey Avenue and Environs Area (HO307) [21.10-1]

Objective

To protect important elements of the Chaffey heritage. [21.07-3]

Strategies

Protect the character of the precinct as a former prestigious residential area established during the Victorian and Edwardian periods. [21.10-1]

Conserve and protect the cultural significance of "Rio Vista" and other evidence of the Chaffey Brothers' occupation. [21.10-1]

Conserve and protect the culturally significant houses formerly occupied by other families noteworthy in Mildura's history including the Conway, Gordon, Kilburn, Bowring and Shilliday families. [21.10-1]

Conserve and enhance all buildings and works including fences, built up to 1920. [21.10-1]

Conserve and protect the integrity of the Lock 11 installation and natural environment. [21.10-1]

Protect early plantings within this area. [21.10-1]

15.03-1L Deakin Avenue

Policy application

This policy applies to the Deakin Avenue area (HO308) [21.10-1]

Strategies

Conserve and enhance the visual prominence of the following features: [21.10-1]

- the churches and related buildings within the area; [21.10-1]
- the individually scheduled corner buildings within the area; and [21.10-1]
- the public buildings in the Chaffey Plan for the Mildura Irrigation Colony. [21.10-1]

Protect and preserve the original plantings within the landscaped plantations in Deakin Avenue. [21.10-1]

Retain nineteenth century building activity especially the red brick architecture which is typical of this period. [21.10-1]

Preserve the architecture of the 1920's by retaining all scheduled buildings and works representative of this period. [21.10-1]

15.03-1L Lemon Avenue

Policy application

This policy applies to the Lemon Avenue area (HO309) [21.10-1]

Strategies

Protect the precinct as a former working class residential area established during the Victorian and Edwardian periods. [21.10-1]

Conserve and enhance all buildings and works, including fences built up to 1920. [21.10-1]

Policy documents

Consider as relevant:

- *Mildura Conservation Study* (Andrew Ward, 1988) [21.07-3]
- *Mildura (former Shire of Walpeup) Heritage Study Stage 2* (Context, 2013). [21.07-3]

16.01-3L Housing diversity in Mildura

--/--/---
C---

Strategies

Encourage smaller dwellings, including apartments, to provide an affordable entry point for first home buyers. [21.04-3]

Support retirement living and aged care development with convenient access to services and facilities and integrated with their surrounds. [21.04-3 merged]

Encourage residential growth in the Mildura CBD, riverfront and Mildura Marina. [21.04-3]

Encourage buildings to be designed to accommodate different groups within the Mildura community, including larger dwellings for culturally and linguistically diverse and indigenous family groups, and accessible housing for the elderly or mobility impaired. [21.07-4]

16.01-3L Worker and budget accommodation

--/--/---
C---

Policy application

This policy applies to use or development of land for: [22.01]

- Group Accommodation [22.01]
- Residential Building [22.01]
- Rooming house [22.01]
- Residential Hotel [22.01]
- Motel [22.01]
- Bed and Breakfast [22.01]

Objective

To provide accommodation for seasonal workers and visitors. [22.01]

Strategies

Encourage accommodation to locate in the commercial areas of the Mildura central business district (other than Deakin Avenue), Merbein town centre, Red Cliffs town centre, Irymple town centre and Ouyen town centre. [22.01]

Encourage accommodation in the Commercial 1 Zone and the Mixed-Use Zone (other than Deakin Avenue). [22.01]

Discourage accommodation on Deakin Avenue. [C95]

Discourage accommodation in the General Residential Zone unless: [22.01]

the site has frontage to a road in a Road Zone, Category 1. [22.01]

the site is abutted by non-residential uses. [22.01]

the site already accommodates an existing non-residential use. [22.01]

the site is already used for another form of accommodation (other than dwelling or bed and breakfast) such as a motel, hotel, residential building, caravan park or group accommodation. [22.01]

Policy guidelines

Consider as relevant whether:

accommodating no more than ten persons on the site at any one time. [22.01]

whether there is an on-site manager at all times. [22.01]

minimising noise nuisance or annoyance from the premises to adjacent residents. [22.01]

restricting recorded music from being played outside the building. [22.01]

. providing car parking at a rate of one space for the manager, one space for every ten beds and one space for a mini bus. [22.01]

16.01-5L Rural residential locations

--/--/---
C---

Strategies

Develop low density residential estates that do not compromise long term agricultural production or future urban growth: [21.04-5]

- on the periphery of the Main Urban Area

- in the Rural Conservation Zone north of Flora Avenue Mildura where the land is not affected by flooding. [21.04-5]
- in Cardross on land to the south of the township that is not affected by flooding. [21.04-5]
- at Kings Billabong where low density residential development is consistent with the environmental and infrastructure constraints of the area. [21.04-5]

Develop low density estates that support the locally distinct character in Koorlong, Cabarita and Nichols Point of large bush lots. [21.03-1]

Support low density development to the north and east of McEdward Street, Cabarita. [21.04-5]

Support low density housing at Cullulleraine. [21.04-5]

Discourage the development of small lots for rural residential development within irrigated areas except as permitted by the *Mildura Older Irrigation Area Incorporated Document* (May 2020). [21.04-5 and C110]

16.01-5L Woorlong wetlands rural residential development

--/--/---
C---

Policy application

This policy applies to land in the Rural Conservation Zone west of Woorlong Avenue, Red Cliffs.

Strategies

Develop the Woorlong Wetlands Rural Conservation Zone environmental living area consistent with its environmental assets and the water quality of the wetlands. [21.04-5 and RCZ]

Policy guidelines

Consider as relevant:

When deciding on an application for a dwelling or subdivision: [21.04-5]

identifying a building envelope of more than 3000 square metres for each lot that is sited so as not to compromise views to Kings Billabong for each lot. [21.04-5]

setting buildings back 20 metres from a road, 10 metres from any other boundary and 50 metres from any land within the Public Conservation and Resource Zone. [21.04-5]

17.03-1L Mildura Rural City industrial land supply

--/--/---
C---

Strategies

Encourage the extension of the Mildura Industrial Estate along Benetook Avenue between Fourteenth and Fifteenth Streets in the short term; and then between Fifteenth and Sixteenth Streets in the longer term. [21.10-1]

Encourage infill industrial development in the Industrial 1 Zone on Benetook Avenue. [21.10-1]

Focus industrial use or development that services the wine and horticultural industries into industrial precincts in Mildura, Irymple, Red Cliffs and Kulkyne Way. [21.08-4]

17.03-1L Thurla industrial land supply

--/--/---
C---

Policy application

This policy applies to all land within the Thurla Structure Plan to this Clause.

Strategies

Direct industrial use or development to Thurla and Kulkyne Way that require significant land holdings or buffer distances to sensitive land uses. [21.08-4]

Promote industrial activities at Thurla requiring large landholdings and significant buffer distances. [Framework Plan]

Discourage development of sensitive land uses that may compromise future industrial activities at Thurla. [Framework Plan]

Attach Thurla Framework Plan

17.04-1L Facilitating tourism in Mildura

--/--/---
C---

Strategies

Support the use and development of tourism enterprises throughout the municipality. [21.08-2]

Facilitate the development of the Mildura Marina. [21.08-2]

Encourage a caravan park in the Nangiloc/Colignan area to support tourism as well as provide accommodation for seasonal workers. [21.04-1]

18.01-2L Transport in Mildura

--/--/---
C---

Strategies

Discourage residential development along the proposed Benetook Avenue bypass. [21.10-1 Split]

Avoid ribbon development along main highways that may prejudice the function of the highways. [21.09-1]

Provide service roads that serve development along major roads. [21.09-1]

Allocate space within new road reserves for infrastructure provision. [22.03]

18.02-1L Sustainable personal transport in Mildura

--/--/---
C---

Strategies

Encourage development that provides a physical separation of bicycle lanes from vehicular movement including through road surface treatments. [22.03]

Avoid conflict between bicycle lanes and vehicle access or car parking. [22.03]

18.02-4L Car parking

--/--/---
C---

Strategies

Encourage vehicle access points associated with residential development to be via a single crossover or, if appropriate, from an existing crossover.

Discourage multiple crossovers that result in a loss of on-street car parking or compromise street tree planting. [22.03]

Locate new crossovers adjoining existing crossovers to maximise verge space for planting. [22.03]

Use alternate vehicle access arrangements such as rear lanes for properties facing key pedestrian routes. [22.03]

18.04-1L Planning for Mildura airport and environs

Policy application

This policy applies to land in the Mildura Airport Special Use Precinct, the Special Use Zone (SUZ7) and Design and Development Overlays (DDO6, DDO7 and DDO8).

Strategies

Encourage the Mildura Airport Special Use Precinct to operate as an efficient transport interchange catering for increased air traffic. [21.09-2]

Discourage development that is inconsistent with the *Mildura Airport Master Plan 2017*, particularly in relation to noise and height restrictions. [21.07-1]

Support the development of a technology/business park at the Mildura Airport Special Use Precinct. [21.09-2]

Encourage land use and development that is compatible with the function and operation of the Mildura Airport Special Use Precinct. [21.09-2]

Minimise impacts on the operations of the Mildura Airport Special Use Precinct by inappropriate use, development or subdivision within or around the airport site. [21.09-2]

Policy document

Consider as relevant:

- *Mildura Airport Master Plan* (Aracadis Design and Consulting, 2017)

19.02-6L Open Space

--/--/---
C---

Strategies

Develop a landscaped link between Red Cliffs and Irymple to promote safe, active transport connections. [21.10-5]

Create green linkages or urban vegetation corridors through growth areas. [22.03]

Provide generous areas of public open space within new growth areas. [22.03]

Support development of linear open spaces throughout urban areas including: [22.03]

'Greenways' – providing active transport corridor connections to key destinations with provision of landscaping, furniture and places to 'pause' [22.03]

'Blueways' – using historic irrigation channels to create features through new urban areas that assist in cooling the area. [22.03]

Minimise hard surfaces in public open spaces. [22.03]

Plan open spaces in growth areas to include an allowance for 'unplanned' spaces, to allow communities to be involved in the development of these spaces. [22.03]

19.03-2L Infrastructure design and provision

--/--/---
C---

Strategies

Encourage the staged delivery of infrastructure where this does not compromise long term planning or equitable contributions to infrastructure costs. [21.09-1]

Provide drainage and other infrastructure on at least two (or ideally three) development fronts within the Main Urban Area (Mildura, Irymple and Nichols Point). [21.09-1]

Co-ordinate the staging of urban land release with Council's infrastructure program. [21.04-2]

Require residential development to be serviced by Council's infrastructure in preference to on-site infrastructure provision. [21.09-1]

Locate and maintain infrastructure services that minimise detrimental impacts to environmental and cultural heritage values. [21.09-1]

Support infrastructure servicing along Benetook Avenue between Fourteenth and Fifteenth streets by sequencing development commencing at the lowest point. [21.10-1]

Protect water and drainage infrastructure servicing farming communities from unplanned urban encroachment. [21.09-1]

Policy documents

Consider as relevant:

Sunraysia Drainage Strategy (SKM Consultants, 2002)

*Water Sensitive Urban Design Guidelines (*Parsons Brinkehoff ,2005)

19.03-3L Integrated water management

Strategies

Encourage the application of water sensitive urban design principles in precinct structure planning, subdivision and development. [21.09-1]

Support water sensitive urban design including stormwater harvesting and flow attenuation, and water recycling and reuse. [22.03]

Support innovative responses in development such as green roofs or moveable gardens. [22.03]

Treat stormwater prior to outfall in accordance with water sensitive urban design principles. [21.05-1]

Encourage the provision of water tanks in development. [22.03]

24/06/2010
C44

SCHEDULE TO CLAUSE 66.06

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
Clause 3.0 of Schedule 3 to Clause 42.01 (ESO)	All applications.	Owners and occupiers of the industrial site which is to be buffered
Clause 3.0 of Schedule 4 to the Clause 42.01 (ESO)	All applications.	Owners and occupiers of the industrial site which is to be buffered
Clause 12.05-1L	All applications on land that abuts the Public Conservation and Resource Zone (PCRZ).	Owners and occupiers of adjacent land. The authority that has management responsibility of adjacent land. [21.05-4] DELWP
Clause 19.03-2L	An application in a non-urban zone for the subdivision of land (including 2 lot subdivisions); realignment of boundaries; new irrigation development; water storage; channel construction. An application in a non-urban zone for buildings or works within 10 metres of Lower Murray Water infrastructure. [21.09-1]	Lower Murray Water [21.09-1] · Subject to a water supply licence or water supply agreement issued by the Authority[21.09-1] unless a condition is placed on any permit which has the following effect: [21.09-1] *That the holder of this permit or authorised agent must consult with and is responsible for meeting the requirements, conditions and terms of the Authority in regard to services provided by the Authority, including any cost associated with providing such services.* [21.09-1]

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

--/--/20--
Proposed
CXX

Budget Accommodation (Mildura Rural City Council 2000) [21.08-2]	C104mild Clause 02.03-6, 16.01-3
Car Parking Policy in the CBD Area (Mildura Rural City Council 2005) [21.09-1]	C104mild Clause 02.03-8, 18.02-4
Deakin Avenue Landscape Master Plan (Context Landscape Design 2006) [21.07-2]	C104mild Clause 02.03-6, 11.03-1
East of the Grange Development Plan (Connell Wagner 2002) [21.10-1]	C104mild Clause 02.03-6, 11.01-1
Etiwanda Residential Development Plan (Mildura Rural City Council 2006) [21.10-1]	C104mild Clause 02.03-6, 11.01-1
Fairways Mildura Design Guidelines (Mildura Golf Developments Pty. Ltd. 2012) [21.10-1]	C104mild Clause 02.03-6, 11.01-1
Fifteenth & Deakin Structure Plan (Planisphere 2012) [21.10-2]	C104mild Clause 02.03-6, 11.01-1, 11.03-1
Industrial Land Strategy Update (OPA 2006) [21.08-4]	C104mild Clause 02.03-7, 17.03-1
Irymple Structure Plan (David Lock and Associates 2012) [21.10-1]	C104mild Clause 02.03-1, 11.01-1, 11.03-1
Irymple Residential Development Plan (David Lock and Associates 2007) [21.10-1]	C104mild Clause 02.03-1, 11.01-1
Lake Cullulleraine Structure Plan (Maunsell Australia Pty. Ltd. 2006) [21.04-5]	C104mild Clause 02.01, 11.01-1
Land Capabilities and Irrigation Infrastructure Assessment (SunRISE 21 1997) [21.06-1]	C104mild Clause 02.03-4, 02.03-9, 19.03-2,19.03-3
Mildura South (Sixteenth Street and Deakin West) Development Plan (Author 2014) [21.04-2]	C104mild Clause 02.03-1, 11.01-1

--/--/20—
Proposed
CXX

Mildura Housing and Settlement Strategy (Hansen Partnership, 2013) [21.04-2]	C104mild Clause 02.03-1, 11.01-1
Mallee Native Vegetation Plan (Mallee CMA 2008) [21.05-2]	C104mild Clause 02.03-2, 12.01-1, 12.03-1
Murrayville Groundwater Supply Protection Area Consultative Committee Management Plan (MRCC 2001) [21.06-1]	C104mild Clause 02.03-2, 12.01-1, 12.03-1, 12.05-1
Mildura Planning Taskforce Final Report (DPCD 2009) [21.06-1]	C104mild Clause 02.03-4, 11.01-1, 11.03-2, 14.01-1
Mildura Airport Master Plan (Arcadis 2017) [21.07-1]	C104mild Clause 02.03-8, 18.04-1
Mildura Conservation Study (Andrew Ward and Associates 1988) [21.07-3]	C104mild Clause 02.03-5, 15.03-1
Mallee Area Review - Study of Historic Sites (Andrew Ward and Associates 1986) [21.07-3]	C104mild Clause 02.03-5, 15.03-1
Mildura (former Shire of Walpeup) Heritage Study Stage 2 (Context 2013) [21.07-3]	C104mild Clause 02.03-5, 15.03-1
Mildura Economic Profile (Mildura Development Corporation 2009) [21.08-1]	C104mild Clause 02.03-7, 17
Mildura Retail Strategy (Essential Economics 2018) [21.08-3]	C104mild Clause 02.03-7, 11.03-1, 17
Mildura Industrial Land Use Strategy (Maunsell Australia Pty. Ltd. And Doug March and Associates 2003) [21.08-4]	C104mild Clause 02.03-7, 17.03-1
Management Plan for the Improvement of Urban Stormwater Quality (Mildura Rural City Council 2001) [21.09-1]	C104mild Clause 02.03-9, 19.03-3
Mildura Stormwater Quality Improvement Plan (Mildura Rural City Council 2008)[21.09-1]	C104mild Clause 02.03-9, 19.03-3
Mildura Strategic Bicycle Plan (Mildura Rural City Council 2003) [21.09-1]	C104mild Clause 02.03-8, 18.02-1

--/--/20—
Proposed
CXX

Mildura Transport Plan for Long Term Regional Development (GHD 2005)[21.09-1]	C104mild Clause 02.03-9, 18.01-2, 18.02-1
Mildura Riverfront Central Precincts Master Plan (Suters Architects Pty. Ltd. 2010) [21.10-1]	C104mild Clause 02.03-1, 11.01-1, 11.03-1
Mildura Marina Resort Development Plan (MRCC 2009) [21.10-1]	C104mild Clause 02.03-1, 11.01-1, 11.03-1
Mildura CDB Plan (Planisphere 2007) [21.10-1]	C104mild Clause 02.03-1, 02.03-7, 11.03-1
Mildura South Recreation Assessment (Hansen Partnership 2013) [21.10-1]	C104mild Clause 02.03-9, 19.02-6
Mildura South Residential Development Plan (Connell Wagner 2002) [21.10-1]	C104mild Clause 02.03-1, 11.01-1
Mildura Riverfront Master Plan (Darryl Jackson Pty. Ltd and KLM Gerner Consulting Group 2005) [21.10-1]	C104mild Clause 02.03-1, 11.01-1
Mildura-Irymple Urban Transition Area – Urban Design Guidelines (Hansen Partnership 2008) [21.10-2]	C104mild Clause 02.03-1, 11.01-1, 11.03-1
Nichols Point Residential Development Plan, (David Locke and Associates 2007) [21.10-1]	C104mild Clause 02.03-1, 11.01-1
Ontario-Flora Land Use Vision and Urban Design Framework (Author 2010) [21.10-1]	C104mild Clause 02.03-1, 11.01-1
Public Open Space Strategy (Mildura Rural City Council 2004) [21.09-1]	C104mild Clause 02.03-9, 19.02-6
Red Cliffs Residential Development Plan (Hansen Partnership 2009) [21.10-5	C104mild Clause 02.03-1, 11.01-1
Review of Planning Controls for the Mildura Older Irrigated Areas (Mildura Rural City Council, 2014) [21.06-1]	C104mild Clause 02.03-4, 11.01-1, 11.03-2, 14.01-1
Risk Assessment – Residual Effects of Spraying on Soil in Horticultural Areas Identified for Future Residential Use (AECOM, 2018)	C104mild Clause 02.03-1, 02.03-4, 11.01-1, 11.03-2, 14.01-1

--/--/20—
Proposed
CXX

Riverside Residential Development Plan (David Locke and Associates 2007) [21.10-1]	C104mild Clause 02.03-1, 11.01-1
Roadside Management Plan (Mildura Rural City Council 2010) [21.05-4]	C104mild Clause 02.03-2, 12.01-1, 12.03-1
Significant Tree Register ((Mildura Rural City Council 1998) [21.07-3]	C104mild Clause 02.03-5, 15.03-1
Site Salinity Management Guidelines (SKM 2009) [21.05-1]	C104mild Clause 02.03-3, 11.01-1, 13.07-1
Siting & Design Guidelines for Water Diversion Works on or across Crown Land (DNRE 2002) [21.05-4]	C104mild Clause 02.03-2, 11.01-1, 12.01-1, 12.03-1
Siting Principles – Housing Development in the Mildura South and Mildura East Future Growth Areas (Mildura Rural City Council 2017) [New]	C104mild Clause 02.03-1, 02.03-4, 11.01-1, 14.01-1
Sunraysia Drainage Strategy (SKM 2002) [21.09-1]	C104mild Clause 02.03-2, 19.03-3
Ouyen Structure Plan (Maunsell Australia Pty. Ltd. 2006) [21.10-6]	C104mild Clause 02.03-1, 11.01-1
Vision for the Mildura-Irymple Interface, Mildura-Irymple Interface Study (Author 2006) [21.10-2]	C104mild Clause 02.03-1, 11.01-1, 11.03-1

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

--/--/20--
C--

1.0 Application of zones, overlays and provisions

--/--/20--
C--

This planning scheme applies the following zones, overlay and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clause 11 to 19:

- Low Density Residential Zone to specifying a minimum lot size of 0.4ha in these low density residential areas. [21.10-3]
- Neighbourhood Residential Zone to Nichols Point. [21.10-1]
- Commercial 1 Zone to:
  - The Mildura CBD
  - Land on and adjacent to the Mildura Centre Plaza
  - Fifteenth Street between Deakin Avenue and San Mateo Avenue.
  - Smaller commercial centres. [21.08-3]
  - Land on the south east corner of Deakin Avenue and Tenth Street. [21.08-3]
- Rural Living Zone to accommodate rural residential development where this will not compromise long term agricultural production. [21.06-1]
- Rural Conservation Zone to the Woorlong wetlands and land north of Flora Avenue in Mildura adjoining the Murray River. [21.04-5]
- Farming Zone to irrigated and dryland agricultural areas. [21.06-1]
- Public Park and Recreation Zone to land on the north side of Fifteenth Street between Benetook Avenue and Cowra Avenue. [21.05-4]
- Environmental Significance Overlay:
  - Schedule 1 (ESO1) - along the Murray River Floodplain Corridor. [21.05-4]
  - Schedule 4 (ESO4) - around nominated industrial sites to separate incompatible land uses. [21.05-4]
- Heritage Overlay to sites, places and buildings of historic or cultural importance. [21.07-3]
- Design and Development Overlay:
  - (Schedule 1) to land either side of Deakin Avenue. [21.07-2]
  - (Schedule 3) to land along Deakin Avenue within the Mildura CBD. [21.07-2]
- Development Plan Overlay to:
  - Undeveloped land zoned for residential purposes. [21.04-2]
  - Land in Koorlong and Cabarita. [21.04-5]
  - Parts of the growth areas as these are rezoned for residential purposes. [21.04-2]
  - New development areas. [21.07-4]
  - New areas of low density residential development north of Seventeenth Street. [21.10-3]
- Salinity Management Overlay (SMO) to undeveloped land zoned General Residential Zone, Low Density Residential Zone and Public Park and Recreation Zone. [21.05-4]
- Public Acquisition Overlay:
  - Schedule 1 (PAO1) to include additional properties on Benetook Avenue to be acquired by VicRoads for road widening. [21.09-1]

- Schedule 2 (PAO2) to include properties in the greenbelt corridor between Fourteenth Street and Fifteenth Street to be acquired by Mildura Rural City Council for linear open space. [21.09-1]
- Schedule 3 (PAO3) to include properties on Fifteenth Street to be acquired by Grampians Wimmera Mallee Water for a waste water treatment facility. [21.09-1]

- Environmental Audit Overlay (EAO) to land on the corner of Woorlong and Woomera Avenues Cliffside. [21.05-4]
- Development Contributions Plans Overlay to future residential areas in Mildura and Mildura South and to the Low Density Residential zone at Lake Hawthorn adjacent to the rail line. [21.09-1] (Schedules 1, 2 and 3).
- Parking Overlay Schedule 1 (PO1) to land in the Mildura central business district [21.09-1]

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

--/--/20--
Proposed
CXX

1.0 Further strategic work

- Investigate locations for the control of Cumbungi at Lake Cullulleraine. (PSR Rec 06)
- Review planning permit applications since 2015 for native vegetation removal. (PSR Rec 08)
- Review 'Budget Accommodation' policy to provide guidance for seasonal worker accommodation including group accommodation and camping/caravan parks. (PSR Rec 10)
- Develop a Renewable Energy Strategy. (PSR Rec 11)
- Develop an Urban Forest Strategy (or Landscape Character Study) to apply vegetation protection controls to increase tree canopy and avoid urban heat island impacts. (PSR Rec 13)
- Review the Mildura Economic Profile 2009. (PSR Rec 23)
- Review the Mildura Industrial Land Use Strategy 2006 and the Fifteenth Street Structure Plan. (PSR Rec 24 and 34)
- Review the Irymple Town Structure Plan 2012 including industrial expansion to the south. (PSR Rec 28 and Framework Plan)
- Prepare a Drainage Strategy and Framework Plan for the Mildura East Growth Area. (PSR Rec 36)
- Prepare Urban Design Guidelines for Langtree Mall. (PSR Rec 42)
- Investigate options to apply the ESO to protect important industries. (PSR Rec 43)
- Review the zoning of Hattah township. (PSR Rec 44)
- Investigate opportunities for limestone extraction. (PSR Rec 45)
- Undertake a Horticultural Sustainability Development Strategy. (PSR Rec 53)
- Investigate freight gate opportunities at Thurla. [Framework Plan]

SCHEDULE 1 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

17/11/2016
C89

Shown on the planning scheme map as **LDRZ1.**

1.0 Subdivision requirements

--/--/20--
C--

	Land	Area (hectares)
Minimum subdivision area (hectares)	None specified	

Commented [BB(1]: Keep it, as it is specified in MD as black text.

Commented [DG2R1]: Kept '(hectares)' to conform with MD

2.0 Outbuilding permit requirements

--/--/20--
C--

Dimensions above which a permit is required to construct an outbuilding (square metres)
150 sqm

SCHEDULE 2 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

17/11/2016
C89

Shown on the planning scheme map as **LDRZ2**.

1.0 Subdivision requirements

--/--/20--
C--

	Land	Area (hectares)
Minimum subdivision area (hectares)	Cabarita	0.4 ha
	Irymple	0.4 ha
	Birdwoodton	0.4 ha
	Mildura (Lake Hawthorn)	0.4 ha
	Mildura (Flora Avenue)	0.4 ha

2.0 Outbuilding permit requirements

--/--/20--
C--

Dimensions above which a permit is required to construct an outbuilding (square metres)
150 sqm

SCHEDULE 1 TO CLAUSE 32.04 MIXED USE ZONE

15/07/2013
VC100

Shown on the planning scheme map as **MUZ1**.

PRECINCT G - MILDURA CBD

1.0 Objectives

15/07/2013
VC100

To provide a service role.
To increase the number of residents living and working in the CBD.
To support residential development at upper levels.
To support commercial and offices at ground level.
To avoid clustering of like uses in the precinct. (PSRP pg 22)

2.0 Clause 54 and Clause 55 requirements

15/07/2013
VC100

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement

15/07/2013
VC100

None specified.

4.0 Exemption from notice and review

15/07/2013
VC100

None specified.

Commented [BB(3]: MD specifies a maximum of 5 objectives.

Commented [DG4R3]: Deleted 'To reflect the growth area of the CBD.'

Commented [BB(5]: Two standards could be splitted into 2 rows as specified in MD table format?

Commented [BB(6]: Two standards could be splitted into 2 rows as specified in MD table format?

Commented [DG7R6]: Done

5.0 Application requirements

15/07/2013 VC100

None specified.

6.0 Decision guidelines

15/07/2013 VC100

None specified.

7.0 Signs

--/--/20— C--

None specified.

15/07/2013 VC100

SCHEDULE 2 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ2**.

IRYMPLE SOUTH

1.0 Objectives

15/07/2013 VC100

To encourage housing diversity and choice, including affordable housing providing for smaller households and older residents to 'age in place'.

To support higher density residential at upper levels.

To support community, leisure and recreational uses.

To support small scale retail premises and offices.

To encourage connectivity to the existing Henshilwood Recreation Reserve. (PSRP pg 22)

2.0 Clause 54 and Clause 55 requirements

15/07/2013 VC100

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement

15/07/2013 VC100

None specified.

4.0 Exemption from notice and review

15/07/2013 VC100

None specified.

Commented [BB(8]: MD specifies a maximum of 5 objectives.

Commented [BB(9]: The two standards could be splitted into two rows as specified in MD?

Commented [DG10R9]: Done

5.0 Application requirements

15/07/2013 VC100

None specified.

6.0 Decision guidelines

15/07/2013 VC100

None specified.

7.0 Signs

--/--/20— C--

None specified.

SCHEDULE 3 TO CLAUSE 32.04 MIXED USE ZONE

15/07/2013
VC100

Shown on the planning scheme map as **MUZ3.**

IRYMPLE NORTH

1.0 Objectives

15/07/2013
VC100

To encourage housing diversity and choice, including affordable housing.
To provide for smaller households and older residents to 'age in place'.
To support higher density residential at upper levels.
To support small scale retail and offices at ground level.
To encourage connectivity to the existing supermarket. (PSRP pg 22)

2.0 Clause 54 and Clause 55 requirements

15/07/2013
VC100

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

Commented [BB(11]: MD format splits this into two rows.

Commented [DG12R11]: Done

3.0 Maximum building height requirement

15/07/2013
VC100

None specified.

4.0 Exemption from notice and review

15/07/2013
VC100

None specified.

5.0 Application requirements

15/07/2013 VC100

None specified.

6.0 Decision guidelines

15/07/2013 VC100

None specified.

7.0 Signs

--/--/20— C--

None specified.

SCHEDULE 4 TO CLAUSE 32.04 MIXED USE ZONE

15/07/2013
VC100

Shown on the planning scheme map as **MUZ4.**

NICHOLS POINT

1.0 Objectives

15/07/2013
VC100

To provide for a local convenience centre for the residnts of Nichols Point.
To support community uses.
To support small scale retailing. (PSRP pg 22)

2.0 Clause 54 and Clause 55 requirements

15/07/2013
VC100

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

Commented [BB(13]: MD format splits this into two rows.
Commented [DG14R13]: Done

3.0 Maximum building height requirement

15/07/2013
VC100

None specified.

4.0 Exemption from notice and review

15/07/2013
VC100

None specified.

5.0 Application requirements

15/07/2013
VC100

None specified.

6.0 Decision guidelines

15/07/2013
VC100

None specified.

7.0 Signs

--/--/20--
C--

None specified.

SCHEDULE 1 TO CLAUSE 32.05 TOWNSHIP ZONE

15/07/2013 VC100

Shown on the planning scheme map as TZ1.

TOWNSHIPS

1.0 Neighbourhood character objectives

--/--/20-- C--

None specified.

2.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

--/--/20-- C--

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No
Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

3.0 Clause 54 and Clause 55 requirements

15/07/2013 VC100

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

4.0 Maximum building height requirement for a dwelling or residential building

15/07/2013 VC100

None specified.

5.0 Application requirements

15/07/2013 VC100

None specified.

Commented [BB(15]: Schedule # missing

Commented [DG16R15]: Added 1' to title

Commented [BB(17]: Map code # missing.

Commented [DG18R17]: Added 1 to read 'TZ1'

6.0 Decision guidelines

15/07/2013
VC100

None specified.

17/11/2016 C89

SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ1**.

NICHOLS POINT

1.0 Neighbourhood character objectives

--/--/20-- C--

Maintain larger lots with generous landscaping to maintain a diversity of settlement areas within the main urban area.

Encourage active transport connections through to the Mildura CBD.

Provide an appropriate standard of drainage and sewerage management in accordance with an approved development plan.

2.0 Minimum subdivision area

17/11/2016 C89

The minimum lot size for subdivision is 1800 square metres.

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

17/11/2016 C89

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot	None specified

4.0 Requirements of Clause 54 and Clause 55

17/11/2016 C89

	Standard	Requirement
Minimum street setback	A3 and B6	10m
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	A minimum of 2 canopy trees to be provided per dwelling
Side and rear setbacks	A10 and B17	None specified

	Standard	Requirement
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	0.5m

5.0 Maximum building height requirement for a dwelling or residential building

17/11/2016 C89

None specified.

17/11/2016 C89 Application requirements

None specified.

7.0 Decision guidelines

17/11/2016 C89

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal is consistent with the requirements of Schedule 6 to the Development Plan Overlay (DPO6 - Nichols Point Neighbourhood Residential Area).
- Whether the proposal is consistent with neighbourhood character.

15/07/2013
VC100

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

1.0 Maximum leasable floor area requirements

--/--/20--
C--

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

15/07/2013
VC100

1.0 Maximum leasable floor area requirements

--/--/20--
C--

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

05/09/2013
VC103

Shown on the planning scheme map as **RCZ1**.

CONSERVATION VALUES

Environmental assets and water quality of the Woorlong Wetlands.

1.0 Subdivision and other requirements

--/--/20--
C--

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	1 ha with a maximum of 3 ha and an average of 1.5 ha
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	100 sqm
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	100 sqm
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	150 sqm

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

05/09/2013
VC103

Shown on the planning scheme map as **RCZ2**.

CONSERVATION VALUES

The Rural Conservation Zone has been applied to isolated pockets of privately owned land in Pine Plains Road, Patchewollock within the Wyperfield National Park.

The conservation values sought are to ensure that the use and/or development of the land is compatible with the environmental significance of the surrounding Wyperfield National Park, and that the scale and appearance of any development is complementary to its surrounds.

For this reason, any new development should be restricted to the two contiguous parcels comprising Lot 1 and part of Lot 2, Plan of Subdivision 513709R.

1.0 Subdivision and other requirements

--/--/20--
C--

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	100 ha
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	100 sqm
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	100 sqm
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	150 sqm

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

17/11/2016
C89

Shown on the planning scheme map as **RCZ3.**

CONSERVATION VALUES

Applied to land near Johnsons Bend close to the Murray River (between Flora Avenue and Regina Avenue) which serves as a buffer between urban areas and the river.

1.0 Subdivision and other requirements

--/--/20--
C--

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	4 ha
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	None specified
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	150 sqm

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE TO CLAUSE 35.07 FARMING ZONE

17/11/2016
C89

Shown on the planning scheme map as **FZ.**

1.0 Subdivision and other requirements

--/--/20--
C--

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares) *Note: SCO1 and the Mildura Older Irrigation Area Incorporated Document, August 2016 (or as amended) may apply.*	All land which is within a gazetted irrigation district or where a water use licence has been issued and applied to land for horticultural production purposes.	40 ha
	All other land	100 ha
Minimum area for which no permit is required to use land for a dwelling (hectares) *Note: SCO1 and thhe Mildura Older Irrigation Area Incorporated Document, August 2016 (or as amended) may apply.*	All land which is within a gazetted irrigation district or where a water use licence has been issued and applied to land for horticultural production purposes.	20 ha
	All other land	100 ha
Maximum area for which no permit is required to use land for timber production (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	100 sqm
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	100 sqm
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	A Road Zone, Category 1 or land in a Public Acquisition Overlay to be acquired for a road in a Road Zone, Category 1.	100m
	Any other road within a gazetted irrigation district	20m

	Land	Area/Dimensions/Distance
	or a road in relation to land where a water use licence has been issued and applied to land for horticultural production purposes.	
	Any other road	50m
Minimum setback from a boundary (metres)	All land which is within a gazetted irrigation district or a road in relation to land where a water use licence has been issued and applied to land for horticultural production purposes.	5m
	All other land	50m
Minimum setback from a dwelling not in the same ownership (metres)	All land which is within a gazetted irrigation district or on land where a water use licence has been issued and applied to land for horticultural production purposes.	50m
	All other land	50m

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

SCHEDULE 1 TO CLAUSE 35.08 RURAL ACTIVITY ZONE

17/11/2016
C89

Shown on the planning scheme map as **RAZ1.**

Purpose

To provide flexible non-residential use of the land.

1.0 Subdivision and other requirements

--/--/20--
C--

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	1 ha
Minimum area for which no permit is required to use land for timber production (hectares)	All land	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	None specified
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	None specified
Minimum setback from a road (metres)	A Road Zone, Category 1 or land in a Public Acquisition Overlay to be acquired for a road in a Road Zone, Category 1	None specified
	Any other road	20m
Minimum setback from a boundary (metres)	All land	5m
Minimum setback from a dwelling not in the same ownership (metres)	All land	10m

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

Commented [BB(19]: Insert purpose if possible.
Commented [DG20R19]: Done

Commented [BB(21]: This one should put to the front, second column?
Commented [DG22R21]: Done

07/08/2014
C88

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0 Permit exemptions and conditions

--/--/20--
C--

Public land	Use or development	Conditions
Mildura and Yelta Railway	66kV electricity transmission line associated with the Bioenergy Power Plant, Carwarp.	Must be generally in accordance with the incorporated document titled "Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014".

2.0 Sign requirements

--/--/20--
C--

Land	Sign Category
None specified	None specified

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0 Permit exemptions and conditions

--/--/20--
C--

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

--/--/20--
C--

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

--/--/20--
C--

None specified.

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

30/08/2007 C43

1.0 Permit exemptions and conditions

--/--/20-- C--

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

--/--/20-- C--

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

--/--/20-- C--

None specified.

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

19/01/2006
VC37

Shown on the planning scheme map as **SUZ1.**

PRIVATE EDUCATION AND RELIGIOUS ESTABLISHMENTS

Purpose

To provide for the use of land for the purpose of private education and religious establishments.

To ensure that the use and development of these facilities takes place in an orderly and proper manner and does not cause a loss of amenity to the surrounding neighbourhood.

1.0 Table of uses

19/01/2006
VC37

Section 1 - Permit not required

Use	Condition
Caretaker's house	
Education centre	The land must be used in accordance with a Master Plan to the satisfaction of the Responsible Authority
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08
Search for stone	Must not be costeaning or bulk sampling
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation (other than a Caretaker's house).	Must only be used for accommodation of staff or students
Exhibition centre	
Function centre	
Hall	
Library	
Place of worship	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Brothel
Cemetery
Cinema based entertainment facility
Crematorium
Freeway service centre
Funeral parlour
Industry
Office
Retail premises
Place of assembly (other than Exhibition centre, Function centre, Hall, Library and Place of worship)
Recreational boat facility
Saleyard
Service Station
Transport terminal
Warehouse

2.0 Use of land

19/01/2006 VC37

Before the use of an Education centre commences, a Master Plan must be prepared in accordance with the purposes of the zone and to the satisfaction of the Responsible Authority.

The School Master Plan must be advertised and publicly displayed at the municipal office for at least 14 days.

The School Master Plan must provide details on the following:

- A site context report.
- Site plans at a scale of not less than 1:500 showing the proposed location, type, design, height and colour of all buildings and works, including:
  - All fencing
  - All lighting, including intensity of lighting
  - Proposed parking areas and roadways
  - The location, size and form of signage to be erected
  - Type of wall and roofing materials
  - Setback of site boundaries and relationship with surrounding built and natural environment.
- The potential off site effects including those associated with:
  - Traffic
  - Noise
  - Visual impacts
- The effect of existing land use on the education centre.
- The effect of the education centre on existing land use and service infrastructure.
- Landscaping of the subject land.
- Access to the site (pedestrian and vehicular, including emergency, service, staff and visitor vehicles).
- Details on existing and proposed student & teacher numbers.

3.0 Subdivision

19/01/2006 VC37

Application requirements

Any application must state the intended outcome of the proposed subdivision and its impact on the overall operation of the private education facility or religious establishment.

4.0 Buildings and works

A permit is not required to construct a building or to construct or carry out works in accordance with a School Master Plan which has been prepared to the satisfaction of the Responsible Authority in accordance with paragraph 2.0 to this schedule.

5.0 Signs

--/--/20--
C--

None specified.

SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2.

TOURIST PRECINCTS

Purpose

To provide for a range of tourist experiences which help reinforce the role of Mildura as a popular tourist destination. To ensure the continued operation and viability of tourist activities in the municipality.

To encourage development which complements the Mildura Arts Centre and Rio Vista Park as major cultural, tourist and entertainment facilities; and which takes advantage of and enhances the Murray River.

1.0 Table of uses

Section 1 - Permit not required

Use	Condition
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08.
Outdoor recreation facility	
Search for stone	Must not be costeaning or bulk sampling
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Camping and caravan park	
Caretaker's house	Only one dwelling for this purpose may be built on the land
Convenience restaurant	Must be in association with a tourist facility
Leisure and recreation (other than Major sports and recreation facility or Motor racing track or Outdoor recreation area)	
Place of assembly	
Research and development centre	Must be complementary to the purposes of a tourist activity
Takeaway food premises	Must be in association with a tourist facility
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Camping and caravan park and caretaker's house)
Brothel
Cemetery
Cinema based entertainment facility
Crematorium
Freeway service centre
Funeral parlour
Industry (other than Research and development centre)
Major sports and recreation facility
Motor racing track
Office
Retail premises (other than Convenience restaurant and take away food premises in association with a tourist activity)
Saleyard
Service station
Transport terminal
Veterinary centre
Warehouse

2.0 Use of land

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site plan and site context report and details on existing and proposed patron numbers, hours of operation and parking details.

3.0 Subdivision

Application requirements

Any application must state the intended outcome of the proposed subdivision and its impact on the overall operation of the tourist facility.

4.0 Buildings and works

--/--/20--
C--

None specified.

5.0 Signs

--/--/20--
C--

None specified.

25/02/2010
C61

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3**.

MILDURA MARINA

Purpose

Commented [BB(23]: MD specifies a max of 5 Purposes.

To provide for a mixture of recreational, tourist and community related activities, which take advantage of the location of the land, especially in terms of its proximity to the Murray River and Mildura's City Heart.

To ensure that the density, design, appearance and types of activities that occur will enhance the amenity and character of the area.

To prevent use or development which is detrimental to the quality of water of the Murray River or which by its scale and design would interfere with the natural flow of any flood waters and possibly threaten human life, property and the safety and welfare of the local community.

To provide for the integrated use, development and subdivision of land generally in accordance with the *Mildura Marina Resort Development Plan, October 2009*.

To protect and enhance the condition of the Murray River by providing an environmentally sound mooring facility that will consolidate boat moorings on the river.

1.0 Table of uses

25/02/2010
C61

Section 1 – Permit not required

Use	Condition
Accommodation (other than a caravan park)	Must be in accordance with *Mildura Marina Resort Development Plan, October 2009* incorporated in this Scheme.
Food and drink premises	Must be in accordance with *Mildura Marina Resort Development Plan, October 2009* incorporated in this Scheme.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08.
Office **Recreational boat facility**	Must be in accordance with *Mildura Marina Resort Development Plan, October 2009* incorporated in this Scheme.
Search for stone	Must not be costeaning or bulk sampling.
Shop	Must be in accordance with *Mildura Marina Resort Development Plan, October 2009* incorporated in this Scheme. The combined leaseable floor area for all shops must not exceed 1500 square metres.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 – Permit required

Use	Condition
Agriculture	
Education centre	
Leisure and recreation (other than Motor racing track)	
Place of assembly	
Utility installation (other than Minor utility installation)	

Section 3 – Prohibited

Use
Caravan park
Motor racing track
Recreational boat facility - if the Section 1 condition is not met.

2.0 Plans Required

25/02/2010
C61

Development of land for the Mildura Marina Resort and associated facilities as described in the *Marina Resort Development Plan, October 2009* incorporated in this Scheme must not commence unless the following plans have been approved by the responsible authority:

- Environmental Management Plan (Construction Phase)
- Landscape Plan
- Traffic Management Plan
- Infrastructure Management Plan
- Flood Management Plan
- Urban Design Plan

and arrangements put in place to ensure ongoing compliance with them.

Use of the land for any purpose associated with the Mildura Marina Resort and associated facilities as described in the *Marina Resort Development Plan, October 2009* incorporated in this Scheme must not commence unless the following plan has been approved by the responsible authority:

- Environmental Management Plan (Operational Phase)

and arrangements put in place to ensure ongoing compliance with it.

3.0 Process for approval or modification of plans

19/01/2006
VC37

3.1 Approval of plans

25/02/2010
C61

Any plan required in accordance with this Schedule must be prepared to the satisfaction of the responsible authority. Before the responsible authority considers whether to approve it, the plan must be publicly displayed at the municipal office for at least 14 days, and notice of

this display must be given in a newspaper circulating in the locality, detailing the last date for receipt of public submissions.

The responsible authority may request further information before deciding to display the plan.

In considering any plan required to be submitted and approved under Clause 2, the responsible authority must take into account:

- The purposes of the Special Use Zone No. 3.
- The Municipal Planning Strategy and Planning Policy Framework, of the Mildura Planning Scheme.
- The Mildura Marina Resort Development Plan, October 2009 incorporated in this Scheme.
- The purpose of any overlay applying across the site.
- Any submissions made to the responsible authority in response to the notification of the plan.
- Any issues specifically required to be taken into account in the case of a particular plan, including any submissions received from any person required to be notified of or consulted before approval of a particular plan.

3.2 Variations to plans

25/02/2010
C61

A minor variation to the plans approved under Clause 3.1 (Approval of Plans) which does not:

- change the use or effect of the *Mildura Marina Resort Development Plan, October 2009*;
- adversely affect the interest of a Government authority or Utility service provider; or
- cause an increase in detriment to any person

may be approved by the responsible authority in accordance with the following procedure:

- The proposed variation must set out in detail the form in which it is proposed that the plan be varied; and
- The proposed variation must be referred to the Advisory Committee established under Clause 6 of this Schedule for its recommendation to the responsible authority:
  - whether the variation should be supported;
  - whether the variation would change the use or effect of the *Mildura Marina Resort Development Plan, October 2009,* would adversely affect the interest of a Government Authority or Utility service provider, or cause an increase in detriment to any person;
  - whether the variation should be approved by the responsible authority without further consultation.

A variation other than a minor variation may be approved by the responsible authority; however, before it is considered such variation must first be the subject of public notification and referral, as provided in Clause 3.1.

4.0 Plans to be submitted

19/01/2006
VC37

The purpose of the various plans is to specify management action necessary to ensure the sustainable use of the development. The matters to be addressed under each plan must be detailed to include the commitments by the proponent and the requirements of regulatory bodies for management action (whether this be further studies, detailed design, construction issues or ongoing management, and specific programs of regular monitoring and reporting). Progressively as further studies and detailed design allow, for each matter the scope of the work and monitoring parameters and frequency should be specified, responsibility for

undertaking the task should be nominated, the relevant standard (where applicable) should be nominated, and ameliorative measures that will be taken if an environmental problem is discovered must be listed. Where environmental problems arise that do not respond to the foreshadowed ameliorative measures, or that were not anticipated, the plans must be amended to provide alternative ameliorative measures.

4.1 **Environmental Management Plan (Construction Phase)**

25/02/2010
C61

The Environmental Management Plan (Construction Phase) must ensure best practice in planning, construction, maintenance, supervision and monitoring, and is to address the following matters:

Construction Methods and Scheduling

- The overall method for constructing the Marina basin, the entrance to the river, and the other site works.
- The scheduling of the proposed works.
- Actions to be taken to ensure that negative environmental and amenity impacts, and nuisance are minimised.

Murray River Water Quality

- The water quality of the Murray River and ground water prior to work on the site commencing.
- A detailed hydrological testing program which will demonstrate the salinity, nutrient and cyanobacterial impacts on the river water quality.
- A contingency program to control saline inflow by installing and operating shallow bores extracting from the alluvial aquifer, and for the disposal of water so extracted.
- Hydrological data, including the results of modelling done to test the efficiency of the Marina flushing system.
- Details of the program to treat the pool water prior to breaching the river bank so that impact on the river is minimised.

Floodway levels

- Hydraulic data identifying new flood levels for post development conditions.
- A detailed plan showing the floodway boundaries for post development conditions (the 1% (100 year Annual Recurrence Interval) flood level minus 0.5 metres) to enable the preparation of a new Floodway Overlay.

Sediment and pollution control

- Sedimentation and salinity controls (booms and water curtains) to be installed prior to the breaching of the river bank and other significant earthworks. They must include:
  - Appropriate plans to counteract the effect of salinity leaching from filling on the site to prevent pollution of Marina water and unsightly saline seeps and barren soil.
  - Techniques to prevent and/or intercept sediment movement during construction (booms, water curtains etc.) and to manage stormwater, including intercepting fuel and oil spill, rubbish and litter.

- The method of monitoring effects of development on stream sedimentation and salinity.
- The methods for the removal of debris from watercourses and drainage lines arising from the removal of vegetation.
- Types of construction access to the site, storage methods for building materials, extent of the removal of soil and proposed site clean up works.

Codes of practice

- How all works will be carried out in accordance with:

  - EPA publication No. 272 "Construction Techniques for Sediment Pollution Control".
  - EPA publication No. 480 "Guidelines for Major Construction Sites in Victoria".
  - Guidelines for Minimising Soil Erosion and Sedimentation from Construction Sites in Victoria (Department of Natural Resources and Environment,1979)
  - Control of Erosion from Construction Sites (Department of Conservation and Natural Resources).
  - New South Wales EPA Pollution Control approval pursuant to section 17k of the Pollution Control Act 1979 (NSW) for the opening of the channel.

Archaeological and Aboriginal relics

- The methods of identification and preservation (where required) of any relics (as defined in the Archaeological and Aboriginal Relics Act, 1972) found on the site.

George Chaffey Bridge and boat ramp

- The staging and construction for the reconstruction of the former George Chaffey Bridge.

Dust and noise impact control

- The proposed methods of dust control during construction.
- Noise abatement to the EPA requirements during construction phase.

Referral of plans

The responsible authority must consult with:

- Environment Protection Authority.
- New South Wales Environment Protection Authority.
- Lower Murray Region Water Authority.
- Department of Sustainability and Environment.
- Department of Primary Industries.
- Mallee Catchment Management Authority.
- New South Wales Department of Land and Water Conservation.
- Advisory Committee (established pursuant to Clause 6 of this Schedule).

before approving or amending (other than by a minor variation) the Environment Management Plan (Construction Phase).

4.2 Landscape plan

25/02/2010
C61

The landscape plan must be prepared by a qualified landscape architect and is to address the following matters:

- Minimising obstruction to the floodway, in particular, by minimising filling and tree planting at the western end of the Marina.
- The landscape treatment of all open space areas including the Murray River Permanent Public Purpose Reserve, with the latter planted with indigenous species.
- The landscape treatment of Cureton Avenue.
- The method of shielding houses opposite the main entrance to the development from the glare of car headlights leaving the site.
- The landscape treatment of car parking areas.
- All other landscaping proposed on the land.
- A comprehensive revegetation strategy for the site, including the revegetation of all disturbed sites.
- Protecting the water quality of the Murray River.
- Any necessary actions for the protection and maintenance of the levee bank located partially on the site which provides protection to abutting properties, to the south and east of the site.
- Appropriate interaction with and relationship to the Urban Design Plan.
- Any assessment of the impacts on landscaping from salinity of spoil deposited on the site, and measures to mitigate any such impact.

Referral of plan

The responsible authority must consult with the Department of Sustainability and Environment and the Advisory Committee (established pursuant to Clause 6 of this Schedule) before approving or amending (other than a minor variation) the Landscape Plan.

4.3 Traffic management plan

25/02/2010
C61

The Traffic Management Plan is to address the following matters:

- The location of all vehicular, pedestrian and bicycle access and egress ways within, to and from all buildings and works.
- Location of the bus access, terminal and parking arrangements.
- Necessary traffic controls including those in nearby streets when development is completed.
- The location and layout of areas set aside for the parking of vehicles, which must be setback not less than 40 metres from the Murray River.
- The staged construction of the parking areas so that the supply of parking spaces always exceeds the needs of the development as it is constructed, including but not limited to:
  - provision of a sufficient area for 620 car spaces in total of which up to 200 spaces may be provided off-site;
  - the anticipated car park demand for the individual components of the development;
  - completed construction of not less than 420 on-site car spaces upon completion of all components of the development;
- A compulsory process enabling the future assessment of the need for the balance of 200 car spaces and managing any subsequent construction.
- The loading and unloading of vehicles including the location of rubbish storage and removal facilities.
- A carparking management system which directs Marina patrons to available car spaces and reduces the need to search for spaces.

- Secure parking arrangements for those visitors hiring/using house boats or other water craft overnight or for longer periods.
- Ensuring no vehicle access between the Mildura Marina Resort land and the service road to Cureton Avenue, abutting the resort land at it south east corner;
- Provision for right and left turn access and treatment, into the Mildura Marina Resort land from Cureton Avenue.
- Provision of continuous pedestrian access along the river frontage.
- Provision for vehicle access required for Crown Land management along the river frontage including upstream of the Marina mouth.

Referral of plan

The responsible authority must consult with VicRoads, the Department of Sustainability and Environment and the Advisory Committee (established pursuant to Clause 6 of this Schedule) before approving or amending (other than a minor variation) the Traffic Management Plan.

4.4 Infrastructure Management Plan

25/02/2010
C61

The Infrastructure Management Plan is to address the following matters:

- The location and nature of utility services to be associated with the development.
- The construction details of the drainage of all buildings and works.
- The drainage system which addresses water quality issues associated with the collection and disposal on-going spoil drainage, of contaminants and litter from the Marina development.
- A stormwater management plan for the whole of the site, including relocation of the existing stormwater infrastructure from the site.
- A system for the positive control of water circulation in the Marina by pumping to a point downstream of the Lower Murray Region Water Authority off-take.

Referral of plan

The responsible authority must consult with:

- Lower Murray Region Water Authority.
- Telstra.
- Powercor.
- Origin Energy.
- Neighbourhood Cable
- Mallee Catchment Management Authority.
- New South Wales Environment Protection Authority.
- Department of Sustainability and Environment.
- Victorian Environment Protection Authority.
- Advisory Committee (established pursuant to Clause 6 of this Schedule)

before approving or amending (other than a minor variation) the Infrastructure Management Plan.

4.5 Urban Design Plan

25/02/2010
C61

The Urban Design Plan is to address the following matters:

- enhancing important features of the site and its surrounds which include:
  - a gateway to the Rural City of Mildura
  - the Murray River and its riverine environment including river red gums

- the linear public open space along the Murray River which includes a bike path
- the George Chaffey bridge

- the protection and enhancement of views from the elevated George Chaffey bridge and from the Rural City of Mildura towards the Murray River.
- consistency with any Design Framework prepared for the wider area around the Marina, downstream to Lock 11.
- creation of an integrated comprehensive development with a sense of place
- improvement and promotion of public access to the area.
- future development must not intrude to the skyline to an unacceptable degree when viewed from the river or its banks, and the banks are to be landscaped to prevent visual dominance.
- the creation of opportunities for recreational activities along the Murray River.
- the linking of public open space areas within the site to other open space along the Murray and to ensure the public open space areas are accessible to the general public.
- the improvement of the landscape quality of public open spaces.
- the opportunity for views from the site to the Murray River and to the public open space to the west of the site.
- limits to traffic speed and optimising pedestrian safety through carefully designed traffic access and movement arrangements.
- the promotion of design that will optimise residential amenity, including privacy and security.
- the promotion of contemporary architecture that is complementary to the surrounding areas.
- the integration of the Marina with surrounding commercial and residential development.

The Urban Design Plan must also address the following specific design elements:

- setbacks and any height limits set out in the Marina Resort Development Plan, October 2009 incorporated in this scheme
- building form, materials and colour
- orientation, overshadowing and overlooking
- streetscape and landscape
- views and vistas
- the treatment of parking areas and vehicle access ways
- open space
- pedestrian movement and security
- signs

Each element must contain a set of design objectives and detailed guidelines.

Referral of plan

The responsible authority must consult with:

- Department of Sustainability and Environment.
- New South Wales Department of Land and Water Conservation.
- Shire of Wentworth.
- Advisory Committee (established via clause 6 of this Schedule).

before approving or amending (other than a minor variation) the Urban Design Plan.

4.6 **Environmental Management Plan (Operational Phase)**
25/02/2010
C61

The objectives of the Environmental Management Plan (Operational Phase) are to set out:

- Environmental Performance Measures.
- Responsibilities for Environmental Management.
- Emergency Response Procedures.
- Reporting and Notification Procedures.
- Relevant Authorities, Agencies and Stakeholders.
- ISO 14001 Environmental Management Systems including review mechanisms, provision for contingencies and remedial measures.

The Environmental Management Plan (Operational Phase) must ensure best practice in planning, maintenance, supervision and monitoring and is to address the following matters:

- The establishment, maintenance and staffing of a Marina Resort Development Management and Maintenance Office, to provide a point of contact for the community and facilitate appropriate response to any management and maintenance issues.
- The control and minimisation of nuisance, particularly those caused by noise emanating from the loading and unloading of goods, the collection and removal of wastes, the use of car parks and marina water traffic.
- The division management and financial of responsibility in relation to the various components of the Mildura Marina Resort Development.
- The method for the compulsory review of this plan, and its timing.
- The storage and collection of waste and rubbish.
- The location of silt traps and litter traps within drainage systems.
- Mechanisms to deal with "first flush" pollutants from impervious areas to protect the water quality of the Murray River.
- The management, control, maintenance and cleaning of the Marina basin, jetties and banks, and all parts of the site including car parks and open areas which are available for general use.
- The provision and maintenance of public toilets.
- The maintenance of the buildings and works.
- The contribution of the owner of the Marina Site to the maintenance and upkeep of the Murray River Permanent Public Purpose Reserve on and adjacent to the site.
- A scour protection system to protect the Marina entrance.
- The use and maintenance of landscaped areas.
- The provision of a system for the ongoing monitoring and reporting of water quality resulting from the development in terms of salinity, nutrients and cyanobacterial blooms as required by Environment Protection Authority, New South Wales Environment Protection Authority, New South Wales Department of Land and Water Conservation and Lower Murray Region Water Authority.
- The provision of a long term monitoring scheme for ground water and surface water impacts of salt inflows to the satisfaction of the Murray Darling Basin Commission.
- A contingency program to control saline flow by installing and operating shallow bores extracting from the alluvial aquifer and for the disposal of water so extracted.
- Contingency plans to develop wetlands, or introduce other nutrient or salt removal mechanisms including appropriate performance criteria as triggers, in the event that:
  - nutrient discharge increases above a level that will affect river water quality; or
  - salinity discharge increases above a level that will affect river water quality.
- Management arrangements to deal with blue green algal outbreaks in the Marina basin.
- A method of maintaining and servicing water and sewer connections in floating buildings.
- A maintenance plan for the river embankment at the site and the fortifications at the Marina entrance.
- The use of all boating facilities.
- General and Marina hours of operation.
- The prohibition of anti-fouling paints.
- The procedures for discharging sullage and sewerage from houseboats.
- The actions to be undertaken in the event of an accidental spill, including the notification of spillage incidents to Lower Murray Region Water Authority, Environment Protection

Authority New South Wales Environment Protection Authority and the responsible authority.

- The provision of equipment to contain and collect spillages.
- The provision of above flood level storage for all fuels, together with appropriate bunding.
- The provision of a fuel interception chamber adjacent to the fuelling point to facilitate the pump out of spills and bilges.
- A Flood Management Plan developed in conjunction with the Department of Sustainability and Environment, Bureau of Meteorology and the State Emergency Service. This plan shall identify procedures and actions for:
- The notification of flood warnings.
- Actions for:
  - the effective tying up of boats;
  - the making safe of assets;
  - the prevention of accidental leakages;
  - evacuation; and
  - restoration.
- A fire plan for the marina area to respond to both on-shore fires and boat fires.

Referral of plan

The responsible authority must consult with the:

- Environment Protection Authority.
- New South Wales Environment Protection Authority.
- Lower Murray Region Water Authority.
- Department of Sustainability and Environment.
- Mallee Catchment Management Authority.
- New South Wales Department of Land and Water Conservation .
- Advisory Committee (established via Clause 6 of this Schedule).

before approving or amending the Environmental Management Plan (Operational Phase).

5.0 Town water supply – protective measures

19/01/2006 VC37

5.1 Protective options for the development

25/02/2010 C61

Prior to the commencement of the development or any part of the development the developer and the owner of the land must have satisfied the requirements of in respect of Town Water Supply – Protective Measures as detailed in the *Mildura Marina Resort Development Plan, October 2009* incorporated in the Scheme.

5.2 Preconditions to Commencement

25/02/2010 C61

Until such time as the necessary works described in the *Mildura Marina Resort Development Plan, October 2009* have been completed so that the system adopted for the protection of the town water supply has been completed, the Marina mouth may not be breached nor may any water be discharged from the Marina (during construction) without the written consent of Lower Murray Region Water Authority.

6.0 Mildura Marina Resort Advisory Committee

25/02/2010
C61

The responsible authority shall establish an Advisory Committee which shall be constituted by the responsible authority with membership in that Committee offered to:

- Environment Protection Authority.
- New South Wales Environment Protection Authority.
- Lower Murray Region Water Authority.
- Department of Sustainability and Environment.
- New South Wales Department of Land and Water Conservation.
- A representative of landowners and occupiers of the Mildura Marina Resort Development.
- Two representatives of the Mildura community, selected in a manner to the satisfaction of the responsible authority.
- A representative of the Rural City of Mildura.

The responsible authority shall establish an appropriate written document detailing the method for the establishment, membership and operation of the Advisory Committee prior to the approval of any of the plans (other than the *Mildura Marina Resort Development Plan, October 2009* itself) referred to this Schedule.

7.0 Emergency Work in case of major flood events

~~19/01/2006~~
VC37

A permit is not required for the modification and/or temporary relocation of buildings and works required to prevent damage from a major flood event.

8.0 Subdivision application requirements

19/01/2006
VC37

Any application must state the intended outcome of the proposed subdivision and its impact on the operation of the Mildura Marina Resort, particularly the methods for securing the ongoing obligations of subsequent owners or occupiers, to comply with the various plans approved through this Schedule.

9.0 Signs

19/01/2006
VC37

Sign requirements are at Clause 52.05. All land located within this zone is in Category 4.

10.0 Decision guidelines

25/02/2010
C61

In determining an application, the responsible authority must have regard to:

- The purposes of the zone and overlays that apply to this site.
- The effect of the proposed use, buildings or works on the amenity of the neighbourhood including the visual amenity of this major gateway to the city across the George Chaffey Bridge.
- The effect of any use or development on land of conservation significance.
- The effect of any use or development on the Murray River and its environs.
- The following plans:
  - *Mildura Marina Resort Development Plan, October 2009* incorporated in this Scheme.
  - Environmental Management Plan (Construction Phase).
  - Landscape Plan.
  - Traffic Management Plan.
  - Infrastructure Management Plan.
  - Environmental Management Plan (Operational Phase).

- Urban Design Plan.

SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

19/01/2006
VC37

Shown on the planning scheme map as **SUZ4.**

MILDURA HOSPITAL

Purpose

To encourage the development of a hospital to international best practice standard.

To ensure that development and use of the hospital occurs with minimum negative impact on surrounding land uses.

To encourage a form of development that will enhance the visual quality of the surrounding area.

To provide for health facilities necessary for the operation of a major regional hospital.

To provide staff and student facilities for the teaching of medical and allied disciplines.

1.0 Table of uses

19/01/2006
VC37

Section 1 - Permit not required

Use	Condition
Hospital	Must be in accordance with a Hospital Development Plan
Informal outdoor recreation **Mineral exploration**	
Mining	Must meet the requirements of Clause 52.08-2
Search for stone	Must not be costeaning or bulk sampling
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Any use not in Sections 1 or 3	

Section 3 - Prohibited

Use
Brothel
Cemetery
Cinema based entertainment facility
Crematorium
Freeway service centre
Funeral parlour
Industry
Office
Retail premises
Place of assembly (other than Exhibition centre, Function centre, Hall, Library and Place of worship)
Recreational boat facility
Saleyard
Service station
Transport terminal
Warehouse

2.0 Use of land

19/01/2006 VC37

Hospital Development Plan

Before development or use of a hospital and associated facilities commences a Hospital Development Plan must be prepared in accordance with the purpose of the zone to the satisfaction of the Minister for Planning.

The Hospital Development Plan must be advertised and publicly displayed at the Municipal Offices for at least 14 days.

The Minister for Planning must consult with the Responsible Authority before approving the Hospital Development Plan. The Minister for Planning may approve the Hospital Development Plan 14 days after completion of public display of the plan.

When considering the Hospital Development Plan, the Minister for Planning and the Responsible Authority should have regard to:

- Potential off-site effects including those associated with:
  - traffic;
  - noise
  - visual impacts
  - the effect of existing land use on the hospital; and
  - the effect of the hospital on existing land use and service infrastructure.

The Hospital Development Plan should provide for:

- landscaping of the subject land;
- access to the site (pedestrian and vehicular, including emergency, service, staff and visitor vehicles);
- Any other information requested by the Responsible Authority.

The Hospital Development Plan must include:

- Site plans at a scale of not less than 1:500 showing the proposed location, type, design and where appropriate, the height and colour of all buildings and works; including:
  - all fencing;
  - all lighting, including intensity of lighting;
  - proposed parking areas and road ways;

- the location, size and form of signage to be erected;
- type of wall and roofing material;
- setback to site boundaries and relationship with surrounding built and natural environment.

- An assessment of principal view corridors into the site and any proposed means of ameliorating adverse visual impacts.
- A description, including appropriate plans of the proposed landscape treatment of the site, including;
  - the design approach upon which the landscaping is based;
  - location and type of vegetation to be retained;
  - location of proposed planting including schedule of plants;
  - the proposed sequencing of landscaping works including plantings.

Erosion and sediment control during site works should conform with the Environment Protection Authority publication 275 "Construction Techniques for Sediment Pollution Control".

The Hospital Development Plan may be amended to the satisfaction of the Minister for Planning after consultation with the Responsible Authority. If, in the opinion of the Minister for Planning the proposed amendment is significant in nature, then the amendment is subject to the advertising and public display requirements specified in this Clause.

3.0 Subdivision

Application requirements

Any application must state the intended outcome of the proposed subdivision and its impact on the operation of the hospital facility.

4.0 Buildings and works

A permit is not required to construct a building or to construct or carry out works in accordance with a Hospital Development Plan which has been approved in accordance with paragraph 2.0 to this Schedule.

All buildings and works must comply with the approved Hospital Development Plan.

5.0 Signs

None specified,

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

19/01/2006
VC37

Shown on the planning scheme map as **SUZ5.**

ESSENTIAL SERVICE UTILITIES

Purpose

To provide for areas in private ownership to be used for the purposes of essential service utility installations.

To ensure that the development of these facilities takes place in an orderly and proper manner and does not cause a loss of amenity to the surrounding neighbourhood.

1.0 Table of uses

19/01/2006
VC37

Section 1 - Permit not required

Use	Condition
Mineral exploration	
Mining	Must meet the conditions of Clause 52.08
Railway	
Search for stone	Must not be costeaning or bulk sampling
Tramway	
Utility installation	Must be in accordance with a Development Plan prepared to the satisfaction of the responsible authority.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation	
Agriculture	
Animal keeping (other than Animal boarding	Must be no more than four animals
Art and craft centre	
Caretaker's house	
Car park	
Car wash	
Convenience shop	The leasable floor area must not exceed 80 sqm
Home based business	
Leisure and recreation (other than Motor racing track	
Mineral, stone or Soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)	
Mining	If the Section 1 condition is not met
Office	Must not exceed a floor area of 500 sqm
Place of assembly (other than Amusement parlour, Nightclub)	
Plant nursery	
Search for stone	If Section 1 condition is not met
Utility installation	If Section 1 condition is not met
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Amusement parlour
Animal boarding
Animal training
Brothel
Cemetery
Convenience restaurant
Crematorium
Extractive industry
Food and drink premises
Freeway service centre
Horse stables
Industry
Intensive animal husbandry
Market
Motor racing track
Nightclub
Retail premises (other than Convenience shop and Plant nursery)
Saleyard
Service Station
Transport terminal
Warehouse (other than store)

2.0 19/01/2006 VC37 **Use of land**

Application requirements

An application to use land must be accompanied by the following information:

- the purpose of the use and types of activities which will be carried out; and
- the likely effects, if any, on the adjacent land including noise levels, traffic and hours of operation.

Development plan

19/01/2006 VC37

A Development Plan is required to be prepared to the satisfaction of the Responsible Authority and include the following details and considerations:

- the layout and use of existing and proposed buildings and works, driveways, car parking and loading areas;
- construction details of all drainage works, site access arrangements, vehicle parking and loading areas;
- details of existing and proposed landscaping, including perimeter landscaping treatments;

19/01/2006 VC37

- the appearance and bulk of buildings having regard to the adjoining zones, especially the relationship with residential areas;
- the effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- the effect that the proposed use may have on existing uses; and
- the effect that the proposed use may have on the amenity of the neighbourhood.

3.0 Subdivision

Application requirements

An application to subdivide land must be accompanied by the following information:

- the purpose of the subdivision; and
- the likely effects of the subdivision on the adjacent land.

Decision guidelines

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- the effect that the proposed subdivision may have on existing uses; and
- the effect that the proposed subdivision may have on the amenity of the neighbourhood.

5.0 Buildings and works

A permit is not required to construct a building or to construct or carry out works in accordance with a Development Plan, which has been prepared to the satisfaction of the Responsible Authority in accordance with paragraph 2.0 to this Schedule.

6.0 Signs

None specified.

19/01/2006
VC37

SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ6.**

RED CLIFFS CARAVAN PARK

Purpose

To provide for the use of land for the purposes of the Red Cliffs Caravan Park.

To ensure that use and development of these facilities takes place in an orderly and proper manner and does not cause loss of amenity to the surrounding area or neighbourhood.

1.0 Table of uses

19/01/2006
VC37

Section 1 - Permit not required

Use	Condition
Camping and caravan park	
Car park	Must be ancillary to the use of the land for Camping and caravan park.
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.09.
Search for stone	Must not be costeaning or bulk sampling.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park – if the Section 1 condition is not met	
Caretaker's house	Must be the only caretaker's house on the lot.
Convenience restaurant	Must be ancillary to the use of the land for the Camping and caravan park.
Convenience shop	Must be ancillary to the use of the land for Camping and caravan park, and the leasable floor area must not exceed 80 square metres.
Search for stone – if the Section 1 condition is not met	
Store	Must be ancillary to the Camping and caravan park.
Takeaway food premises	Must be ancillary to the Camping and caravan park.

Utility installation (other than Minor utility installation)

Section 3 - Prohibited

Use
Any other uses not in Section 1 or 2

2.0 Use of land

Amenity of the neighbourhood

A use must not detrimentally affect the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any buildings, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust waste water, waste products, grit, oil or the like.

Application requirements

The following application requirements apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the type of activities to be carried out.
- How the proposed use supports, or is ancillary to the use of the land for Caravan park and camping ground.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials (including garbage collections), hours of operation and potential light spill.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The need for the proposed use, and how it supports the primary use of the land for Caravan park and camping ground.
- The effect of traffic to be generated on roads.
- Any impact upon the amenity of the existing primary use of the land for Caravan park and camping ground, and any impacts upon the amenity of the surrounding area.
- The provision of car parking.
- The provision of landscaping.
- The impact of proposed operating hours on the existing primary use of the land, and the surrounding area.

3.0 Subdivision

Application requirements

Any application must state the intended outcome of the proposed subdivision and how it supports or enhances the ongoing primary use of the land for Caravan park and camping ground.

7.0 Buildings and works

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Elevations drawings to scale of 1:100 of all elevations showing colours, and materials of all buildings and works.
- A plan drawn to a scale of at least 1:200 that shows:
  - The boundaries and dimensions of the site, and adjoining roads.
  - The location, height and nature (purpose) of buildings and works on adjoining land.
  - Relevant ground levels or contours.
  - The layout of existing and proposed buildings and works.
  - All driveways, car parking and loading areas.
  - Proposed landscaping as designed by a professional landscape designer.
- Details of any proposed signage.
- Construction details of all drainage, driveways, vehicle parking and loading areas.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The movement of vehicles, cyclists, and pedestrians on the site, and service vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The interface with adjoining zones, especially with residential areas or other public use areas.
- The streetscape, especially the presentation to the Calder Highway; the treatment of the facades of all buildings and their appurtenances; illumination of buildings or their immediate spaces, and landscaping of land adjoining a road.
- The availability of, and connection to services.

5.0 Signs

--/--/20--
C--

None specified.

SCHEDULE 7 TO CLAUSE 37.01 SPECIAL USE ZONE

13/03/2014 C64

Shown on the planning scheme map as **SUZ7.**

MILDURA AIRPORT

Purpose

To provide for the use of the land for the purpose of an airport and complementary uses.

To ensure that the use and development of the land does not prejudice or interfere with the operation of the airport.

To ensure that use and development of these facilities takes place in an orderly and proper manner and does not cause loss of amenity to the surrounding area or neighbourhood.

1.0 Table of uses

13/03/2014 C64

Section 1 - Permit not required

Use	Condition
Airport	Must be in accordance with the *Mildura Airport Master Plan 2017.*
Car park	Must be ancillary to the use of the land for Airport.
Heliport	Must be in accordance with the *Mildura Airport Master Plan 2017.*
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Intensive animal husbandry)	
Car park – if the Section 1 condition is not met	
Caretaker's house	
Convenience restaurant	
Convenience shop	
Employment training centre	
Industry	
Leisure and recreation	
Office	
Residential hotel	
Transport terminal (other than Airport and Heliport)	
Utility installation (other than Minor utility installation)	
Warehouse	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house and Residential hotel)
Abattoir
Brothel
Child care centre
Cinema based entertainment facility
Education centre (other than Employment training centre)
Extractive industry
Hospital
Intensive animal husbandry
Shop (other than Convenience shop and Convenience restaurant)

2.0 Use of land

13/03/2014 C64

A use must not prejudice or interfere with the operation of the airport in any way.

Application requirements

An application to use land must be accompanied by the following information:

- The purpose of the use and types of activities which will be carried out.
- A plan and/or a statement showing how the proposed use will not prejudice or interfere with the operation of the airport.
- The likely effects, if any, on the airport and adjacent land including traffic, light spill and hours of operation.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The existing and likely future use of the airport.
- The effect that the proposed use may have on the airport operations and existing uses.
- The effect that the proposed use may have on the amenity of the area.
- The *Mildura Airport Master Plan 2017*.

3.0 Subdivision

13/03/2014 C64

A subdivision must not prejudice or interfere with the operation of the airport in any way.

Application requirements

An application to subdivide land must be accompanied by the following information:

- The purpose of the subdivision.
- A plan showing how the subdivision will complement the airport.
- The intended outcome of the subdivision.
- The strategic impact on the airport.
- The likely effects of the subdivision on the airport and the adjacent land.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The existing and likely future use of the airport.
- The effect that the proposed subdivision may have on the airport operations and existing uses.
- The effect that the proposed subdivision may have on the amenity of the area.
- *The Mildura Airport Master Plan 2017.*

4.0 Buildings and works

13/03/2014
C64

No permit is required for buildings and works that are consistent with the *Mildura Airport Master Plan 2017.*

Buildings and works must not prejudice or interfere with the operation of the airport in any way.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - the boundaries and dimensions of the site;
  - adjoining roads;
  - the location, height and purpose of buildings and works on adjoining land;
  - relevant ground levels;
  - the layout of existing and proposed buildings and works;
  - all driveway, car parking and loading areas;
  - proposed landscape areas; and
  - all external storage areas.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage, driveways, vehicle parking and loading areas.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The existing and likely future use of the airport.
- The movement of traffic and provision of car parking.
- The interface with adjoining land, especially the relationship with the airport.
- The appearance of the proposed buildings and works.
- The effect that the proposed buildings and works may have on the amenity of the area.
- *The Mildura Airport Master Plan 2017.*
- The Mildura Aerodrome Obstacle Limitation Surfaces (OLS) Contours incorporated in the scheme.

5.0 Signs

--/--/20--
C--

None specified.

SCHEDULE 8 TO CLAUSE 37.01 SPECIAL USE ZONE

13/09/2010
VC63

Shown on the planning scheme map as **SUZ8.**

MILDURA – IRYMPLE URBAN TRANSITION AREA

Purpose

Commented [BB(24]: MD specified a max of 5 Purposes.

Commented [DG25R24]: Deleted design objective as they are covered under the first objective.

To ensure that design and development is in accordance with the *Urban Design Guidelines – Mildura Urban Transition Area (April 2008).*

To support the expansion of existing education facilities in the precinct.

To encourage the development of community based uses in the precinct.

1.0 Table of uses

13/09/2010
VC63

Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 5 animals.
Bed and breakfast	Must be in association with an existing dwelling. No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Crop raising (other than Rice growing and Timber production) **Home based business** **Informal outdoor recreation**	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 -Permit required

Use	Condition
Agriculture (other than Animal keeping, Apiculture, Broiler farm, Cattle feedlot, Crop raising, Extensive animal husbandry and Intensive animal husbandry)	
Animal boarding	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Child care centre	
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling	Must be in accordance with Clause 5.
Funeral home	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Medical centre	
Nursing home	
Place of worship	
Place of assembly (other than Amusement parlour, Carnival, Cinema, Circus, Drive-in theatre and Nightclub).	
Plant nursery	
Restaurant	Must be used in conjunction with Agriculture, Indoor recreation facility, Outdoor recreation facility or Winery. The number of patrons present must not exceed 150 patrons.
Residential college	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Veterinary centre	
Any other use not in Section 1 or 3	

Section 3 -Prohibited

USE
Accommodation (other than Bed and breakfast, Dependent person's unit)
Amusement parlour
Brothel
Broiler farm
Camping and caravan park
Cattle feedlot
Cinema
Cinema based entertainment facility
Corrective institution
Display home
Drive in theatre
Dwelling (other than in accordance with Clause 5).
Freeway service centre
Freezing and cool storage works
Group accommodation
Hospital
Host farm
Hotel
Intensive animal husbandry
Industry
Manufacturing sales
Major sports and recreation facility
Market
Materials recycling
Milk depot
Motor racing track
Nightclub
Office (other than medical centre)
Refuse disposal
Research and development centre
Research centre
Residential building (other than Nursing home and Residential college)
Residential hotel
Retail premises (other than Plant nursery and Restaurant)
Rice growing
Rural industry
Rural store
Service station
Shipping container storage
Solid fuel depot
Transfer station
Vehicle store
Warehouse

2.0 **Use of land**

30/10/2008 C38

A lot used for a dependent person's unit must meet the following requirements:

Application requirements

- Access to the dependent persons unit must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dependent persons unit must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dependent persons unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dependent persons unit must be connected to a reticulated electricity supply or have an alternative energy source.

3.0 **Subdivision**

30/10/2008 C38

A permit is required to subdivide land.

A permit may be granted for the re-subdivision of existing lots, so long as the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.

8.0 **Buildings and works**

30/10/2008 C38

A permit is required to construct or carry out any buildings or works.

Application requirements

Height

Buildings should not exceed a maximum height of 8 metres above ground level.

Setbacks

- Buildings must be setback a minimum of 40 metres from the Fifteenth Street boundary.
- Buildings must be setback a minimum of 10 metres from the Cowra Avenue and Sandilong Avenue boundaries.
- For those sites in excess of 1 hectare, buildings must be setback a minimum 10 metres from one side boundary;
- Buildings must be setback a minimum of 4 metres from at least one side boundary; and
- Where vehicular access is provided to the rear of the site, there must be a minimum of 3.0 metre setback from the side boundary to allow for the provision of a landscaped buffer.

BUILDING FRONTAGE TO FIFTEENTH STREET

- Building frontages should be articulated with a maximum of 30 metres to the street frontage.

Fences

Front fences are to be well recessed from Fifteenth Street and be permeable.

Existing dwellings – special provisions

Where a dwelling exists as at 1 January 2018 within the setbacks to Fifteenth Street required by this overlay, the following exemptions apply to a single dwelling only:

- The building setback requirements of section 2.0 of this overlay do not apply
- Existing dwellings may be extended and modified to the rear and side of the dwelling only
- Dwellings may be replaced providing the front setbacks of the existing dwelling are retained.
- This provision does not apply if the site containing the dwelling is incorporated into any other lot nor is the subject of a boundary adjustment after 1 January 2018, other than as a result of an acquisition or requirement of a government agency.

Referrals

30/10/2008
C38

An application to create access onto Fifteenth Street must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and referral authority. **Permit conditions**

The responsible authority may place conditions on any permit granted under this zone so as to preserve the amenity of the area or service the land including conditions relating to:

The provision of a Bank Guarantee a minimum of $10,000 which shall only be released upon satisfactory installation and maintenance of the landscaping specified in the Urban Design Guidelines and not before the lapse of 2 years from the completion of the required landscaping. **Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Urban Design Guidelines Mildura Irymple Urban Transition Area (April 2007)*
- *The Mildura Irymple Interface Study (2006)*
- The provisions of Design and Development Overlay (Schedule 11).
- The capability of the land to accommodate the proposed use or development.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.
- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.

- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

9.0 Signs

30/10/2008 C38

Sign requirements are at Clause 52.05. All land located within this zone is in Category 4.

SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE

13/06/2014
GC8

Shown on the planning scheme map as **SUZ9.**

MILDURA – IRYMPLE URBAN TRANSITION AREA

Purpose

To ensure that design and development is in accordance with the *Urban Design Guidelines – Mildura Urban Transition Area (April 2008).*

To reinforce Fifteenth Street as part of the gateway to Mildura.

To develop Fifteenth Street with smaller scale restricted retail and associated business services within a landscaped setting, well setback from the road.

1.0 Table of uses

30/10/2008
C38

Section 1 - Permit not required

Use	Condition
Electoral office	May be used for only 4 months before an election and 2 weeks after an election.
Equestrian supplies	The combined leasable floor area for all restricted retail premises must not exceed any amount specified in the schedule to this zone.
Informal outdoor recreation	
Lighting shop	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 500 sqm. The combined leasable floor area for all restricted retail premises must not exceed any amount specified in the schedule to this zone.
Mail center **Mineral exploration**	
Mining	Must meet the requirements of Clause 52.08.
Party supplies	The combined leasable floor area for all restricted retail premises must not exceed any amount specified in the schedule to this zone.
Railway	
Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at

Use	Condition
	least 1000 sqm. The combined leasable floor area for all restricted retail premises must not exceed any amount specified in the schedule to this zone.
Search for stone	Must not be costeaning or bulk sampling.
Trade supplies	The combined leasable floor area for all trade supplies must not exceed any amount specified in the schedule to this zone.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Agriculture (other than Apiculture and Intensive animal husbandry) **Caretaker's house** **Convenience shop**	
Education centre	Must not be a primary or secondary school.
Industry (other than Material recycling)	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track) **Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)** **Motel**	
Office (other than Electoral office)	The leasable floor area must not exceed 500 sqm.
Place of assembly (other than Carnival and Circus) **Retail premises (other than Shop and Trade supplies)** **Service station** **Utility installation (other than Minor utility installation and Telecommunications facility)** **Warehouse (other than Mail center and Shipping container storage)**	
Any other use not in Section 1 or 3	

Section 3 -Prohibited

Use

Accommodation (other than Caretaker's house and Motel)
Adult sex product shop
Extractive industry
Hospital
Intensive animal husbandry
Major sports and recreation facility
Materials recycling
Motor racing track
Shipping container storageShop (other than Convenience shop, and Restricted retail premises)

2.0 **Use of land**

30/10/2008 C38

Amenity of the neighbourhood

Application requirements

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- Transport of materials, goods or commodities to or from the land.
- The likely effects, if any, on nearby land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and Planning Policy Framework, and local planning policies.
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- *The Urban Design Guidelines Mildura Irymple Urban Transition Area (April 2008)*
- *The Mildura Irymple Interface Study (2006)*
- The provisions of Design and Development Overlay (Schedule 10).

3.0 Subdivision

13/06/2014
GC8

Permit requirement

A permit is required to subdivide land.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Commercial 2 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and Planning Policy Framework, and local planning policies.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- The interface with adjoining zones, especially the relationship with residential areas.
- *The Urban Design Guidelines Mildura Irymple Urban Transition Area (April 2008)*
- *The Mildura Irymple Interface Study (2006)*
- The provisions of Design and Development Overlay (Schedule 10).

4.0 Buildings and works

13/06/2014 GC8

Permit requirement

A permit is required to construct a building or construct or carry out works. This includes the internal rearrangement of a building if the maximum leasable floor area specified in the schedule to this zone is exceeded.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within30 metres of land (not a road) which is in a residential zone or Commercial 2 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and Planning Policy Framework, and local planning policies.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, including outdoor advertising structures, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or near the land.
- Interface with non industrial areas.
- Outdoor storage, lighting and storm water discharge.
- The design of buildings to provide for solar access.
- *The Urban Design Guidelines Mildura Irymple Urban Transition Area (April 2008)*
- *The Mildura Irymple Interface Study (2006)*
- The provisions of Design and Development Overlay (Schedule 10).

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0 Signs

30/10/2008
C38

Sign requirements are at Clause 52.05. All land located within this zone is in Category 3.

SCHEDULE 10 TO CLAUSE 37.01 SPECIAL USE ZONE

07/08/2014
C88

Shown on the planning scheme map as **SUZ10.**

BIOENERGY POWER PLANT, CARWARP

Purpose

To provide for the use and development of the land for the construction and operation of the Bioenergy Power Plant, Carwarp.

To ensure that the use and development of the land takes place in an orderly manner, with minimal negative social and environmental impacts.

1.0 Table of uses

07/08/2014
C88

Section 1 - Permit not required

Use	Condition
Bioenergy power plant	Must be generally in accordance with the incorporated document titled "Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014".
Car park	Must be ancillary to the use of land for the Bioenergy power plant.
Industry (other than Refuse disposal, Transfer station, Research and development centre and Rural industry)	Must be ancillary to the use of land for the Bioenergy power plant.
Office	Must be associated with the use of land for the Bioenergy power plant.
Utility installation	
Warehouse	Must be ancillary to the use of land for the Bioenergy power plant.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Caretaker's house	Must be the only Caretaker's house on the lot.
Renewable energy facility	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Agriculture (other than Apiculture)
Art and craft centre
Bioenergy power plant (If the Section 1 condition is not met.)
Brothel

Use	
Car park	If the Section 1 condition is not met
Cemetery **Child care centre** **Cinema based entertainment facility** **Crematorium** **Display home** **Education centre** **Emergency services facility** **Freeway service centre** **Funeral parlour** **Home based business** **Hospital** **Leisure and recreation**	
Office	If the Section 1 condition is not met.
Place of assembly **Recreational boat facility** **Refuse disposal** **Research and development centre** **Research centre** **Retail premises** **Rural industry** **Saleyard** **Service station** **Transport terminal** **Tramway** **Transfer station** **Veterinary centre**	
Warehouse	If the Section 1 condition is not met.
Winery	

2.0 Use of land

07/08/2014
C88

Application requirements

An application must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, the hours of delivery and dispatch of goods and materials, light spill, solar access and glare.

Exemption from notice and review

An application which is generally in accordance with the incorporated document titled *"Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014"* is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The incorporated document titled *"Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014"*.
- The views of the Environment Protection Authority on environmental management, stormwater management, noise management and air emissions management.
- The effect that existing uses may have on the proposed use.
- The interface with adjoining areas.
- The interim use of those parts of the land not required for the proposed use.
- The effect of traffic to be generated on roads.
- Provision for vehicle and bicycle parking.
- Provision for the loading and unloading of vehicles.
- Provision for vehicles providing for supplies, waste removal and emergency services.
- The storage of rubbish and materials for recycling.

3.0 Subdivision

07/08/2014
C88

Permit requirement

A permit is required to subdivide land.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The incorporated document titled *"Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014"*.
- The views of the Environment Protection Authority on environmental management, stormwater management, noise management and air emissions management.
- The drainage of the land.
- The availability of and connection to services.

4.0 Buildings and works

07/08/2014
C88

Permit requirement

A permit is not required to construct or carry out:

- A building or works generally in accordance with the incorporated document titled *"Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014"*, constructed or carried out in accordance with the following plans, as appropriate, prepared prior and endorsed to the satisfaction of the responsible authority:
- A **Design drawing** to scale showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways, vehicle parking areas and loading and unloading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- A **Construction Environmental Management Plan** specifying the measures proposed to ensure that construction activity has minimal impact on environmental values and surrounding areas. This Construction Environmental Management Plan is to include details of:
  - Stormwater runoff and how this will be managed during construction.
  - Traffic management including a description and plans showing:
  - Proposed vehicle and pedestrian access to the site.
  - Potential impact(s) on access arrangements to other properties and measures to address these impacts.
  - Expected levels of noise and details of how this is to be managed.
  - Expected air emissions, including dust and odour, and a description of how these will be managed.
  - Waste management.
  - The storage and handling of fuels and chemicals.
  - Vegetation management including protection of vegetation to be retained and weed management.
  - Potential impacts on cultural and archaeological heritage and details of how these are to be managed.
- An **Operational Environmental Management Plan Framework** including preliminary details on how the following is to be managed during the operation of the Bioenergy Power Plant:
  - Stormwater runoff and discharges.
  - Traffic including:
    - Estimated traffic volumes and types and details of any traffic management measures required to ensure the continued safe and efficient operation of the surrounding road network.
    - Proposed vehicle, pedestrian and bicycle access points at the property boundaries.
    - The location of parking and loading areas.
  - Noise and air emissions.
  - Landscaping.

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.

Exemption from notice and review

An application which is generally in accordance with the incorporated document titled "Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014" is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application or the endorsement of a plan prepared in accordance with the requirements of Clause 4.0 of this schedule, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The incorporated document titled *"Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014"*.
- The views of the Environment Protection Authority on environmental management, stormwater management, noise management and air emissions management.
- The interface with adjoining areas.
- The design and elevation treatment of buildings and their appurtenances.
- The illumination of buildings and their immediate spaces.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- Provision for vehicle and bicycle parking.
- Provision for the loading and unloading of vehicles.
- Provision for vehicles providing for supplies, waste removal and emergency services.
- The storage of rubbish and materials for recycling.
- The need for a condition requiring that all buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0 Signs

07/08/2014
C88

Sign requirements are at Clause 52.05. All land located within this zone is in Category 2.

09/08/2012 C66

SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ1.**

MILDURA GOLF RESORT REDEVELOPMENT MASTERPLAN, JUNE 2012

Land

The land which operates as the Mildura Golf Club, comprising Land in Certificates of Title Volume 9089 Folio 051, Volume 10120 Folio 793, Volume 10849 Folio 751, Volume 10849 Folio 752, Volume 8652 Folio 470 (part), Volume 8860 Folio 557(part), Volume 8217 Folio 641, Volume 1016 Folio 607 and Volume 8504 Folio 538.

Purpose

To establish an integrated recreational, residential and resort use and development focused on a high quality golf course generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*

To provide for a high quality 'resort style' residential development.

To ensure development is compatible with the landscape character of the area.

To ensure use and development has regard to natural values of the land and natural processes.

To ensure use and development has regard to the amenity of adjacent properties and the surrounding area.

Commented [BB(26]: MD specifies to insert a max of 5 purposes

Commented [DG27R26]: Deleted 'To provide for golf facilities and associated tourism, accommodation and resort development.'

1.0 Table of uses

09/08/2012 C66

Section 1 - Permit not required

Use	Condition
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Car park	Must be generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*
Dwelling (other than Bed and breakfast)	Must be generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*
Food and drink premises (other than Convenience restaurant)	Must be generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*

Use	Condition
Function centre	Must be generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*
Minor sports and recreation facility (other than Amusement park, Paintball games facility and Zoo)	Must be generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*
Residential hotel	Must be generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution, Dwelling and Residential hotel)	
Place of assembly (other than Carnival, Circus, Drive-in-theatre, Function centre, Nightclub)	
Retail premises (other than Adult sex product shop, Convenience restaurant, Department store, Food and drink premises, Restricted retail premises and Supermarket)	
Store	
Any use in Section 1 if the condition is not met	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Adult sex product shop
Animal husbandry (other than Apiculture)
Brothel
Convenience restaurant
Corrective institution
Department store
Drive in theatre
Industry
Motor racing track
Paintball games facility
Amusement park
Nightclub
Restricted retail premises
Saleyard
Supermarket
Service station
Warehouse (other than Store)
Zoo

2.0 Use of land

09/08/2012 C66

The use of the land affected by the schedule must be generally in accordance the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*

Any use of the land must not adversely affect the environment or amenity of the neighbourhood through:

- Any events or functions held on the site.
- Traffic and car parking generated by the use.
- The transport of materials or goods to or from the land.
- The appearance of buildings, works or materials.
- Noise generated by the use.

3.0 Subdivision

--/--/20-- C--

None specified.

4.0 Buildings and works

09/08/2012 C66

No permit is required to:

- Construct or carry out works normal to a dwelling generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*
- Carry out works for the golf course generally in accordance with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*

Application requirements

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site context plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Details of existing or proposed buildings and works on adjoining lots.
  - Relevant ground levels.
- A design response plan.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering, maintaining and monitoring the landscape area.
- Details of compliance with the *Fairways Mildura Design Guidelines, Version 2 – March 2012*, prepared by Mildura Golf Developments Pty Ltd, which identify the preferred style of housing.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal is consistent with the *Mildura Golf Resort Redevelopment Masterplan, June 2012.*

- Whether the proposal is consistent with the *Fairways Mildura Design Guidelines, Version 2 – March 2012,* prepared by Mildura Golf Developments Pty Ltd, which identify the preferred style of housing.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and the use of water sensitive urban design elements.

5.0 Signs

--/--/20--
C--

None specified.

SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

19/01/2006
VC37

1.0 Application requirements

--/--/20--
C--

None specified.

2.0 Decision guidelines

--/--/20--
C--

None specified.

3.0 Signs

--/--/20--
C--

Land	Sign Category
None specified	

SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE

22/09/2016
C75

Shown on the planning scheme map as **UGZ1.**

MILDURA SOUTH PRECINCT STRUCTURE PLAN – ACTIVITY CENTRE

1.0 The plan

22/09/2016
C75

Plan 1 shows the future urban structure identified in the Mildura South Precinct Structure Plan. This schedule applies to land identified as the Sixteenth and Ontario Activity Centre on Plan 1 below.

Plan 1 to Schedule 1 to Clause 37.07



2.0 Use and development

22/09/2016 C75

2.1 The Land

22/09/2016 C75

The use and development provisions specified in this schedule apply to all land shown as UGZ1 in the planning scheme maps.

2.2 Applied zone provisions

22/09/2016 C75

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works by reference to Plan 1 of this schedule.

Table 1: Applied zone provisions

Land shown on plan 1 of this schedule	Applied zone provisions
Retail / Commercial	Clause 34.01 – Commercial 1 Zone
Land shown on plan 1 of this schedule Public Open Space	Applied zone provisions Clause 36.02 – Public Park and Recreation Zone
Land shown on plan 1 of this schedule Community Uses	Applied zone provisions Clause 36.01 – Public Use Zone
Land shown on plan 1 of this schedule Higher Density Residential	Applied zone provisions Clause 32.07 – Residential Growth Zone

The precise boundary of the Commercial 1 Zone, Public Use Zone and Residential Growth Zone will be determined by the Urban Design Framework/Master Plan approved under Clause 3.0 of this schedule

3.0 Application requirements

22/09/2016 C75

Activity centre urban design framework

If land is identified as part of the neighbourhood activity centre on Plan 1, a permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works until an Urban Design Framework/Master Plan for the activity centre has been prepared to the satisfaction of the responsible authority.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the granting of the permit will not prejudice the achievement of any objectives and planning and design guidelines for the activity centre as set out in the incorporated precinct structure plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework/Master Plan may be amended to the satisfaction of the responsible authority.

Before deciding whether to approve an urban design framework/master plan or a substantial amendment to an approved plan, the responsible authority must first display the plan for public comment for a period of 14 days and must take account of any comments received in response to display of the plan.

4.0 Conditions and requirements for permits

--/--/20-- C--

None specified.

Commented [DG29R28]: Done

Commented [BB(28]: The table shoud have a column as per MD, apply table style 2 in Keystone.

5.0 Exemption from notice and review

--/--/20--
C--

None specified.

6.0 Decision guidelines

22/09/2016
C75

The following decision guidelines apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Consistency with the *Mildura South Precinct Structure Plan*, 2014.
- Consistency with the *Mildura South (Sixteenth and Deakin West) Development Plan*, 2014.

7.0 Signs

--/--/20--
C--

None specified.

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

24/06/2010 C44

Shown on the planning scheme map as **ESO1**.

MURRAY RIVER CORRIDOR

1.0 Statement of environmental significance

24/06/2010 C44

Clause 2 and the NSW *Murray Regional Environment Plan No. 2 – Riverine* identify the Murray River as an asset of national and state significance. The Murray River, its tributaries and environs serve a variety of environmental, economic, social, recreational and tourist functions.

2.0 Environmental objective to be achieved

21/09/2006 C37

- To protect the environs of the Murray River for its biodiversity, nature conservation, flooding, economic development, cultural values, recreation and tourism importance.

3.0 Permit requirement

24/06/2010 C44

A permit is not required to construct a building or construct or carry out works for:

- An extension to an existing dwelling, subject to the buildings and works being less than 250 square metres in floor area and located greater than 60 metres from the Murray River or the Crown land boundary;
- Minor buildings and works including a pergola, veranda, decking, garage, carport, water tank, domestic shed or swimming pool associated with an existing dwelling, subject to the buildings and works being located greater than 60 metres from the Murray River or the Crown land boundary;
- An agricultural building for the storage of farm machinery or farm vehicles, or a workshop associated with a rural use in a rural zone, subject to the buildings and works being located greater than 60 metres from the Murray River or the Crown land boundary;
- Extensions and upgrades to an existing pump shed and associated pipe infrastructure;
- A hay shed with open sides;
- A mast, antenna or telecommunications tower;
- Open type fencing (not including solid fences such as wooden or metal paling fences, cyclone mesh fences or brick, stone or concrete wall); and
- Roadworks carried out by a public authority.
- Mooring poles for boats
- Subdivision that does not increase the number of lots and results in lots that are no smaller than the minimum subdivision size of the zone affecting the land.
- The removal, destruction or lopping of vegetation for public works, including public roads and water authority works.

4.0 Application requirements

DD/MM/20-- Proposed CXX

None specified

5.0 Decision guidelines

24/06/2010 C44

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Access

- Whether the proposal will result in the obstruction of the waterway and foreshore.
- Whether the proposed access will adversely impact on flora and fauna.

Bank disturbance

- Whether the proposal will result in disturbance to the shape of the bank.

Biodiversity

- Whether the proposal:
  - Will adversely impact on existing flora and fauna values (including migratory species) including the potential for future recovery of threatened populations.
  - Will adversely impact on flora and fauna and areas of native vegetation.
  - Is located on land that has the capability to sustain the development.
  - Reduces opportunities for increasing vegetation connectivity.
  - Incorporates appropriate revegetation and tree planting programs.
  - Does not impact on adjoining environmentally sensitive areas.

Building setbacks and design

- Whether the development is within 60 metres of a watercourse or from an existing river levee or Crown land boundary (whichever is the greater).
- The setback of the proposed development from a watercourse or from an existing river levee or Crown land boundary.
- Whether the proposed development complements the natural environment.

Earthworks

- Whether buildings (other than buildings dependent on a location adjacent to the River such as a ramp, pump shed or jetty) are set back a distance of at least 100 metres from the river bank or from an existing river levee.
- Whether buildings are designed so as to complement the natural environment generally in accordance with the River Murray Landscape Guidelines (Built Structures) and the Siting and Design Guidelines for Water Diversion Works on or across Crown Land.

Effluent disposal

- Whether the proposed method of effluent disposal is appropriate and in accordance with the *Code of Practice – Onsite Wastewater Management*.
- Whether excess stormwater should be disposed of on-site and away from any septic absorption area.

Heritage

- Whether the proposed development is designed so as to protect and enhance historic and archaeological sites and the natural and cultural heritage of the river environs.

Land degradation

- Whether it is appropriate for any approval to include permit conditions which specifically address land degradation processes including erosion, native vegetation decline, pollution of ground or surface water, salinisation and soil acidity and adverse effects on the quality of land and water habitats.

Landscape

- The visual impact of the proposal on the riverine landscape and whether this may be lessened through the planting of a variety of appropriate indigenous vegetation species and by other means as appropriate.

River related activity and development

- The appropriateness of the location of the development with respect to the bank of the Murray River, or whether the development should be located outside the overlay area.
- Whether it is appropriate for any approval within this overlay area to include permit conditions which provide for and facilitate public access to the foreshore.

Subdivision

- The impact of the subdivision on areas of native vegetation and the Murray River Reserve.
- The impact of subdivision (or re-subdivision) on the Murray River corridor and other public land as floodplains and as buffer areas for nutrients and other pollutants.

Water quality

- The views of the relevant water authority on the quality of water in the Murray River and what measures are proposed to reduce the prospects of pollution.

Wetlands

- Whether it is appropriate for any approval affecting wetlands within the overlay area to include permit conditions which:
  - provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland;

- address the potential impact of surrounding land uses and incorporate measures such as vegetated buffer areas which counteract any adverse effects;
- control human and animal access;
- prevent negative impacts to wetland water quality; and
- conserve native plants and animals.

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

24/06/2010 C44

Shown on the planning scheme map as **ESO2.**

MILDURA WASTE WATER TREATMENT PLANT AND REUSE CENTRE

1.0 Statement of environmental significance

19/01/2006 VC37

The Mildura Waste Water Treatment Plant and Reuse Centre, provides for the effective treatment of the wastewater generated by Mildura and nearby towns.

The overlay provides for the ongoing operation of the plant and disposal on the site and applies to the site and to all land so designated in the planning scheme map, generally within 200 metres of the southern boundary of the site.

2.0 Environmental objective to be achieved

19/01/2006 VC37

To ensure that any development on the land or in close proximity to the land is not detrimentally affected in terms of noise, odour or other environmental effects generated by the Mildura Waste Water Treatment Plant and Reuse Centre or by allowing conflicting development.

3.0 Permit requirement

24/06/2010 C44

A permit is not required for:

- Extensions and alterations to an existing dwelling provided the extension is not greater than 50 percent of the existing floor area.
- Extensions or alterations to outbuildings including sheds and stables.
- A subdivision that does increase the number of lots and results in lots that are no smaller that the minimum subdivision size of the zone control.

Any permit granted under this overlay must contain a condition that the applicant and owner enter into a Section 173 Agreement with the responsible authority and water authority acknowledging the existence of the Mildura Water Treatment Facility and Reuse Centre and the potential for impact from odour and other real and perceived amenity impacts.

4.0 Application requirements

--/--/20-- C--

Before deciding on any application under this overlay area the responsible authority must refer the application in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

A referral agreement between the responsible authority and the referral authority may be in place that may affect the above requirement.

5.0 Decision guidelines

24/06/2010 C44

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- the proximity of the proposed development to the Waste Water Treatment Plant and Reuse Centre;
- the sensitivity of the proposal to noise and odour that may be generated by the Waste Water Treatment Plant and Reuse Centre;

- the number of persons likely to use the facility proposed in the application;
- whether the development replaces an existing development, particularly an existing residence;
- the demand for such facilities and their availability outside the overlay area;
- the potential for the proposed development or subdivision to attract additional people to the area;
- the length and frequency of the stay of any person within the proposal;
- the comments of the water authority.

SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

24/06/2010 C44

Shown on the planning scheme map as **ESO4.**

INCOMPATIBLE LAND USE BUFFER AREA

1.0 Statement of environmental significance

24/06/2010 C44

There are a number of long established land uses in the municipality which have significant residual air emissions. Sensitive land uses in the vicinity of such activities can result in land use conflicts.

This schedule relates to the use of land for the following:

- Merbein Mushrooms, Lot 2, LP75386, 1210 Sturt Highway, Merbein South.
- Abattoir, Lot 1 LP 221865, being part of Crown Allotment 1 Section 89, Block F, Parish of Mildura, Gordon Avenue, Mildura South
- Concrete Batching Plant, Part Crown Allotment 19 of Section 114, Block F, Parish of Mildura, Sandilong Avenue, Irymple
- Asphalt and Crushing Plant, Crown Allotments 8, 9 and 10, Section 114, Block F, Parish of Mildura, corner Benetook Avenue and Twentieth Street, Koorlong.

2.0 Environmental objective to be achieved

19/01/2006 VC37

To minimise the potential for future land use conflict.

3.0 Permit requirement

24/06/2010 C44

A permit is not required for:

- Extensions and alterations to an existing dwelling provided the extension is not greater than 50 percent of the existing floor area.
- Extensions and alterations to an existing outbuilding, including sheds and stables.
- A subdivision that does not increase the number of lots and results in lots no smaller than the minimum subdivision size of the zone control.

The minimum distance for a new dwelling is defined by the extent of the overlay control. The responsible authority will discourage any new dwellings within this buffer.

4.0 Application requirements

--/--/20-- C--

Notice of application must be given pursuant to Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause.

5.0 Decision guidelines

24/06/2010 C44

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- the likely adverse effects of the existing industry on the inhabitants of any proposed buildings and works.

- the minimum distance the responsible authority will allow all new dwellings, (other than a caretakers dwelling) to be sited from a nominated industrial land use.

SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

24/06/2010
C44

Shown on the planning scheme map as **VPO1.**

ROADSIDE VEGETATION PROTECTION AREA

1.0 Statement of nature and significance of vegetation to be protected

24/06/2010
C44

Roadsides throughout the municipality contain important species of remnant native vegetation which contribute to the environmental qualities of the area and which act as important wildlife corridors.

This schedule relates to the following roadsides:

- Calder Highway, Merbein West, between Paschendale Avenue and Sanders Street
- Sturt Highway, Merbein, between Meridian Road and McCarthys Road
- Danes Road, Karadoc

Background document

The Mallee Native Vegetation Plan (Mallee CMA, August 2000)

2.0 Vegetation protection objectives to be achieved

19/01/2006
VC37

To prevent the loss of vegetation along roadsides.

To preserve vegetation for its habitat, land management and visual amenity values.

3.0 Permit requirement

--/--/20--
C--

None specified.

4.0 Application requirements

--/--/20--
C--

None specified.

5.0 Decision guidelines

24/06/2010
C44

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The purpose of native vegetation removal or destruction.
- The need to seek alternatives to native vegetation removal or destruction.
- The flora and fauna significance of native vegetation.
- Any relevant roadside management plan,

regional vegetation plans, regional catchment strategies, Victorian Native Vegetation Framework and Victoria's Biodiversity Strategy.

SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

10/11/2016 C96

Shown on the planning scheme map as **VPO2.**

107-111 TWELFTH STREET, MILDURA

1.0 Statement of nature and significance of vegetation to be protected

10/11/2016 C96

The trees identified within this overlay provide significant vegetation cover within this site and contribute to the character and amenity of the local area. Retention of these trees is consistent with Council's vision for the environment at Clause 02.03 of preserving and enhancing remnant vegetation and habitat on both private and public land, helps integrate new development into the existing urban form and reduces the impact of higher densities or larger buildings on neighbourhood character.

2.0 Vegetation protection objectives to be achieved

10/11/2016 C96

To retain significant vegetation cover and ensure that new development integrates with and complements the character of the neighbourhood.

To ensure that the development, use and management of land is compatible with the retention of existing vegetation and the existing character of the area.

3.0 Permit requirement

10/11/2016 C96

A permit is required to remove, destroy or lop vegetation.

4.0 Application requirements

--/--/20-- C--

None specified.

5.0 Decision guidelines

10/11/2016 C96

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The value of retaining significant vegetation cover within the site.
- The significance of any vegetation to be removed, destroyed or lopped.
- The purpose of vegetation removal, destruction or lopping.
- The impact of removing, destroying or lopping vegetation on neighbourhood character.
- Any alternatives to vegetation removal, destruction or lopping.

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

06/04/2017
C82

1.0 Application requirements

The following application requirements apply to an application under Clause 43.01, in addition to those specified elsewhere in the planning scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written report that assesses the impact of the application upon the significance of the heritage place. This report should: [22.02]
  - - describe as part of the Site Analysis the significant elements of the place, having regard to the relevant heritage place citation and how these have been considered in the preparation of the application. [22.02]
  - - if the application includes demolition, include an assessment of whether the fabric is significant and, if so, provide reasons why it is to be removed. [22.02]
  - - on the basis of the above, include an assessment of how the application will affect the significance of the heritage place. [22.02]
  - - identify any significant fabric not specifically identified by an existing heritage study and assess its significance and how it will be impacted by the proposed development. (SP)
  - - addresses the following policy documents (as relevant):
    - *Mildura Conservation Study* (Andrew Ward, 1988)
    - *Mildura (former Shire of Walpeup) Heritage Study Stage 2* (Context, 2013)
    - *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan (*Context, November 2015*)*
- A Conservation Management Plan prepared in accordance with the Burra Charter for large or complex sites, or for major alterations or additions to places that are of individual significance, or for any other application that the responsible authority considers raises significant heritage issues. [22.02]
- A report prepared by a suitably qualified consultant that assesses the structural condition of a heritage place and whether or not any defects can be repaired or mitigated. [22.02]
- An archaeological survey and assessment prepared by a suitably qualified consultant, that assesses the impact of an application upon potential archaeological deposits on the site. [22.02]
- A report prepared by a suitably qualified consultant, that assesses the impact of the proposed development upon any significant tree. [22.02]
- WHERE THE TREES OR GARDENS ON THE SITE HAVE BEEN IDENTIFIED AS SIGNIFICANT, A LANDSCAPING PLAN PREPARED BY A SUITABLY QUALIFIED CONSULTANT, THAT DEMONSTRATES HOW LANDSCAPING ON THE SITE WILL RESPOND TO THE CULTURAL LANDSCAPE CHARACTER AND SETTING OF THE HERITAGE PLACE. [22.02]

2.0 Heritage places

xx/xx/2019

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	BAMBILL							
HO103	Bambill Weighbridge Bambill railway site (Map 8HO)	Yes	No	No	No	No	No	No
HO123	House (settlers) CA 60 Parish of Yarrara (Map 8HO)	Yes	No	No	No	No	No	No
HO124	House (settlers) CA 60 Parish of Yarrara (Map 8HO)	Yes	No	No	No	No	No	No
	BIG DESERT							
HO400	Pine Plains Homestead, outbuildings Pine Plains Road, Big Desert (Map 51HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
FHO404	Bridge remnant Gunners Track, Big Desert (Map 51HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO405	Carters Tank Pine Plains Road, Big Desert (Map 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	BOINKA							
HO406	Boinka Community Centre (former State School No. 3800) Boinka South Road, Boinka (Map 51HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO407	Boinka Cemetery Kelly Road, Boinka (Map 51HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes – Cypress pines	No	No	No	No
HO408	Limestone walls Mallee Highway, Boinka (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	CARDROSS							
HO171	Sheds 3848 Benetook Avenue, Cardross, CA 10 Sec 130 Blk F (Map 34HO)	Yes	No	No	No	No	No	No
HO121	House 88 Dal Farra Road, Cardross, CA 1-11 Sec 130 Blk F (Map 34HO)	Yes	No	No	No	No	No	No
	CARWARP							
HO105	Brighton Tank CA 31, Carwarp South West Road, Carwarp (Map 44HO)	Yes	No	No	No	No	No	No
	COWANGIE							
HO310	Cowangie Precinct Cowangie (Map 14HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes – applies to avenue of memorial pepper-corn trees	No	No	No	No
HO409	Cowangie Cemetery Cemetery Road, Cowangie (Map 14HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO182	Kow Plains Homestead 99 Cowangie South Road, Cowangie (Map 14HO)	-	-	-	-	Yes Ref No H688	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO410	Railway Water Reserve Main Street, Cowangie (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO411	Lone Grave Mallee Highway, east of township, Cowangie (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO412	Memorial trees, WW1 Mallee Highway (near Danyo South Road), Cowangie (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes	No	No	No	No
HO413	Wells – group of 3 Pallarang Road (west side, north of Mallee Highway), Cowangie (Map 14HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	CULLULLERAINE							
HO148	Lock Nine Pumping Station Lock Nine Road, Cullulleraine (Map 17HO)	-	-	-	-	Yes Ref No H549	No	No
HO151	Millewa Main Pumping Station Site Pumping Station Reserve, Parish of Werrimull (Map 17HO)	No	No	No	No	No	No	No
	HATTAH							
HO117	Brighton's Block Crown Land, Hattah Kulkyne National Park, Hattah (Map 46HO)	Yes	No	No	No	No	No	No
HO118	Brighton's Bridge Crown Land, Hattah Kulkyne National Park, Hattah (Map 46HO)	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO119	"Florence Annie" Wreck Crown Reserve, Hattah Kulkyne National Park, Hattah (Map 46HO)	Yes	No	No	No	No	No	No
HO120	Mahon Homestead Site Crown Land, Hattah Kulkyne National Park, Hattah (Map 46HO)	Yes	No	No	No	No	No	No
HO414	Railway pumping station Lake Hattah, Hattah (Map 46HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO415	Regulator Lake Hattah, Hattah (Map 46HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	IRYMPLE							
HO147	Mildura Fruit Co-Operative Co Ltd CA 11 Sec 43 Blk F (Map 31HO)	Yes	No	No	No	No	No	No
HO134	Limestone Cottage & Outbuildings 3672 Benetook Avenue, Irymple, Pt CA 6 Sec 134 Blk F (Map 34HO)	Yes	No	No	No	No	No	No
HO102	Arlington CA 16 Sec 46 Blk F, Cowra Avenue, Irymple (Map 29HO)	Yes	No	No	No	No	No	No
HO126	Irymple Railway Station Railway Crescent , Irymple (Map 31HO)	-	-	-	-	Yes Ref No H1568	No	No
HO113	Former Smith House 220 Morpung Avenue, Irymple, CA 11 Sec 40 Blk F (Map 32HO)	Yes	No	No	No	No	No	No
HO301	Psyche Bend Pumping Station Psyche Bend Road, Irymple (Map 32HO)	-	-	-	-	Yes Ref No H548	No	No
HO176	Wesleyan Church 811-817 Sandilong Avenue, Irymple, Pt CA 13 Sec 45 Blk F (Map 29HO)	Yes	No	No	No	No	No	No
	KARWEEN							
HO128	Karween Rail Station Crown Land Parish of Karween (Map 5HO)	Yes	No	No	No	No	No	No
	KINGS BILLABONG							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO302	Balance Kings Billabong Pumping Station (Map 32HO)	No	No	Yes	No	No	No	No
HO130	Kings Billabong Pumping Station Residences CA 33 & 98A Blk F (Map 32HO)	Yes	No	No	No	No	No	No
	KULNINE EAST							
HO127	Kablan Homestead Crown Land (Map 2HO)	Yes	No	No	No	No	No	No
HO131	Kulnine Homestead CA A Parish of Wallpolla (Map 17HO)	Yes	No	No	No	No	No	No
HO132	Kulnine Homestead Fence Crown Land (Map 2HO)	Yes	No	No	No	No	No	No
HO306	Kulnine Station, Millewa A Pumping Station (Map 17HO)	No	No	No	No	No	No	No
HO133	Kulnine Woolshed CA A Parish of Wallpolla (Map 17HO)	Yes	No	No	No	No	No	No
HO137	Lockmasters Residence Crown Reserve Parish of Wallpolla (Map 17HO)	Yes	No	No	No	No	No	No
HO136	Lock Nine School Site Crown Reserve Parish of Wallpolla (Map 17HO)	No	No	No	No	No	No	No
HO154	Ned's Corner Homestead Site Crown Reserve Wallpolla (Map 2HO)	No	No	No	No	No	No	No
HO159	Old Kulnine Homestead CA A Parish of Wallpolla (Map 17HO)	Yes	No	No	No	No	No	No
HO169	Red Gum Fence Line CA A Parish of Wallpolla (Map 17HO)	No	No	No	No	No	No	No
HO170	Secret Grave Crown Land Parish of Wallpolla (Map 2HO)	Yes	No	No	No	No	No	No
HO178	Wool Store Site CA A Parish of Wallpolla, Renmark Mail Route Road (Map 17HO)	No	No	No	No	No	No	No
	MERBEIN/ MERBEIN SOUTH							
HO140	Merbein Brickworks Parish of Merbein (Map 23HO)	Yes	No	No	No	No	No	No
HO141	Merbein Cemetery Parish of Merbein (Map 22HO)	Yes	No	No	No	No	No	No
HO142	Merbein Main Channel Parish of Merbein (Map 23HO)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO143	Merbein Pumping Station CA R Sec A, Merbein (Map 23HO)	Yes	No	No	No	No	No	No
HO174	Sturt Memorial Chaffey Park, Parish of Merbein (Map 23HO)	Yes	No	No	No	No	No	No
HO179	Yelta Railway Causeway Railway Reserve, Merbein (Map 25HO)	Yes	No	No	No	No	No	No
HO180	Yelta Railway Roadbridge Railway Reserve, Merbein (Map 23HO)	Yes	No	No	No	No	No	No
HO181	Former Horticulture Research Station 571-585 River Avenue, Merbein South (Map 25HO)	-	-	-	-	Yes Ref No H2316	Yes	No
HO53	The Gables 209 Cowanna Avenue, Merbein (Map 22HO)	Yes	No	No	No	No	No	No
HO146	Mildara Blass Distillery 2 Wentworth Road, Merbein (Map 23HO)	-	-	-	-	Yes Ref No H1099	No	No
HO173	Stretton (House) 65 Yelta Road, Merbein, CA 54 Parish of Merbein (Map 22HO)	Yes	No	No	No	No	No	No
	MERINGUR							
HO304	Meringur Township Precinct Meringur (Map 6HO)	Yes	No	No	No	No	No	No
HO144	Meringur Public Hall CA 3 Sec F Parish of Meringur (Map 6HO)	Yes	No	No	No	No	No	No
HO145	Meringur Tanks & Stands CA 1 Sec F Parish of Meringur (Map 6HO)	Yes	No	No	No	No	No	No
HO162	Pine Log and Pig Barns CA 44 Parish of Meringur (Map 2HO)	Yes	No	No	No	No	No	No
	MILDURA							
HO307	Chaffey Avenue Precinct Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO208	Washingtonia Chaffey Avenue between Seventh Street & Cureton Avenue and along Cureton Avenue west of Chaffey Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO206	Ficus macrophylla 2-6 Chaffey Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO215	Grey Leafed Exotic Palm 2-6 Chaffey Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	The Bungalow (Residence) 2-6 Chaffey Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO2	Residence 25 Chaffey Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO3	Residence 27 Chaffey Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO216	Washingtonia 33 Chaffey Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO217	Date Palm 35 Chaffey Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO218	Date Palm 37 Chaffey Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO4	Residence 37 Chaffey Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO5	Residence 41 Chaffey Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO46	Residence 291 Cowra Avenue, Mildura (Map 32HO)	Yes	No	No	No	No	No	No
HO6	Rio Vista 199-205 Cureton Avenue, Mildura (Map 27HO)	-	-	-	-	Yes Ref No H729	No	No
HO308	Deakin Avenue Precinct Mildura (Maps 27HO & 29HO)	Yes	No	No	No	No	No	No
HO201	Washingtonia Eucalyptus Cladocalyx Deakin Avenue median and nature strips between Seventh and Fifteenth Streets, Mildura, which include numerous palms and native trees (Maps 27HO, 28HO, 29HO)	No	No	Yes	No	No	No	No
HO209	Washingtonia Mildura Education Centre in Deakin Avenue, Mildura, being an avenue of palms along the driveway of the centre (Map 29HO)	No	No	Yes	No	No	No	No
HO44	Former Chaffey Bros Ltd Fountain Corner Deakin Avenue and Seventh Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO21	Former Post Office Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO9	Rio Vista Fountain Deakin Avenue median strip, on corner of Eighth Street. Mildura (Map 27HO)	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO11	Rotunda Deakin Avenue median strip, between Eighth Street and Ninth Street. Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO12	WB Chaffey Memorial Deakin Avenue median strip, on corner of Ninth Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO15	War Memorial Deakin Avenue median strip, between Ninth Street and Tenth Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO8	Former "Mildura Cultivator" Office 29 Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO19	Former Shire Offices 70 Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO10	Carnegie Library 72-74 Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO13	Mildura Club 85-91 Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO14	Working Man's Club 90-98 Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO51	Church of Christ 125 Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO16	Former Methodist Church 126-132A Deakin Avenue, Mildura (Map 27HO)	-	-	-	-	Yes Ref No H588	No	No
HO17	St. Andrew's Church 165-167 Deakin Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO205	Ficus macrophylla 65 Douglas Avenue, Mildura (Map 29HO)	No	No	Yes	No	No	No	No
HO23	Former Wintersun Hotel 120-124 Eighth Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO27	Shop 206 Eleventh Street, Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO47	Valetta 223 Eleventh Street, Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO28	St. Austell 241 Eleventh Street, Mildura (Map 29HO)	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO25	Sacred Heart Church 259 Eleventh Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO48	Aree Araam Ellswood Crescent, Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO29	Mildura Brickworks 211 Etiwanda Avenue, Mildura (Map 27HO)	No	No	No	No	No	No	No
HO30	Residence 12 Langtree Parade, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO309	Lemon Avenue Precinct Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO33	Residence 50-52 Lemon Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO34	Residence 61 Lemon Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO35	Residence 70 Lemon Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO22	Former Nash's Store 50 Lime Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO204	Brachychiton rupestre 136 Lime Avenue, Mildura (in front garden) (Map 27HO)	No	No	Yes	No	No	No	No
HO49	FMIT Tower 43 Madden Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO36	Residence 117-117a Magnolia Avenue, Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO202	Eucalyptus camaldulensis Murray River riverfront extending from the riverbank to Cureton Avenue and Seventh Street and between the lock and the George Chaffey Bridge (Map 27HO)	No	No	Yes	No	No	No	No
HO37	Residence 65 Ninth Street, Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO38	Residence 172 Ninth Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO39	Residence 174 Ninth Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO40	Residence 78-80 Olive Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO41	Residence 100 Olive Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO210	Washingtonia Avenue of palms along west side of Ontario Avenue, north of Eleventh Street, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO42	Residence 77 Orange Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO50	House 99-101 San Mateo Avenue, Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO43	Mildura State School 175-189 San Mateo Avenue, Mildura (Map 29HO)	Yes	No	No	No	No	No	No
HO177	Wonwonda (House) 574 San Mateo Avenue, Mildura, CA 7 Sec 48 Blk F (Map 28HO)	Yes	No	No	No	No	No	No
HO125	Imbarlee (House) 617 San Mateo Avenue, Mildura, Pt CA 19 Sec 49 Blk F Parish of Mildura (Map 28HO)	Yes	No	No	No	No	No	No
HO207	Washingtonia phoenix South side of Seventh Street and adjacent to Mildura Railway Station and the Grand Hotel between Deakin and Langtree Avenues, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO45	Railway Carriage Shed and Turntable Seventh Street, between Olive Avenue and Pine Avenue, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO214	Date Palm South side of Thirteenth Street and east of Ontario Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO52	Former Mildura Base Hospital 137-157 Thirteenth Street, Mildura (Map 29HO)	-	-	-	-	Yes Ref No H1934	No	No
HO26	Sacred Heart Presbytery 150-152 Twelfth Street, Mildura (Map 27HO)	Yes	No	No	No	No	No	No
HO203	Eucalyptus ficifolia Adjacent to 214 and 224 Walnut Avenue, Mildura (Map 27HO)	No	No	Yes	No	No	No	No
HO212	Pinus radiata 380-382 Walnut Avenue, Mildura (Map 28HO)	No	No	Yes	No	No	No	No
HO172	St. Ives (House) 3033 Walnut Avenue, Mildura, Pt CA 14 Sec 46 Blk E (Map 28HO)	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	MORKALLA							
HO153	Morkalla Rail Station Crown Land Parish of Morkalla (Map 4HO)	Yes	No	No	No	No	No	No
	MURRAY-SUNSET							
HO463	Salt harvesting site Lake Becking, Murray-Sunset National Park: Pink Lakes, Murray-Sunset (Map 47HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO464	Tramway Formation Lake Becking, Murray-Sunset National Park: Pink Lakes, Murray-Sunset (Map 47HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO465	Salt Harvesting Site Lake Crosby, Murray-Sunset National Park: Pink Lakes, Murray-Sunset (Map 47HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO466	Ruins at salt workings Lake Kenyon, Murray-Sunset National Park; Pink Lakes, Murray-Sunset (Map 47HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	MURRAYVILLE							
HO311	Murrayville Commercial Precinct Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO184	Former Murrayville Consolidated School Francis Street and 27 Poole Street, Murrayville (Map 12HO)	-	-	-	-	Yes Ref No H1185	No	No
HO421	Murrayville Post Office 21 Gray Street, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO417	Danyo Site 1 Mallee Highway, Murrayville (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO183	Murrayville Railway Station McKenzie Street, Murrayville (Map 12HO)	-	-	-	-	Yes Ref No H1580	No	No
HO418	Commercial buildings (row of shops) 15-17 McKenzie Street, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO419	Commercial building (shop) 19 McKenzie Street, Murrayville (Map 19HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO319	Murrayville Railway housing precinct 30-34 McKenzie Street, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO420	St Peter's Lutheran Church Murrayville-Nhill Road, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO422	State Emergency Service (former Court House) 17 Reed Street, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO423	Masonic Lodge 24 Reed Street, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO416	Saint John the Baptist Anglican Church of Australia 31 Reed Street, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO424	St Therese's Catholic Church 32 Sharrock Street, Murrayville (Map 12HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	NICHOLS POINT							
HO129	Billabong Pumping Station Cooke Street, Nichols Point (Map 32HO)	-	-	-	-	Yes Ref No H547	No	No
HO138	Lumeah (House) 54 Fifth Street, Nichols Point Lot 1 TP674660 (Map 32HO)	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO484	Former Nichols Point Primary School Shelter Shed 110 Koorlong Avenue, Nichols Point (Map 32HO)	-	-	-	-	Yes Ref No H2363	Yes	No
HO156	Nichols Point School Pt CA 18 Sec 8 Blk F (Part), Nichols Point (Map 32HO)	Yes	No	No	No	No	No	No
HO175	Villa Marghuerite (House) 310 Cowra Avenue, Nichols Point, CA 1 Sec 18 Blk F (Map 32HO)	Yes	No	No	No	No	No	No
HO110	Denbeigh 138 Cureton Avenue, Nichols Point CP173401 (Map 32HO)	Yes	No	No	No	No	No	No
HO155	Nichols Point Pumping Station Pt CA 1 Sec 9 Blk F, corner Cureton Avenue and Karadoc Avenue, Nichols Point (Map 32HO)	Yes	No	No	No	No	No	No
HO161	Oruru (House) 242 Cureton Avenue, Nichols Point Lot 1 PS522734 (Map 32HO)	Yes	No	No	No	No	No	No
	NOWINGI							
HO108	Congereel Tank CA 22, Parish of Nowingi (Map 44HO)	Yes	No	No	No	No	No	No
HO115	Gypsum Mine Crown Land, Nowingi (Map 44HO)	Yes	No	No	No	No	No	No
HO116	Gypsum Mine Site Crown Land, Nowingi (Map 44HO)	Yes	No	No	No	No	No	No
HO114	Gypsum Washing Plant Crown Land, Nowingi (Map 44HO)	Yes	No	No	No	No	No	No
HO152	Millewa South Railway Crown Land Parish of Nurnurnemal (Map 44HO)	Yes	No	No	No	No	No	No
HO305	Millewa South Railway (Map 44HO)	Yes	No	No	No	No	No	No
HO157	Nowingi Iron Clad Catchment CA 2 Sec 3 Nowingi (Map 45HO)	No	No	No	No	No	No	No
HO158	Nowingi Tank Parish of Nurnurnemal (Map 45HO)	No	No	No	No	No	No	No
	OUYEN							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO425	Former Presbyterian Church 21 Cooper Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO426	Ouyen Cemetery Dunkley Road, Ouyen (Maps 53HO, 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO401	Ouyen High School 1-35 Fuller Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO427	Former Blacksmith's Shop 10 Hughes Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO428	Ouyen Primary School No. 3615 10 Hunt Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO429	House 12 Hunt Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO432	Ouyen Mineral Sands – H2 Manley Road (east side, north of Pearson Road), Ouyen (Map 46HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO430	All Saints' Anglican and Uniting Church 2 Martin Avenue, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO313	Ouyen Housing Precinct Mitchell Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO433	House - Ayton 11 Mitchell Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	Yes	No
HO434	Railway Turntables Repair Site Nihill Street (south), Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes – Palm trees	No	No	No	No
HO314	Ouyen Commercial Precinct Oke Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO442	War Memorial Oke Street (corner Pickering Street), Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO441	Chaff, Oats and Grain Store 10-12 Oke Street (rear of Fairy Dell Café), Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO435	Roxy Theatre 17 Oke Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes – Kaffir Plum Tree	No	No	No	No
HO436	Ouyen Post Office 31 Oke Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO437	Furniture Store 38 Oke Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	Yes	No
HO439	Former Court House 61 Oke Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO438	The Torrita Building 71 Oke Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	Yes	No
HO315	Ouyen Housing Precinct Pickering Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes – palm tree associated with 36 Pickering Street	No	No	No	No
HO443	House (former State Savings Bank) 1 Pickering Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	Yes	No
HO446	Ouyen Tyre Service 8 Pickering Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	Yes	No
HO444	North West Post Office and Foodworks 23 Pickering Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	Yes	No
HO445	Former Doctor's Residence and Surgery 36 Pickering Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	Yes – Canary Island palm	No	No	Yes	No
HO316	Ouyen Housing Precinct Railway Terrace, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO317	Ouyen Railway Precinct Rowe Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO447	Hotel Victoria 22 Rowe Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	Yes	No	No	No	Yes	No
HO448	Ouyen RSL Memorial Club Rooms 36 Rowe Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	Yes – Cypress	No	No	Yes	No
HO450	Scott's Block Scott Road, Ouyen (Map 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes – Eucalyptus and Peppercorn	No	No	No	No
HO449	Timberoo Flora and Fauna Reserve Scott Road (off Patchewollock-Ouyen Road), Ouyen (Maps 49HO, 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes	No	No	No	No
HO451	Masonic Temple 12 Scott Street, Ouyen (Map 54HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO452	Log Tank Walpeup Lake Road (Crown land reserve), Ouyen (Map 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	PANITYA							
HO403	Sheep holding pen, sheepwash and bores Lot 32 Allan Road, Panitya (Map 9HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO454	Panitya Oval Mallee Highway (north side), Panitya (Map 11HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO453	Carina Lodge Ngallo South Road, Panitya (Map 11HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes	No	No	No	No
HO455	No. 1 Bore Panitya South Road (on the west side between Mallee Highway and Hewitt Road), Panitya (Map 11HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	PATCHEWOLLOCK							
HO456	Bugge's public water tank Baring Road, Patchewollock (Map 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	PIRLTA							
HO164	Pirlta Post Office CA 51 Parish of Merrinee (Map 20HO)	Yes	No	No	No	No	No	No
	RED CLIFFS							
HO303	Barclay Square Precinct Red Cliffs (Map 37HO)	Yes	No	No	No	No	No	No
HO160	Old Red Cliffs Urban Pump CA 85B Sec B, Red Cliffs (Map 37HO)	Yes	No	No	No	No	No	No
HO168	Red Cliffs Main Pumping Station Crown Reserve Sec B, Red Cliffs (Map 38HO)	Yes	No	No	No	No	No	No
HO107	Chateau Mildura Winery CA 10-11 Sec 97 Blk F, Belar Avenue, Red Cliffs (Map 32HO)	Yes	No	No	No	No	No	No
HO104	Big Lizzie CA 4, Section 8, north-east corner of Calder Highway (Jacaranda Street) and Jamieson Avenue, Red Cliffs (Map 37HO)	-	-	-	-	Yes Ref No H1919	No	No
HO166	Red Cliffs A Re-Lift Pumping Station CA 85B Sec B, corner Cocklin Avenue and Melia Avenue, Red Cliffs (Map 37HO)	Yes	No	No	No	No	No	No
HO167	Red Cliffs C Re-Lift Pumping Station Channel Reserve Sec B, Cocklin Avenue near Cassia Street, Red Cliffs (Map 37HO)	Yes	No	No	No	No	No	No
HO111	Diggerland Theatre CA 26 & 27 Sec 1, Indi Avenue, Red Cliffs (Map 37HO)	Yes	No	No	No	No	No	No
	TORRITA							
HO457	Cooke's Cottage Cookes Road, Torrita (Map 49HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO458	Torrita Public Hall Mallee Highway, Torrita (Map 49HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	TUTYE							
HO459	Site of former gypsum plasterworks Old Stock Route Road, Tutye (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO460	Tutye (former settlement) Old Stock Route Road, Tutye (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO461	Tutye Cemetery Tyalla Road, Tutye (Map 13HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	UNDERBOOL							
HO462	Cemetery and Cemetery Gates Cemetery Road, Underbool (Map 48HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO468	Fishlock's General Store 2 Malkin Avenue, Underbool (Map 48HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes	No	No	No	No
HO467	Women's Section National Party Meeting Room 13 Malkin Avenue, Underbool (Map 48HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO469	Uniting and Anglican Church 22 Malkin Avenue, Underbool (Map 48HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO470	Weatherboard Cottage (McVicar's) 4263 Mallee Highway, Underbool (Map 47HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO471	Commercial Hotel (former) – Underbool Hotel 45 Cotter Street (Mallee Highway), Underbool (Map 48HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO402	AJ Gloster & Sons Garage 55 Cotter Street (Mallee Highway), Underbool (Map 48HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	Yes	No	No	No	No	No
HO472	Memorial Gates Outen Park, Monash Avenue, Underbool (Map 48HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	Yes – Pair of sugar gums either side of the gates	No	No	No	No
	UNKNOWN LOCALITY							
HO112	Dry Lakes Tank Crown Land (Location to be confirmed)	Yes	No	No	No	No	No	HO112
HO135	Last Hope Tank Crown Land (Location to be confirmed)	No	No	No	No	No	No	HO135
HO139	McArthur's Tank Crown Land (Location to be confirmed)	No	No	No	No	No	No	HO139

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	WALPEUP							
HO318	Walpeup Commercial Precinct Cregan Street, Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO473	Walpeup Primary School 14 Glen Street, Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO475	Sacred Heart Catholic Church 17 Glen Street, Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO476	Relift Pumping Station Hopetoun-Walpeup Road, Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	Yes	No	No	No	No	No
HO478	Water Tank Kenyon Street (corner Glen Street), Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO477	Lutheran Church 4-6 Kenyon Street, Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO479	McKinnon's Farm House McKinnon Lane (corner Hopetoun-Walpeup Road), Walpeup (Map 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO480	Walpeup Mallee Agricultural Research Station Meridian Road, Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
HO481	*Uniting and Anglican Church* *4 Murphys Road, Walpeup (Map 50HO)* ***Incorporated plan:*** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan (Context, November 2015)*	No	No	No	No	No	No	No
HO474	Memorial Hall 16-18 Richardson Street, Walpeup (Map 50HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	Yes	No	No	No	No	No
HO483	Grigg's Property 694 Walpeup Road, Walpeup (Map 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	Yes	No	No	No	No	No	No
HO482	Lake Walpeup Reserve Walpeup Lake Road, Walpeup (Map 52HO) **Incorporated plan:** *Mildura (former Shire of Walpeup) Heritage Study Stage 2: Heritage Overlay Permit Exemptions Incorporated Plan* (Context, November 2015)	No	No	No	No	No	No	No
	WERRIMULL							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO106	Catholic Church, Werrimull CA 2 Sec G, Werrimull (Map 18HO)	Yes	No	No	No	No	No	No
HO149	Millewa A Pumping Station Pumping Station Reserve, Parish of Werrimull (Map 2HO)	Yes	No	No	No	No	No	No
HO163	Pine Log Barns CA 57 Parish of Werrimull (Map 17HO)	Yes	No	No	No	No	No	No
	YARRARA							
HO150	Millewa C Pumping Station Pumping Station Reserve (Map 5HO)	Yes	No	No	No	No	No	No
	YELTA							
HO101	Abbotsford Bridge Calder Highway, Yelta (Map 21HO)	Yes	No	No	No	No	No	No

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

DD/MM/YYYY Proposed C95

Shown on the planning scheme map as **DDO1.**

DEAKIN AVENUE

1.0 Design objectives

D/MM/YYYY Proposed C95

To establish the Deakin Avenue Urban Design Guidelines (2016) as the basis for design and development provisions along the avenue.

To reinforce the avenue as a prestigious boulevard with a lush 'desert oasis' appearance that celebrates Mildura's history and transitions along its length from horticultural edge to inner city.

To encourage high quality development that enhances the boulevard style and image of the avenue, particularly at key opportunity sites.

To support development that is appropriate to the role and preferred character of each of the functional precincts along the avenue.

To minimise disruption to traffic flow and create a pleasant and safe environment for pedestrians and cyclists.

2.0 Buildings and works

DD/MM/YYYY Proposed C95

Permit requirements

A permit is not required to construct or extend the following within a General Residential Zone, provided it does not exceed the building heights and setback requirements in this schedule and is consistent with the design objectives of this schedule:

- Any buildings and works not visible from Deakin Avenue.
- Works normal to a dwelling.
- An open-sided verandah within the rear setback.
- A deck with a finished floor level of not more than 800 millimetres above natural ground level.
- A domestic swimming pool or spa and associated mechanical equipment or safety fencing.

A permit is required for:

- A fence of any height within the front setback.

A permit may be granted for buildings and works that do not accord with all of the requirements of this schedule provided the proposal is consistent with the design objectives and the built form outcomes are designed to the satisfaction of the responsible authority.

A permit cannot be granted to vary any mandatory requirements in this schedule.

Buildings and works requirements

The following requirements apply to an application to construct a building or construct or carry out works:

Design requirements

- Buildings should provide active frontages with weather protection and interesting articulation.
- Buildings should:
  - Be articulated by incorporating features such as windows, awnings, sun shading devices, pergolas, or a recognisable setback to the upper storey(s).
  - Reinforce, where appropriate, a fine grain presentation that reflects the lot subdivision pattern of each precinct along Deakin Avenue.
  - Integrate verandahs on all new buildings where no front setbacks apply, and large eaves and entrance canopies to all buildings.
  - Avoid large, bulky forms, façades with large areas of blank walls and the excessive use of bold and primary colours on walls that would detract from the quality of the streetscape image.
- Setbacks should not be dominated by hard surfaces, car parking structures, signage or other visual clutter.
- Historic buildings should be repurposed in ways that increase the interaction between the street and the building.
- Development adjoining heritage buildings should respect the height, form and setbacks of the heritage building.
- Feature lighting is encouraged to highlight historic and key civic buildings, significant trees and art installations/ structures.
- Fences should be minimised, except where necessary to delineate front and side boundaries.
- Low or permeable fencing, or vegetation, is encouraged.
- Environmentally Sustainable Design (ESD) principles should be applied in the design and construction of buildings.

Landscaping

- Lush landscaping should be incorporated, with large native canopy trees that provide shade on public and private land at rates shown in Table 4 to this schedule.
- The use of vertical gardens and roof top gardens should be considered, to provide insulation, environmental cooling and greenery.
- Permeable landscaping treatments such as lawn and grasses should be used in place of hard surfaces where possible.
- Plant and tree species that are low maintenance, resilient and drought resistant should be used where possible.
- Landscaped breaks should be provided within car parks.

Safe, activated streets

- Safety should be improved through visual surveillance.
- A sense of address should be created by placing windows and doors to face the street, providing appropriate lighting, and avoiding blank walls, planting that creates areas of concealment and vacant sites, especially on shared paths and near gathering spaces.

Parking and access

- Vehicular access (including car parking and loading facilities) should be provided from the rear of all sites wherever possible, new vehicular crossings should be minimised, and the following requirements should be met:
  - In Precinct 1, incorporate single width crossovers to the avenue.
  - In Precincts 3 and 4, restrict vehicle crossovers to one per frontage.

- Visually dominant car parking, garages and hard surfaces, including concrete, should be avoided by locating car parking to the rear of buildings and locating garages at least 1 metre behind the façade of dwellings.
- The placement of trees, hard landscaping areas and access crossings should have regard to road safety infrastructure and any applicable tree policy.

Signs

In addition to the requirements of the zone, the following guidelines should be achieved:

- High quality, non-dominant signage should be provided that is consistent with the desired character of Deakin Avenue and does not create visual clutter due to signs of excessive size, text or bold colours.
- Signage should be integrated with the built form of the development, but should not be painted on walls or windows.
- Signage should be consolidated into a single directory board where development contains multiple premises.
- Smaller signs should be located on buildings rather than within front setbacks.
- Stand-alone signs are discouraged in existing or proposed residential zoned land and should be low profile, with a display area of not more than 2 square metres, a height of no more than 1.8 metres and located within the landscaped front setback in other zones.
- Large sky signs, panel signs, promotional signs or animated signs and the use of coloured neon lighting are discouraged.

Key opportunity sites

Key opportunity sites identified in Maps 3 and 5 should:

- Retain and enhance large historic sites and wide setbacks, especially when they contribute to Mildura's historic fabric.
- Create an iconic landmark at the Fifteenth Street intersection with high quality architecture (where applicable) and have regard to truck movements.
- Enhance and respect the important role of the Fifteenth Street intersection as a key gateway site by orienting development to front both Deakin Avenue and Fifteenth Street, with key architectural features oriented towards the intersection.
- Incorporate contemporary expressions of the region through creative and innovative architectural forms.

Precinct specific requirements

Refer to Maps 1-5.

- Buildings should be set back from the front and side boundaries to respond to the desired character of the various precincts along the avenue.
- Building heights and setbacks should comply with requirements set out in Tables 2 to this schedule.

Table 1: Precinct guidelines

Precinct	Design guidelines
P1. Horticultural Edge	Maintain the wide, open feel to the precinct. Enhance the precinct by planting indigenous vegetation that highlights Mildura's horticultural / viticultural pursuits. Avoid hardscapes such as large areas of paving and/or concrete within front setbacks.

Precinct	Design guidelines
P2. Residential	Maintain high quality green verges, with sealed road shoulders and formal car parking that encourages increased community use. Create long, open views into the proposed sports reserve. Present a single frontage to the avenue for units and other medium density residential development. Avoid access points and car parking along the avenue near the Sixteenth Street intersection and adjacent proposed open space. Vehicular access in this area should instead be provided from Sixteenth Street or from the rear via residential streets. Construct kerb and channel, as it exists north of Fifteenth Street, through the precinct to Seventeenth Street.
P3. City Gate	New development, including key development sites, should address the avenue and express the local vernacular. Encourage consistent street setbacks and well maintained gardens. Enhance the key development sites adjacent to the intersection identified in Map 3 to accommodate contemporary architecture and public artwork. Incorporate second storey balconies that front the avenue.
P4. Mixed Use	Development should provide a transition between uses with large setbacks (e.g. places of worship) and the avenue. Development should maintain view lines into and from Henderson Park, provide sensitive interfaces with the park and a strong, formal edge to the park. Large historic sites and wide setbacks that contribute to Mildura's historic fabric should be retained and enhanced.
P5. City Core	Include alternative methods to achieve 'greening' the streets and increase urban cooling. Prioritise pedestrians and cyclists in the precinct. Provide contiguous weather protection, including awnings, canopies, blinds or other shade devices.

Table 2: Precinct heights and setbacks

Precinct	Max building height	Min setback from street	Min upper level setback from façade	Min side setback
P1. Horticultural Edge	9m 2 storeys	15mm (any street frontage)	3m (above ground floor level)	Setbacks required on all sides, not specified
P2. Residential	9m 2 storeys	6m from any front boundary or the same setback as a building on an abutting lot (up to 10m)	3m (above ground floor level)	1m (1 side)
P3. City Gate (except for land in DDO12)	9m 2 storeys (except key opportunity sites)	5m (any street frontage)	None specified	1m (1 side)
P3. City Gate Opportunity Sites	12m 3 storeys	2m (any street frontage)	None specified	None specified

(except for land in DDO12)				
P4. Mixed Use	12m 3 storeys	5m (any street frontage) except for lots identified with no setback in Map 4, where buildings should be built to the front boundary with no setbacks	1m (above a building height of 9m)	None specified
P5. City Core Between Tenth and Eleventh Streets	12m 3 storeys	3m from any front boundary or the same setback as a building on an abutting lot (up to 5m), except for lots identified with no setback in Map 5, where buildings should be built to the front boundary with no setbacks	1m (above a building height of 9m)	Buildings should be built to the side boundary with no setbacks
P5. City Core Between Seventh and Tenth Streets	16m 4 storeys	Buildings should be built to the front boundary with no setbacks, except 3m from the front boundary or the same setback as a building on an abutting lot (up to 5m) on the Tenth Street frontage	1m (above a building height of 12m)	Buildings should be built to the side boundary with no setbacks

Table 4: Precinct landscaping requirements

Precinct	Front setback	Rear setback
P1. Horticultural Edge	Encourage large indigenous canopy trees	2 large indigenous canopy trees that reach a mature height above the roof line of the building.
P2. Residential	At least 1 canopy tree	1 large native canopy tree that reaches a mature height of at least 10m.
P3. City Gate	At least 1 canopy tree within any setback, along with low level vegetation. Enhance the streetscape by planting medium to large canopy trees	
P4. Mixed Use	Plant low level vegetation and soft landscaping in all setbacks.	

Precinct	Front setback	Rear setback
	Encourage the planting of large canopy trees between buildings where space permits. Incorporate vertical gardens and planter boxes where buildings are built to the boundary and / or blank walls exist.	
P5. City Core	Provide opportunities for large planter boxes and vine covered pergolas. Incorporate vertical gardens and planter boxes where buildings are built to the boundary and/or blank walls exist.	

3.0 Subdivision

DD/MM/YYYY Proposed C95

A permit to subdivide land must meet the following requirements:

- Rear vehicular access must be provided to any lot fronting Deakin Avenue where possible.
- Lots must be oriented to ensure that all buildings can visually address Deakin Avenue and on-site car parking can be provided to the rear of lots and screened from Deakin Avenue.

A permit cannot be granted to subdivide land which is not in accordance with any requirement in this schedule.

4.0 Signs

DD/MM/YYYY Proposed C95

Sign requirements are at Clause 52.05. All land located within the DDO1 area is in Category 3.

5.0 Application requirements

DD/MM/YYYY Proposed C95

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An urban context report and design response. The urban context report and design response must show how the development achieves:
  - The design objectives of this schedule;
  - The height and setback requirements for the relevant precinct; and
  - The design guidelines applicable to the relevant precinct.
- Within the City Gate, Mixed Use and City Core precincts, three dimensional diagrams or visualisation showing the proposed building in the context of the surrounding buildings.

6.0 Decision guidelines

DD/MM/YYYY Proposed C95

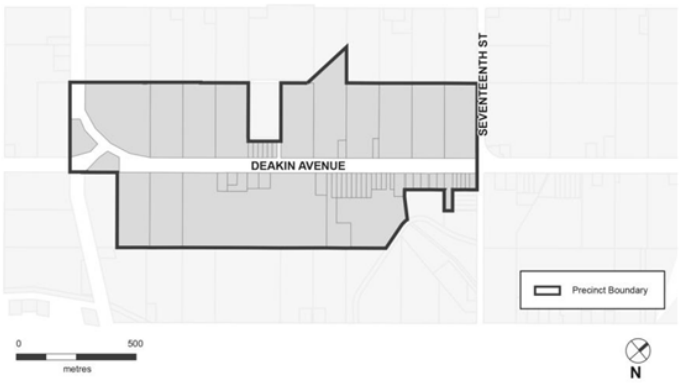
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal meets the stated design objectives of this schedule;
- The impact on and enhancement of the heritage qualities of the boulevard;
- Whether there is likely to be any adverse overshadowing impacts on the landscaped median from any development;

- Connections between the avenue and the Murray River;
- The access and safety requirements of pedestrians and cyclists;
- The height, scale and massing of the proposed development and impact on surrounding development;
- The provision of landscaping, spacing and permeable areas;
- The contribution to creating high quality pedestrian environments and the provision of shade;
- The impact of car parking, vehicular movements and access; and
- Whether the development incorporates ecologically sustainable design principles.

Map 1 to Schedule 1 to Clause 43.02
P1. Horticultural Edge Precinct

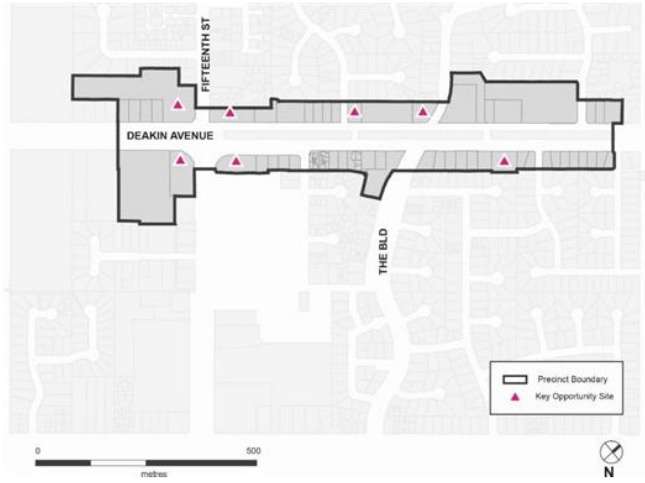
Commented [BB(30]: Relocated in the next row as the MD specifies local schedule map heading format specifically.



Map 2 to Schedule 1 to Clause 43.02
P2. Residential Precinct

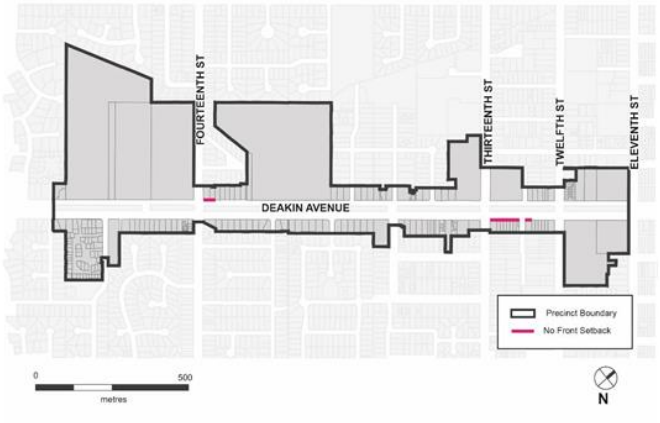


Map 3 to Schedule 3 to Clause 43.02
P3. City Gate Precinct



- **Map 4 to Schedule 1 to Clause 43.02**

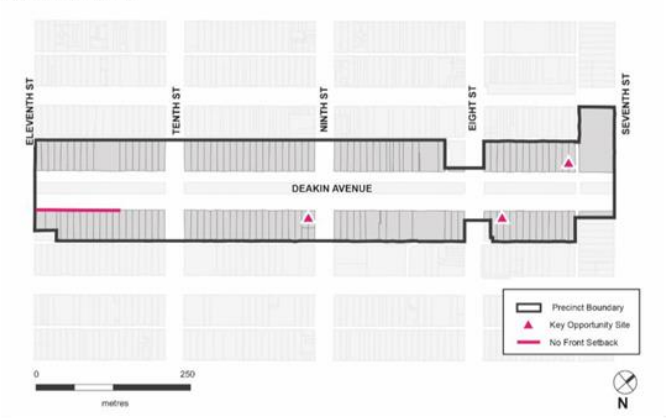
P4. MIXED USE PRECINCT



Map 5

to Schedule 1 to Clause 43.02

P5. CITY CORE PRECINCT



SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

13/06/2014 GC8

Shown on the planning scheme map as **DDO2.**

TOWN ENTRANCES

1.0 Design objectives

24/06/2010 C44

To identify an appropriate landscape theme for the following gateways into Mildura:

- Seventh Street, between Orange Avenue and Etiwanda Avenue
- Fifteenth Street, between Deakin Avenue and Benetook Avenue

To reinforce and consolidate each theme by suitable landscaping and urban design works.

To promote development which strengthens and enhances the visual quality and overall amenity of each gateway.

2.0 Buildings and works

24/06/2010 C44

Permit requirement

A permit is not required for:

- Any buildings and works not visible from Deakin Avenue.
- A single storey extension or alteration to an existing dwelling that does not increase the height of the dwelling.

A permit is required for:

- A fence of any height within three (3) metres of the front boundary.

3.0 Subdivision

--/--/20-- C--

A permit is not required for:

- A subdivision that does not increase the number of lots.

4.0 Signs

--/--/20-- C--

None specified.

5.0 Application requirements

--/--/20-- C--

None specified.

6.0 Decision guidelines

13/06/2014 GC8

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Development provides appropriate landscaping abutting the road reserve on either side of the George Chaffey bridge.
- Development at the western gateway is consistent with and reinforces the rural landscape commensurate with the rural character and form of this gateway.
- Development at the Calder Highway gateway is consistent and promotes a formal boulevard approach with a strong identity or theme imposed by the regular spacing and setback of one or two species of trees suited to the locality and interspersed by well maintained lawns and grouped plantings.
- Development on Fifteenth Street is in accordance with any overall landscape plan for this gateway into Mildura.
- The preferred building height in any commercial zone within this overlay area is two storeys. In assessing building height, the responsible authority is to have regard to the impact of the building on the adjacent land and on the physical and visual amenity of the area as a major gateway to Mildura.
- Development in the Commercial 2 Zone is of a high standard of design, adding interest and variety to the streetscape, whilst enhancing the overall amenity of the area.
- The preferred building setback in the Commercial 2 Zone on Fifteenth Street is at least 10 metres from the Fifteenth Street frontage and 5 metres from the side and rear boundaries of the lot. These setback areas are to be attractively landscaped and, in the case of the front setback are to have primary regard for any overall landscape theme for Fifteenth Street.
- Access arrangements for those sites with frontage to Benetook Avenue are appropriate.
- A detailed analysis has been carried out with an overall landscape plan to reflect a particular theme or identity.

SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

--/--/----
Proposed C95

Shown on the planning scheme map as **DDO3.**

MILDURA CENTRAL BUSINESS DISTRICT (CBD)

1.0 Design objectives

Commented [BB(31]: MD specifies to insert a max of 5 objectives

13/03/2014
C64

The Vision for the Mildura CBD is:

The following design objectives assist Council in achieving the Vision:

- To strengthen the identity and character of the Mildura CBD through high quality architectural design in new buildings and public spaces around buildings.
- To strengthen links with the riverside area as the key open space for the Mildura CBD.
- To create attractive and vibrant streetscapes that are defined by high quality buildings of a scale that is appropriate to their location.
- To manage the CBD road network to improve safety and amenity, reduce the level of non-local through traffic, manage car parking demand and redirect truck movements to appropriate alternate arterial routes.
- To encourage a network of circulation routes that will enhance pedestrian amenity, convenience, flexibility and alternative frontage types in the CBD.
- To create a high quality and safe environment to encourage access and movement around the CBD by commuter and recreational cyclists.

2.0 Buildings and works

--/--/----
Proposed C95

Permit requirement

A permit is not required for the:

- Construction of the following within any zone other than the General Residential Zone:
  - Installation of an automatic teller machine.
  - An alteration to an existing building facade provided that:
    - The alteration does not include the installation of an external roller shutter; and
    - At least 80 per cent of the building facade at a ground level is maintained as an entry or window with clear glazing.
- Construction or extension of the following within a General Residential Zone and a Mixed Use Zone:
  - A single dwelling on a lot of 300 square metres or greater.
  - Works normal to a dwelling.
  - An open-sided verandah with a finished floor level of not more that 800mm above natural ground level and a maximum height not more than 3 metres above natural ground level.
  - An outbuilding, garage or carport with a gross floor area of not more than 10 square metres and a maximum building height of not more than 3 metres above natural ground level.
  - A deck with a finished floor level of not more than 800mm above natural ground level.
  - A domestic swimming pool or spa and associated mechanical equipment or safety fencing.

A permit may be granted for buildings and works that do not accord with any of the requirements of this schedule provided the design objectives and outcomes are still satisfied to the satisfaction of the responsible authority.

Building heights

The determination of an appropriate building height must be tempered by consideration of heritage issues, site context, the amenity of adjoining buildings and open space on a site by site basis.

New development and/or extensions to existing buildings should comply with the following preferred maximum building heights as shown on Map 1, as appropriate:

Up to 4 storeys with upper level recessed:

- 4 storey / 12 metres preferred maximum building height and 4 storey / 13.5 metres maximum height limit (with additional height to accommodate architectural features and roof). Buildings above three storeys should be set back as necessary to integrate with existing built form and to retain human scale at street level.

Up to 3 storeys:

- 3 storey / 9 metres preferred maximum building height and 3 storey / 10 metres maximum height limit (with additional height to accommodate architectural features and roof).

1-2 storeys:

- 1 – 2 storey / 7 metres preferred maximum building height and 1 – 2 storey / 8 metres maximum height limit (with additional height to accommodate architectural features and roof).

Approval of any building height above a discretionary limit should achieve superior performance under each of a number of assessment criteria (as appropriate), including:

- Achieving excellence in architectural design;
- Implementing environmental sustainability principles;
- Achieving heritage restoration and adaptive re-use;
- Enhancing public and private amenity; and
- Protection of the development potential of nearby sites.

Setbacks

New development and/or extensions to existing buildings should comply with the setback requirements shown on Map 1, as appropriate.

Design guidelines

Planning applications will be assessed against the following design guidelines in Table 1:

Table 1 – Design Guidelines

Elements	Design guidelines
Heritage	▪ Ensure that new buildings adjoining heritage sites are respectful of the form, scale, siting and design of the heritage building.
Building design	▪ Emphasise important sites, such as those located on prominent corners or adjacent to public spaces, through the quality of architectural design.

Elements	Design guidelines
	▪ Design the tops of buildings to hide lift overruns, air conditioning and other plant and equipment from view. ▪ Promote ESD (Environmentally Sustainable Development) techniques for all aspects of construction and management of buildings and landscape. ▪ Ensure that new development is designed to respect sensitive interfaces, such as residential properties or heritage buildings. ▪ Where a development adjoins open space or public car parks, design new buildings to overlook these spaces, with a façade that enhances their appearance, amenity and safety. ▪ Require new development and redevelopment to provide active frontages and weather protection to improve the pedestrian environment. ▪ Incorporate Crime Prevention Through Environmental Design (CPTED) principles in the design of all development with the CBD.
Building heights	▪ Provide for increased development opportunities within the CBD by allowing higher buildings in Seventh Street and other locations, in accordance with Map 1 (Building heights and setbacks).
Parking	▪ Encourage modal shift from cars to more sustainable modes of transport such as cycling, buses and walking to reduce the requirement for car parking in the CBD. ▪ Provide long term parking for workers and long stay visitors within off-street or on-street car parks on the edge of the CBD. ▪ Provide shorter stay parking within core retail areas to allow for higher turnover. ▪ Balance the provision of parking in the CBD with improving options for public transport, walking and cycling. ▪ Provide shade for all off street parking spaces and key pedestrian routes within the car park.
Traffic management	▪ Maintain pedestrian priority in the CBD (such as at roundabouts) and improve mid block links to disperse pedestrian traffic throughout the CBD. ▪ Adjust traffic management measures to respond to traffic patterns.
Pedestrian movement	▪ Improve pedestrian amenity through installation of weather protection (verandahs, awnings, shade trees) along pedestrian paths in the CBD. ▪ Link the CBD by creating strong east west pedestrian links across Deakin Avenue. ▪ Create 'priority pedestrian routes' along Eighth and Ninth Streets. ▪ Develop a network of alternative pedestrian routes through the CBD via laneways, mid block links and arcades to provide safe and convenient 24 hour pedestrian connectivity. ▪ Provide mid-block links where possible in new developments to improve pedestrian access. ▪ Enhance all existing lanes and arcades to provide an interesting, active, accessible and safe environment. ▪ Use laneways for access to housing or other upper floor uses to protect the continuity of valuable retail frontages. ▪ Encourage the use of lanes to create additional development frontages. ▪ Encourage the use of rear lanes for vehicle access to properties to protect main streets from impacts of service vehicles and driveway crossovers.
Public transport	▪ Support implementation of improvements to the Mildura Station (transport interchange) identified in the Riverfront Masterplan 2006.

Elements	Design guidelines
	▪ Support the current network of bus routes in the CBD. ▪ Support the expansion of bus routes as required.
Cycling	▪ Support the implementation of the *Mildura Strategic Bicycle Plan 2003*. ▪ Maintain the existing network of cycle paths and provide additional paths where possible. ▪ Provide more cycle parking or storage at strategic locations. ▪ Support the implementation of the *Deakin Avenue Urban Design Guidelines – Principle 6 Access and Movement*
Links with Riverside Precinct	▪ Improve and upgrade the open space between Seventh Street and the railway line as an important area of open space for the CBD.

3.0 Subdivision

13/03/2014 C64

A permit is not required for:

- A subdivision that does not increase the number of lots.

4.0 Signs

13/03/2014 C64

In addition to the requirements of the zone, the following guidelines are to be met to the satisfaction of the responsible authority:

- Outdoor advertising signs and structures are to be grouped and designed to help facilitate a high standard of amenity within the overlay area. It is preferable for all outdoor advertising signs to be contained within the building facade with a preference for signs which are within the parapet, along the parapet, along the fascia of any weather protection device or hanging below such a device, with adequate height clearance so as not to obstruct pedestrian movement.
- Signs which are illuminated, neon lit or provide colour, vitality and interest to the townscape are preferred within the overlay area. Creativity in signage is also desirable, provided it does not adversely affect the character and amenity of the area.

5.0 Application requirements

--/--/---- Proposed C95

The following application requirements apply in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report demonstrating and detailing how the design of the proposed development responds to the above design objectives.
- Three dimensional diagrams or visualisation showing the proposed building in the context of the surrounding buildings.

6.0 Decision guidelines

--/--/---- Proposed C95

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether retail premises within the overlay area present an attractive and interesting built form and character to the street. Large glazed areas, at ground level, are to front onto the street for display and promotional purposes. Parapets are preferred, especially as they

provide space for outdoor advertising signs and add variety, character and rhythm to the townscape.

- Whether residential development is designed and constructed in a manner that is consistent with, and respectful of, the prevailing neighbourhood character and streetscape.
- Whether building height is sympathetic with the prevailing scale, height and form and is consistent with the character of the area.
- In the case of any site abutting the Langtree Avenue Mall, the extent of shadows cast by any new development.
- Where a front setback area of greater than 0.5 metre in width is provided, whether attractive landscaping is to be included in the setback area, and / or seating facilities for public use.
- If the development is set back from the side and rear boundaries, whether these areas will be appropriately landscaped to enhance the appearance of the site.
- Whether car parking for retail premises should be accommodated in municipal owned and operated off street car park stations rather than on site.
- Whether on site car parking is provided, wherever possible, for office development.
- Whether access facilitates the safe and easy movement of vehicles and pedestrians alike.
- Whether all loading and unloading of goods is at the rear of the site and a loading bay facility is provided.
- Whether the significant vistas are protected along Langtree Avenue between Eleventh Street and the railway station and beyond to the Murray River.
- Whether bicycle parking facilities are strategically located throughout the overlay area and adopt a uniform design and finish.
- Whether lots located on the east side of Lime Avenue will be developed in a manner which facilitates the establishment of cross block or through pedestrian paths, interconnecting Lime Avenue with the adjacent Langtree Avenue retail and commercial precincts. Similarly, such pedestrian links should, wherever possible, facilitate shopper access to nearby off street vehicle parking areas.

Map 1 to Schedule 3 to Clause 43.02

Building Heights and Setbacks



Note: For information about building heights on the river side of Seventh Street and Cureton Avenue, refer to the Riverfront Central Precincts Master Plan 2010.

For information about building heights on sites fronting Deakin Avenue refer to Clause 43.02s01.

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

24/06/2010 C44

Shown on the planning scheme map as **DDO4.**

INDUSTRIAL AREAS

19/01/2006 VC37

1.0 Design objectives

To encourage attractively designed industrial estates, buildings and sites within the municipality.

2.0 Buildings and works

24/06/2010 C44

A permit is not required for:

- A subdivision that does not increase the number of lots.
- Any development that incorporates:
  - A front building setback of six (6) metres or equal to the adjacent minimum building setback, whichever is the greater; and
  - a landscape setback of ten (10) metres to Benetook Avenue or three (3) metres to any other road and five (5) metres to any land within a residential zone.

The responsible authority may place conditions on any permit granted under this overlay so as to preserve the amenity of the area including conditions relating to:

- Maximum building heights.
- Building setbacks
- Identification of a building envelope
- Exterior colours and finish of all buildings to minimise any adverse visual impact on the environment of the industrial area.

Before deciding on any application, the responsible authority must consider, as appropriate whether;

- Any lot which abuts Benetook Avenue (proposed bypass route) or a residential zone provides an attractively landscaped setback from Benetook Avenue preferably of no less than 10 metres in width and in the case of an abuttal to a residential zone preferably no less than 5 metres.
- The front setback of a new building or an extension of an existing building relates to the front setback of any adjacent building where the minimum front setback of the proposal is to be the lesser of the setbacks of the two adjacent buildings (or if there is no building then a setback of 6 metres is encouraged).
- The front setback area is landscaped and maintained with a minimum 3 metre landscape strip.
- The location of car parking is permitted at the front of the building but only recessed behind a 3 metre landscape strip.
- Visitor parking is provided in a convenient and accessible location preferably as close to the front entrance of the building as possible.
- The minimum side and rear setback of any building relates to the use and development of any adjoining lot, and the proposed height of the building in respect of overshadowing of

any neighbouring property used for residential purposes. These setback areas are to be landscaped.

- The front façade treatment of a building (including any office component) presents an attractive appearance to the street.
- Variation in building design and form is proposed, as well as the use of different building elements to assist in providing surface articulation and interest to the built form. Muted colours of the external features of the building are preferred with appropriate landscaping to complement the quality and appearance of the development.
- Landscaping provides appropriate screening for car park and outdoor storage areas; breaks down the scale and bulk of large buildings; and creates pleasant and attractive development.
- The building height exceeds two storeys in which case it will be assessed in terms of its impact on adjacent land and the overall amenity of the area.
- Roof forms contribute to the overall interest and diversity of the built form with a preference for colour-bonded roof materials.
- Front setback areas are kept free of storage and waste disposal facilities which should be located to the rear or side setbacks and suitably screened by appropriate landscaping.
- Ancillary structures such as sheds, garages and other outbuildings are to be of the same or similar materials, design and colour to the main building(s) on the site.
- Waste pick-up bins or skips are situated in specific and accessible locations which are properly screened by planting or fencing.

Thurla

19/01/2006
VC37

- In addition to the requirements of Clause 43.02-2, the following provisions apply to land at Thurla zoned Industrial 1 and within DDO4:
  - Buildings and works are to be setback a distance of 100 metres from any land within a Public Conservation and Resource Zone (PCRZ).
  - Buildings and works are to be setback a distance of 50 metres from any stands of native vegetation affected by a Section 173 agreement.

Commented [BB(32]: Non-compliant section with Ministerial Direction (MD).

Kulkyne Way

30/10/2008
C38

- In addition to the requirements of Clause 43.02-2, the following provisions apply to land at Kulkyne Way zoned Industrial 1 and within DDO4:
  - Buildings and works are to be setback a distance of 100 metres from any land abutting a Public Conservation and Resource Zone (PCRZ).
  - Buildings and works are to be setback a distance of 50 metres from any stands of native vegetation affected by a Section 173 agreement.

Commented [BB(33]: Non-compliant section with MD.

3.0 Subdivision, 4.0 Signs and 5.0 Application requirements Clauses are missing in this schedule compared to the MD.

3.0 Subdivision

30/10/2008
C38

- None specified

4.0 Signs

30/10/2008
C38

None specified

5.0 Application requirements

30/10/2008
C38

None specified

6.0 Decision guidelines

30/10/2008 C38

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Maximum building heights.
- Building setbacks
- Identification of a building envelope
- Exterior colours and finish of all buildings to minimise any adverse visual impact on the environment of the industrial area.

SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

--/--/---- Proposed C94

Shown on the planning scheme map as **DDO5**

DAL FARRA ROAD KOORLONG INTERFACE

1.0 Design objectives

--/--/---- Proposed C94

To ensure that subdivision and development respects the amenity and surrounding Public Conservation and Resource Zone (PCRZ) environs.

To ensure responsive subdivision and building design, particularly at the interface with the PCRZ land.

To ensure that building height, setbacks and bulk respect the surrounding PCRZ environs.

2.0 Buildings and works

--/--/---- Proposed C94

A permit is not required to:

- Construct a dwelling or associated outbuildings located 30 metres or greater from the PCRZ boundary.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the following:

- Buildings, including dwellings and outbuildings, must not be constructed within 30 metres of the PCRZ boundary.

A permit is required to construct a fence along any boundary that abuts the PCRZ.

3.0 Subdivision

--/--/---- Proposed C94

None Specified

4.0 Signs

--/--/---- Proposed C94

None Specified

5.0 Application requirements

None Specified

6.0 Decision guidelines

--/--/---- Proposed C94

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The response of the Department of Environment, Land, Water and Planning.

--/--/20--
C--

SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

13/03/2014
C64

Shown on the planning scheme map as **DDO6.**

MILDURA AIRPORT – OBSTACLE HEIGHT AREA NO. 1

1.0 Design objectives

23/11/2006
C20

To ensure that building height does not adversely effect the operation of the Mildura Airport.

2.0 Buildings and works

13/03/2014
C64

A permit is not required for buildings and works that are consistent with the *Mildura Airport Master Plan 2010.*

A permit is not required to construct a building or to construct or carry out works less than 4.0 metres above natural ground level.

3.0 Subdivision

--/--/20--
C--

A permit is not required to subdivide land.

4.0 Signs

--/--/20--
C--

None specified.

5.0 Application requirements

--/--/20--
C--

None specified.

6.0 Decision guidelines

23/11/2006
C20

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Mildura Aerodrome Obstacle Limitation Surfaces (OLS) Contours plan.
- The location and height of the proposed development in relation to the airport.

SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

13/03/2014 C64

Shown on the planning scheme map as **DDO7.**

MILDURA AIRPORT – OBSTACLE HEIGHT AREA NO. 1

1.0 Design objectives

13/03/2014 C64

To ensure that building height does not adversely effect the operation of the Mildura Airport.

2.0 Buildings and works

13/03/2014 C64

A permit is not required for buildings and works that are consistent with the *Mildura Airport Master Plan 2010.*

A permit is not required to construct a building or to construct or carry out works less than 20.0 metres above natural ground level.

3.0 Subdivision

--/--/20-- C--

A permit is not required to subdivide land.

4.0 Signs

--/--/20-- C--

None specified.

5.0 Application requirements

--/--/20-- C--

None specified.

6.0 Decision guidelines

13/03/2014 C64

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Mildura Aerodrome Obstacle Limitation Surfaces (OLS) Contours plan.
- The location and height of the proposed development in relation to the airport.

SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

13/03/2014 C64

Shown on the planning scheme map as **DDO8.**

MILDURA AIRPORT – OBSTACLE HEIGHT AREA NO. 1

1.0 Design objectives

13/03/2014 C64

To ensure that building height does not adversely effect the operation of the Mildura Airport.

2.0 Buildings and works

13/03/2014 C64

A permit is not required for buildings and works that are consistent with the *Mildura Airport Master Plan 2010.*

A permit is not required to construct a building or to construct or carry out works less than 40.0 metres above natural ground level.

3.0 Subdivision

--/--/20-- C--

A permit is not required to subdivide land.

4.0 Signs

--/--/20-- C--

None specified.

5.0 Application requirements

--/--/20-- C--

None specified.

6.0 Decision guidelines

13/03/2014 C64

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Mildura Aerodrome Obstacle Limitation Surfaces (OLS) Contours plan.
- The location and height of the proposed development in relation to the airport.

SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

13/06/2014 GC8

Shown on the planning scheme map as **DDO9.**

BENETOOK AVENUE PRECINCT

1.0 Design objectives

30/10/2008 C38

To implement the design and development guidelines for the Benetook Avenue Precinct in accordance with the *Urban Design Guidelines – Mildura Irymple Urban Transition Area* (April 2008).To achieve a high quality landscaped streetscape and industrial address along Benetook Avenue in a coordinated and consistent manner.

To protect the amenity of abutting residential development.

To ensure that buildings and signage do not dominate the Benetook Avenue streetscape.

To provide safe and well defined access routes for vehicles and pedestrians. 2.0

13/06/2014 GC8

Buildings and works

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the following setbacks and landscape requirements:

Setbacks

- In accordance with the Benetook Avenue Concept Plan (Map 1):
  - buildings must be setback a minimum of 25 metres from the Benetook Avenue boundary;
  - buildings must be setback a minimum of 10 metres from the Fourteenth Street boundary;
  - buildings must be setback a minimum of 50 metres from the boundary of land abutting the General Residential Zone or Farming Zone;
  - buildings must be setback a minimum of 3 metres from the side boundary;
  - where vehicular access is provided to the rear of the site, there must be a minimum 3 metre setback from the side boundary to the accessway to allow for the provision of a landscaped buffer.

Landscape

- In accordance with the Benetook Avenue Concept Plan (Map 1):
  - there must be a minimum 10 metre landscape buffer along the front boundary to Benetook Avenue.
  - there must be a minimum 4 metre landscape buffer along the front boundary to Fourteenth Street.
  - there must be a minimum 20 metre landscape buffer provided along rear boundaries for those properties abutting the General Residential Zone or Farming Zone;

- there must be a minimum 3 metre landscape buffer provided along all side boundaries.
- there must be a rear acoustic wall of at least 3.5 metres in height (inclusive of any mounding) erected along the rear boundaries for those properties fronting the west side of Benetook Avenue.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Height

- Buildings should not exceed a maximum height of 10 metres above ground level.
- Front offices should not exceed be maximum height of 8 metres above ground level.

Fences

Commented [BB(34]: Heading H3 style in ATS

A permit is required for a fence.

Front

Commented [BB(35]: Heading H4 style in ATS.

- Any front fencing onto Benetook Avenue should be permeable and should have a maximum height of 1.8 metres.
- Chain wire or mesh/cyclone fencing is not encouraged.

Side

Commented [BB(36]: Heading H4 style in ATS.

- Side fences should be consistent with front fences and should be co-ordinated with neighbouring properties to allow any cross movement.
- Chain wire or mesh/cyclone fencing is not encouraged within 25 metres of Benetook Avenue.

Rear

Commented [BB(37]: Heading H4 style in ATS.

- An acoustic wall must be erected on the rear boundary of each lot abutting a Residential or Farming zone at the expense of the permit applicant
- The outward presentation of the wall is encouraged to reflect its context with consideration given to the design of the face panels. A combination of texture; periodic articulation; rebates; feature moulding or varying panels can achieve the preferred presentation and should be finished in a painted or textured finish with the use of earthy tones.
- The rear buffer wall should achieve the following:
  - Barriers should be constructed of durable materials (preferably concrete or masonry) having a minimum design life of 40 years, and be guaranteed for this period.
  - Barrier materials should be resistant to vandalism (use of textured finish or graffiti resistant paint) and components should be easily replaceable.
  - All components should have a low flame, fuel and smoke ratings.
  - Barriers should be built so that noise will not pass underneath them due to soil erosion or settlement or digging animals.
  - Acoustic properties of the wall are to ensure that industrial noise is reflected /absorbed and noise transfer is reduced to levels consistent with AS 1055.3-1997 category R3.

Site layout

30/10/2008
C38

- Vehicle access and connectivity is encouraged to occur at the front accessways of the property and if possible, mid block between adjacent properties to form a network of internal streets.
- All buildings should have an address towards the street other than on smaller subdivision arrangements, where new buildings should front internal roads.
- Backs or sides of buildings should not face any street.
- Allotments abutting the 'Green Belt' should incorporate dual frontages towards the Green Belt with its primary frontage towards Benetook Avenue.

Building design

- All roof-mounted mechanical equipment should be screened from view by parapet walls or screening which should complement the building form and present as an integrated component.
- Buildings and associated works should be attractively designed, contemporary in style and be progressive in design, concept and finish.
- All industrial sheds should include an office/display frontage component located towards the street frontage, effectively masking the box form from the street.
- Offices should present an attractive façade complementary to the rest of the development.
- Buildings must incorporate a clear legible entrance defined by strong building elements such as porticos, verandahs or awnings.
- Entrances should have well defined pedestrian access to car parking and street footpaths.
- Long blank walls to the frontage and side elevations of offices are discouraged.
- Encourage the use of different material, finishes and colours and vertical division to all elevations to provide visual interest to expansive elevations.
- Buildings are encouraged to incorporate low pitched, flat or curved roof forms to the 'big box' with front offices reflecting a complementary roof form with the rest of the development.
- High pitched roof forms are discouraged.
- A range of materials are encouraged to be applied to front offices and/or small subdivided buildings. These buildings should be highly glazed to allow visual interplay with the street and internal access ways.
- Building materials should incorporate non reflective materials. Metal roof finishes must be Zincalume or Colourbond.
- Tilt up concrete slabs should be articulated using three dimensional imprint relief or window fenestration in appropriate areas.
- Insulation is encouraged to the rear/or sides parts of the building to limit noise emanating to potential residential interface areas.
- Variation in colours should be kept to a minimum and shall be in subdued tones. Accent colours may be used to express corporate identity.
- Extensive use of primary colours on walls should be avoided.

Sustainability

- Rain water harvesting from roof areas into integrated collection tanks should be provided to encourage the use of recycled water for industrial purposes and maintenance of required landscaping.

- Hard surface car-parks should drain to the swale system, providing necessary moisture to the established vegetation in the landscaped mound and buffer areas.
- Details of storm water storage should be provided on the site plan and must be screened from public view.
- The design of storm water drainage should take into account of Environmentally Sustainable Design principles, and should provide for rainwater runoff reuse for landscaping irrigation.

Floodlighting

- Lighting must not cast glare onto adjacent sites, the street or abutting future residential land.
- Overhead lights must not be higher than the building height and must be baffled to prevent light spilling onto adjoining lots.

Access and Car parking

- Internal roads should be designed to encourage cross connectivity between subdivisions. As a 15 metre accessway at the front of the property is required, land occupiers should mediate with neighbouring sites for implementation or make it available over time.
- Only one vehicular access point is to be provided onto Benetook Avenue for every existing allotment.
- Truck accessways must be in accordance with Australian Standard 2890-2.
- A visitor parking area and access aisle must be provided at the front of every lot, behind the landscape setback specified Clause 3.
- All vehicles including those delivering to or servicing the site must be able to enter and exit the site in a forward direction.
- All driveways and car parking areas must be constructed of an impervious all-weather seal coat such as concrete or bitumen.
- Adequate provision of on-site car parking for employees and visitors should be provided.
- Car parking is not to encroach upon the required landscape setback areas.
- In the event of there being insufficient provision of car parking pursuant to Clause 52.06, overflow on street car parking will not be considered as a reason to reduce the car parking requirement.
- Car space dimensions must be in accordance with Australian Standards: AS 2890-1 and be Disability Discrimination Act compliant.
- Car parks must be clearly marked.

Loading, services and storage

- Adequate provision for loading and unloading of vehicles must be made together with an area set aside for industrial waste collection.
- All loading and unloading facilities must be located to the side of the site and where possible located within the building.
- Loading areas must be screened so as not to be visible from public view. Screening devices should be integrated with the building form.
- Loading should not be located in the setback areas.
- Materials, supplies or equipment should be stored within the building.
- Loading provisions and areas must be accordance with Clause 52.07.

Maintenance

- The occupier of the site will be required to keep the site and buildings in a safe and clean condition, and regularly maintain the site landscaping.
- Chemicals and waste products must be contained within the boundaries of each lot and must not discharge onto adjoining land.

30/10/2008 C38 **Referrals**

Commented [BB(38]: Non-compliant (NC) schedule section with MD.

An application to create access onto Benetook Avenue must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and roads corporation.

An application to subdivide land or to construct any buildings and works must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the relevant sewerage authority.

3.0 30/10/2008 C38 **Subdivision**

A permit to subdivide land must meet the following requirements:

- Existing lots in excess of 3 hectare may be subdivided into smaller allotments.
- Further subdivision of lots should result in a maximum of 2 frontages to Benetook Avenue.
- Existing lots less than 1 hectare in area should be amalgamated with larger lots to accommodate new industrial forms.
- Subdivision behind the primary lot frontage should be configured in a geometric/grid formation.

4.0 **Signs**

Sign requirements are at Clause 52.05. In addition to the requirements of the zone, the following guidelines are to be met to the satisfaction of the responsible authority:

- Development which contains a number of premises should consolidate signage into a single directory board, low in profile and located within the landscaped front setback.
- These signs should not be larger than 2 x 1 metre and no higher than 1.8 metres.
- Visual clutter created by too many signs must be avoided.
- Signage is encouraged to be integrated with the office building form of the development but must not be painted on the walls or windows of the building.
- Signs should be designed to complement the style of the building and be proportionate in scale.
- Signage should not be located on the roof or exceed the parapet height of the building.
- Animated signs or the use of coloured neon lighting are not encouraged.
- Advertising and business identification signage is not permitted at the rear of the property or on the rear façade of any building.

The provisions of Clause 52.05 for signs apply except that Section 1 signs in Category 1 – Business areas and Category 2 – Office and Industrial require a permit.5.0

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Landscape Plan

Commented [BB(39]: Noting this is non-compliant schedule section with MD.

30/10/2008
C38

- A landscape plan must be submitted with any application for buildings and works and should provide for:

Front

- The softening and filtering of views to buildings from Benetook Avenue including larger native canopy trees in avenue formation and low lying native understorey plants to allow visual exposure from the street.
- The planting of native shade trees in association with car parking areas;
- An irrigation system which implements water wise, water sensitive urban design and low water use plant materials.
- Identification that no storage or displays are to be located within these areas.

Side

- 3 metres wide side setback from the boundary for landscaping.
- Consistent avenues of planting in either tree or shrub species along both side boundaries.
- Provision of some grassed areas, landscaping at building entrances and canopy trees in car-parking areas should be maximised at every opportunity to create a pleasant environment for workers and visitors.

Rear

- Mounding that has a minimum batter ratio 1:3 to support canopy vegetation with a width maximum of 10 metres and a height of 1.5 metres.
- The rear landscaping buffer should:
  - use suitable planting species to provide a thick vegetation cover along the rear boundary.
  - use a mix of taller and shrubby vegetation.
  - include 50 percent of canopy trees planted by tube stock and the other 50 percent should be semi-matured stock of a minimum height of 2 metres.
  - provide adequate spacing of canopy trees of a maximum 5 metre.
  - ensure slope to be battered to inhibit erosion.
  - ensure mounding is a suitable fill grade to support vegetation.
  - provide a minimum of 6 metres for a storm water and sewerage easement to the satisfaction of the responsible authority.

- incorporate drainage swales for filtration of surface runoff from hard surfaces such as car park areas.
- incorporate a combination of native grasses and vegetated areas.
- not contain any storage sheds or plant infrastructure.
- be maintained in a sustainable way to ensure vegetation is established.
- be established and maintained by the developer.

6.0 Decision guidelines

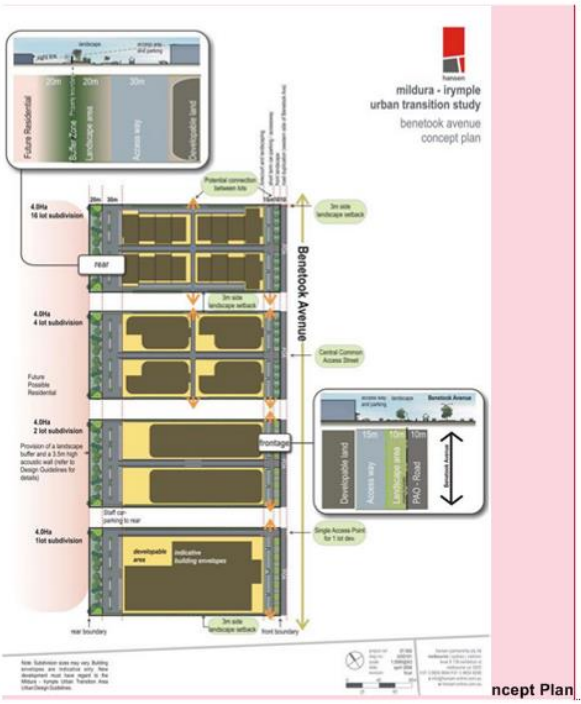
13/06/2014
GC8

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Infrastructure sequencing
- The provision of a Bank Guarantee of a minimum of $10,000 which shall only be released upon satisfactory installation and maintenance of the landscaping specified at Clause 4 and not before the lapse of 2 years from the completion of the required landscaping.
- The requirement for a legal agreement pursuant to Section 173 of the Planning and Environment Act between the owner and the relevant sewerage authority to provide for the following:
  - be established and maintained by the developer. recognition by the owner that in the event of a conventional sewerage system not being available then a modified system to the satisfaction of the relevant sewerage authority is to be provided;
  - that such modified system will include an obligation on the landowner to install pump mechanisms within the allotment;
  - a requirement to provide to the relevant sewerage authority, before any works relating to the sewerage connection occur, plans to the satisfaction of the relevant sewerage authority of the proposed pump station and all related assets and connections;
  - recognition that the landowner will be responsible for the purchase, installation, ongoing maintenance and any replacement of the individual property pump stations and related infrastructure;
  - recognition that the individual pump station will be operated at the cost of the landowner, including all costs of electricity or any other maintenance or operational cost; and
  - recognition that normal wastewater tariffs will apply.

Map 1 to Schedule 9 to Clause 43.02

Benetook Avenue Co



ncept Plan

Commented [BB(40]: Non-compliant section with MD. Do we need to keep the numbering for this if it is not referenced anywhere? Please confirm if it is referenced elsewhere. Doesn't look it's referenced in this schedule.

SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

30/10/2008 C38

Shown on the planning scheme map as **DDO10.**

FIFTEENTH STREET SPECIAL USE (BUSINESS) PRECINCT

1.0 Design objectives

30/10/2008 C38

To implement the design and development guidelines for the Fifteenth Street Special Use (Business) Precinct in accordance with the *Urban Design Guidelines – Mildura Irymple Urban Transition Area (April 2008).*

To provide a consistent built form environment to that further west on Fifteenth Street.

To ensure that development is located back from the street frontage behind a generous landscape setback.

To locate car parking and landscaping between buildings to reduce hard surface areas.

To provide open space breaks between buildings to form landscape spaces to connect

30/10/2008 C38

with the open space network.2.0 Buildings and works

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the following setbacks and landscape requirements:

Setbacks

- In accordance with the Fifteenth Street Special Use (Business) Precinct Plan and Concept Plan (Maps 1 and 2):
  - buildings must be setback a minimum of 25 metres from the Fifteenth Street boundary;
  - buildings must be setback a minimum of 10 metres from the Benetook Avenue boundary;
  - buildings must be setback a minimum of 10 metres from the Cowra Avenue boundary;
  - buildings must be setback a minimum of 10 metres from the rear boundary;
  - a 3 metre setback should be provided to side boundaries OR a minimum separation must be provided between buildings where one building adjoins a property boundary.
  - for those sites in excess of 1.5ha, buildings must be setback a minimum 10 metre from both side boundaries; and
  - where vehicular access is provided to the rear of the site, there must be a minimum 3 metre setback from the side boundary to allow for the provision of a landscaped edge.

Note: Building setbacks are in addition to any land required for public acquisition purposes.

Landscape

- In accordance with the Fifteenth Street Special Use (Business) Precinct Plan and Concept Plan (Maps 1 and 2):
  - there must be a minimum 3 metre landscape buffer along the front boundary to Fifteenth Street.
  - there must be a minimum 4 metre landscape buffer provided along the side and rear boundaries.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Height

- Buildings should not exceed a maximum height of 10 metres above ground level.

Fences

- Any front fencing onto Fifteenth Street should be permeable and should be recessed in from the front boundary.
- Side fences should be consistent with front fences and should be co-ordinated with neighbouring properties to allow any cross movement.

Building design

- Buildings and associated works should be attractively designed, contemporary in style and be progressive in design, concept and finish.
- The main building frontage should be no more than 30m wide facing the street. Further building setbacks should be applied to provide a generous building return of at least 50m from the street boundary.
- Façade design should continue to all external elevations of the building.
- Ground levels of buildings should incorporate a high degree of glazing to encourage pedestrian identity.
- Buildings should incorporate a clear legible entrance defined by strong building elements such as porticos, verandahs or awnings.
- Entrances should have well defined pedestrian access to car parking and street footpaths.
- Long blank walls to the frontage and side elevations are discouraged by use of different material, finishes and colours.
- Encourage vertical division to all elevations to provide visual interest to expansive elevations.
- High pitched roof forms are discouraged.
- Encourage a range of materials to be applied to all elevations. These buildings should be highly glazed to allow visual interplay with the street and internal access ways.
- Building materials should incorporate non-reflective materials. Metal roof finishes must be Zincalume or Colourbond.
- A mixture of building materials is encouraged including masonry, timber, stone, some tilt concrete and contemporary light weight materials.
- Insulation is encouraged to the rear/or sides parts of the building to limit noise emanating to potential residential interface areas.
- Extensive use of primary colours on walls should be avoided.
- All roof-mounted mechanical equipment must be screened from view by parapet walls or screening which should complement the building form and present as an integrated component.

Sustainability

- Rain water harvesting from roof areas into integrated collection tanks should be provided to encourage the use of recycled water for industrial purposes and maintenance of required landscaping.

- Hard surface car-parks should drain to the swale system, providing necessary moisture to the established vegetation in the landscaped mound and buffer areas.
- Details of storm water storage should be provided on the site plan and must be screened from public view.
- The design of storm water drainage should take into account of Environmentally Sustainable Design principles, and should provide for rainwater runoff reuse for landscaping irrigation.

Floodlighting

- Lighting must not cast glare onto adjacent sites, the street or abutting future residential land.
- Overhead lights must not be higher than the building height and must be baffled to prevent light spilling onto adjoining lots.
- Access and Car parking
- Internal roads should be designed to encourage cross connectivity between subdivisions. As a 22m accessway at the front of the property is required, land occupiers should mediate with neighbouring sites for implementation or make it available over time.
- Only one vehicular access point is to be provided onto Fifteenth Street for every existing allotment.
- A double row of car parking bays and an access aisle must be provided at the front of every lot behind the landscape setback.
- All vehicles including those delivering to or servicing the site must be able to enter and exit the site in a forward direction.
- All driveways and car parking areas must be constructed of an impervious all-weather seal coat such as concrete or bitumen.
- Car parking is not to encroach upon the required landscape setback areas.
- Car parks must be clearly marked.
- Within the car park area, one canopy tree should be provided for every three car spaces.

Loading, services and storage

- Adequate provision for loading and unloading of vehicles must be made together with an area set aside for industrial waste collection.
- All loading and unloading facilities must be located to the side of the site and where possible located within the building.
- Loading areas must be screened so as not to be visible from public view. Screening devices should be integrated with the building form.
- Loading should not be located in the setback areas.
- Materials, supplies or equipment should be stored within the building.
- Loading provisions and areas must be accordance with Clause 52.07.

Maintenance

- The occupier of the site will be required to keep the site and buildings in a safe and clean condition, and regularly maintain the site landscaping.
- Chemicals and waste products must be contained within the boundaries of each lot and must not discharge onto adjoining land.

Site layout

- Vehicle access and connectivity is encouraged to occur at the front and rear accessways of the property with adjacent properties to form a network of internal connected streets.
- All buildings should have an address towards the street.

- Backs or sides of buildings should not face any street.
- Allotments abutting the future 'green space corridor' should have regard to this interface and may incorporate street frontage that wraps around towards the 'green corridor'.

Referrals

Commented [BB(41]: NC section with MD.

30/10/2008 C38

An application to create access onto Benetook Avenue must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and roads corporation.

An application to subdivide land or to construct any buildings and works must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the relevant sewerage authority.

3.0 Subdivision

30/10/2008 C38

A permit to subdivide land must meet the following requirements:

- Existing lots below 0.5 hectare may be amalgamated with larger lots to accommodate new business forms.

4.0 Signs

Sign requirements are at Clause 52.05. In addition to the requirements of the zone, the following guidelines are to be met to the satisfaction of the responsible authority:

- Development which contains a number of premises should consolidate signage into a single directory board, low in profile and located within the landscaped front setback.
- These signs should not be larger than 2 x 1metre and no higher than 1.8metres.
- Visual clutter created by too many signs must be avoided.
- Signage is encouraged to be integrated with the building form of the development and must not be painted on the walls or windows of the building.
- Signs should be designed to complement the style of the building and be proportionate in scale.
- Signage should not be located on the roof or exceed the parapet height of the building.

Animated signs or the use of coloured neon lighting are not encouraged.5.0

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Landscape plan

Commented [BB(42]: Noting this is NC section with MD.

30/10/2008 C38

- A landscaping plan must be submitted with any application for buildings and works and should provide for:

Front

- The planting of large canopy trees in avenue formation and low lying understorey plants to allow visual exposure from the street;

- The planting of shade trees in association with car parking areas at a rate of one canopy tree per 3 car spaces;
- An irrigation system which implements water wise, water sensitive urban design and low water use plant materials.
- Identification that no storage or displays are to be located within these areas.

Side

- Generous landscaping strips of up to 4 metres in width of native canopy trees and low lying native understorey plants connecting front setbacks with landscaping to the rear;
- Buildings should be set in a landscape forecourt with the use of native shrubs and feature native trees.
- Open car parks should be landscaped with natural elements and integrated pedestrian pathways.

Rear

- The landscape buffer of 4 metres is:
  - not to contain any storage sheds or plant infrastructure.
  - be maintained in a sustainable way to ensure vegetation is established.
  - be established and maintained by the developer.

6.0 Decision guidelines

30/10/2008
C38

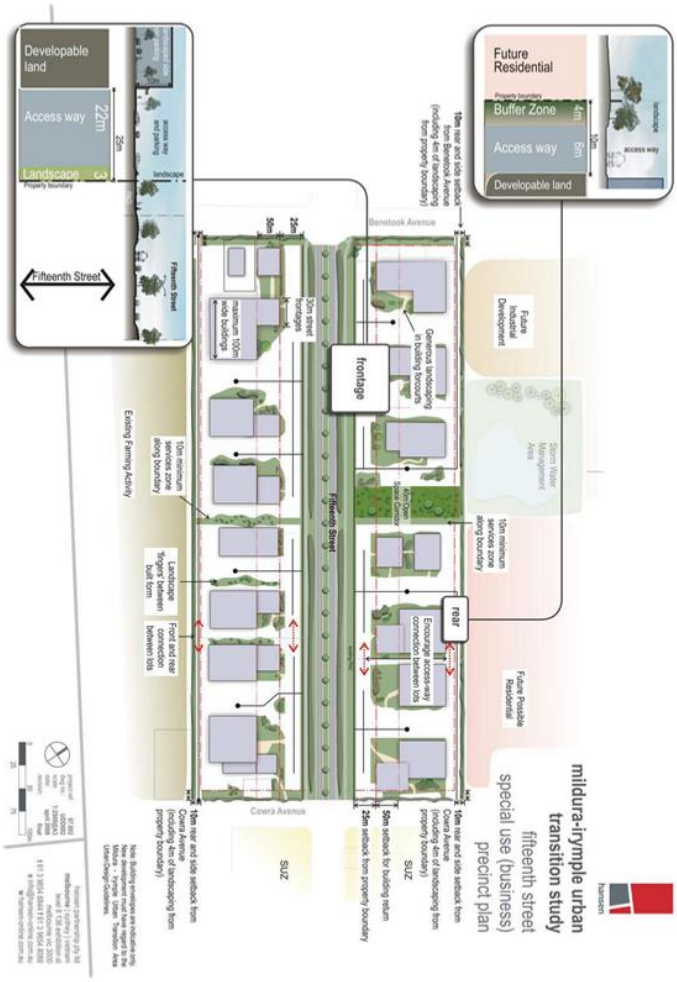
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Infrastructure sequencing
- The provision of a Bank Guarantee of a minimum of $10,000 which shall only be released upon satisfactory installation and maintenance of the landscaping specified at Clause 4 and not before the lapse of 2 years from the completion of the required landscaping.
- The requirement for a legal agreement pursuant to Section 173 of the Planning and Environment Act between the owner and the relevant sewerage authority to provide for the following:
  - recognition by the owner that in the event of a conventional sewerage system not being available then a modified system to the satisfaction of the relevant sewerage authority is to be provided;
  - that such modified system will include an obligation on the landowner to install pump mechanisms within the allotment;
  - a requirement to provide to the relevant sewerage authority, before any works relating to the sewerage connection occur, plans to the satisfaction of the relevant sewerage authority of the proposed pump station and all related assets and connections;
  - recognition that the landowner will be responsible for the purchase, installation, ongoing maintenance and any replacement of the individual property pump stations and related infrastructure;
  - recognition that the individual pump station will be operated at the cost of the landowner, including all costs of electricity or any other maintenance or operational cost; and
  - recognition that normal wastewater tariffs will apply.

Map 1 to Schedule 10 to Clause 43.02

Fifteenth Street Special Use (Business) Precinct Plan

30/10/2008
C38



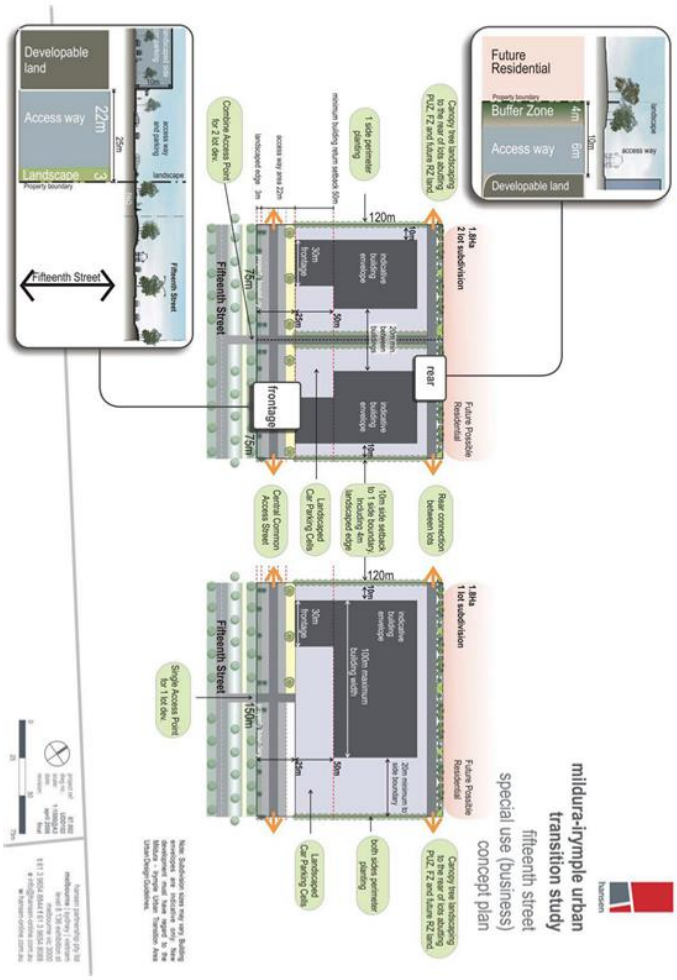
Commented [BB(43]: Inserted map heading as specified in MD. Initial advice was not to keep the section numbering for map but in this case, since it is referenced as Clause 7 in Buildings and Works, agree to retain the section number even though it is NC.

Map 2 to Schedule 10 to Clause 43.02

Fifteenth Street Special Use (Business) Concept Plan

Commented [BB(44]: Inserted map heading as specified in MD. Initial advice was not to keep the section numbering for map but in this case, since it is referenced as Clause 7 in Buildings and Works, agree to retain the section number even though it is NC.

30/10/2008
C38



SCHEDULE 11 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

30/10/2008 C38

Shown on the planning scheme map as **DDO11.**

FIFTEENTH STREET – SPECIAL USE (COMMUNITY USES) PRECINCT

1.0 Design objectives

30/10/2008 C38

To implement the design and development guidelines for the Fifteenth Street Special Use (Community Uses) Precinct in accordance with the *Urban Design Guidelines – Mildura Irymple Urban Transition Area (April 2008).*

To ensure that buildings demonstrate a low scale form appropriately setback from the road reserve.

To establish a significantly landscaped frontage.

To locate surface car parking to the rear of buildings.

To provide breaks between buildings to form landscape spaces to connect with the open space network.

2.0 Buildings and works

30/10/2008 C38

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the following setbacks and landscape requirements:

Setbacks

- In accordance with the Fifteenth Street Special Use (Community Uses) Precinct Plan (Map 1):
  - buildings must be setback a minimum of 40 metres from the Fifteenth Street boundary unless the site is an existing dwelling site or land within a General Residential Zone or land within a Commercial 1 Zone.
  - buildings must be setback a minimum of 10 metres from the Cowra and Sandilong Avenue boundaries;
  - for those sites that adjoin land in the Farming Zone in excess of 1 hectare, buildings must be setback a minimum 10 metres from that side boundary;
  - buildings must be setback a minimum of 4 metres from at least one side boundary; and
  - where vehicular access is provided to the rear of the site, there must be a minimum 3 metre setback from the side boundary to allow for the provision of a landscaped edge.

Landscape

- In accordance with the Fifteenth Street Special Use (Community Uses) Precinct Plan (Map 1):
  - there must be a minimum 10 metre landscape buffer along the front boundary to Fifteenth Street.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Height

- Buildings should not exceed a maximum height of 8 metres above ground level.

Fences

- Any front fencing onto Fifteenth Street should be permeable and should be recessed in from the front boundary.
- Side fences should be consistent with front fences and should be co-ordinated with neighbouring properties to allow any cross movement.

30/10/2008 C38

Site layout

- All buildings must have an address towards the street.
- Backs or sides of buildings should not face any street.

Building design

- Buildings and associated works should be attractively designed, contemporary in style and be progressive in design, concept and finish.
- The main building frontage should be no more than 30 metres wide facing the street. Further building setbacks should be applied to provide a generous building return of at least 50 metres from the street boundary.
- Ground levels of buildings should incorporate a high degree of glazing to encourage pedestrian identity.
- Buildings should incorporate a clear legible entrance defined by strong building elements such as porticos, verandahs or awnings.
- Entrances should have well defined pedestrian access to car parking and street footpaths.
- Long blank walls to the frontage and side elevations are discouraged by use of different material, finishes and colours.
- Encourage vertical division to all elevations to provide visual interest to expansive elevations.
- Encourage a range of materials to be applied to all elevations. These buildings should be highly glazed to allow visual interplay with the street and internal access ways.
- Monotonous repetition of material or colour is to be avoided.
- Building materials should incorporate non reflective materials. Metal roof finishes must be Zincalume or Colourbond.
- Tilt up concrete slabs are discouraged other than at the loading or 'back of lot' area and should be articulated using three dimensional imprint relief, or window fenestration in appropriate areas.
- A mixture of building materials is encouraged including masonry, timber, stone, some tilt concrete and contemporary light weight materials.
- Insulation is encouraged to the rear/or sides parts of the building to limit noise emanating to potential residential interface areas.
- Extensive use of primary colours on walls should be avoided.
- Interesting roof forms that are integrated with the total building design are strongly encouraged.
- All roof-mounted mechanical equipment must be screened from view by parapet walls or screening which should complement the building form and present as an integrated component.

Sustainability

- Rain water harvesting from roof areas into integrated collection tanks should be provided to encourage the use of recycled water for industrial purposes and maintenance of required landscaping.
- Hard surface car-parks should drain to the swale system, providing necessary moisture to the established vegetation in the landscaped mound and buffer areas.
- Details of storm water storage should be provided on the site plan and must be screened from public view.
- The design of storm water drainage should take into account of Environmentally Sustainable Design principles, and should provide for rainwater runoff reuse for landscaping irrigation.

Floodlighting

- Lighting must not cast glare onto adjacent sites, the street or abutting future residential land.
- Overhead lights must not be higher than the building height and must be baffled to prevent light spilling onto adjoining lots.

Access and car parking

- Only one vehicular access point is to be provided onto Fifteenth Street from an existing lot.
- Car parking bays should not be located within the 40 metre setback area specified at Clause 2.0 unless the applicant can satisfy the responsible authority that the purposes and design guidelines have been addressed.
- All vehicles including those delivering to or servicing the site must be able to enter and exit the site in a forward direction.
- All driveways and car parking areas must be constructed of an impervious all-weather seal coat such as concrete or bitumen.
- Car parking is not to encroach upon the required landscape setback areas.

Loading, services and storage

- Loading areas must be screened so as not to be visible from public view. Screening devices should be integrated with the building form.
- Loading must not take place in the front setback areas.
- Loading provisions and areas must be accordance with Clause 52.07.

Maintenance

- The occupier of the site will be required to keep the site and buildings in a safe and clean condition, and regularly maintain the site landscaping.
- Chemicals and waste products must be contained within the boundaries of each lot and must not discharge onto adjoining land.

Referrals

Commented [BB(45]: NC section with MD.

30/10/2008 C38

An application to create access onto Benetook Avenue must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and roads corporation.

3.0 Subdivision

30/10/2008 C38

None specified.

4.0 Signs

Commented [BB(46]: Section numbering should be corrected and the subsequent numberings to be changed as effective.

30/10/2008 C38

Sign requirements are at Clause 52.05. In addition to the requirements of the zone, the following guidelines are to be met to the satisfaction of the responsible authority:

- Development which contains a number of premises should consolidate signage into a single directory board, low in profile and located within the landscaped front setback.
- These signs should not be larger than 2 x 1metre and no higher than 1.8 metres.
- Visual clutter created by too many signs must be avoided.
- Signage is encouraged to be integrated with the building form of the development and must not be painted on the walls or windows of the building.

- Signs should be designed to complement the style of the building and be proportionate in scale.
- Signage should not be located on the roof or exceed the parapet height of the building.

Animated signs or the use of coloured neon lighting are not encouraged.

5.0 Application requirements

30/10/2008 C38

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Landscape plan

Commented [BB(47]: Noting this is NC section with MD.

A landscaping plan must be submitted with any application for buildings and works and should provide for:

Front

- The planting of large canopy trees in avenue formation and low lying native understorey plants to allow visual exposure from the street;
- An irrigation system which implements water wise, water sensitive urban design and low water use plant materials.
- Identification that no storage or displays are to be located within this area.

Side

- Generous landscaping strips connecting front setbacks with landscaping to the rear;
- Buildings should be set in a landscape forecourt with the use of shrubs and feature trees.
- Open car parks should be landscaped with natural elements and integrated pedestrian pathways.

6.0 Decision guidelines

30/10/2008 C38

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Infrastructure sequencing
- The provision of a Bank Guarantee of a minimum of $10,000 which shall only be released upon satisfactory installation and maintenance of the landscaping specified at Clause 4 and not before the lapse of 2 years from the completion of the required landscaping

30/10/2008 C38

Map 1 to Schedule 11 to Clause 43.02

Commented [BB(48]: Inserted map heading as specified in MD. Initial advice was not to keep the section numbering for map but in this case, since it is referenced as Clause 7 in Buildings and Works, agree to retain the section number even though it is NC.

FIFTEENTH STREET SPECIAL USE (COMMUNITY USES) PRECINCT PLAN

SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

16/05/2013 C67

Shown on the planning scheme map as **DDO12.**

FIFTEENTH & DEAKIN STRUCTURE PLAN AREA

1.0 Design objectives

16/05/2013 C67

To establish a built form pattern that communicates a clear transition between the City Gate Precinct, the Fifteenth Street Precinct and landscaped setback of the Urban Transition Area east of Benetook Avenue, and emphasises the southern gateway to Mildura.

To facilitate the development of high quality built form that contributes to the contemporary image and identity of the Fifteenth & Deakin Structure Plan Area and makes a positive contribution to its setting.

To manage the road network to optimise its practicality, safety and efficiency for all road users, including cars, bicycles and pedestrians.

To manage car parking demand and provision to support the activity, streetscape amenity and economic capacity of the Fifteenth & Deakin Structure Plan Area.

To provide an attractive, consistent and recognisable public realm that communicates a clear transition between the City Gate Precinct and Fifteenth Street Precinct and provides a variety of experiences and opportunities for people to meet, enjoy and relax.

Commented [BB(49]: MD specifies the heading 'Design objectives' so keep this heading as is.

Commented [DG50R49]: Changed from 'Objectives' to 'Design objectives'.

2.0 Buildings and works

16/05/2013 C67

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Commented [BB(51]: Insert MD lead-in sentence if possible.

Commented [DG52R51]: Done

Building heights

- New buildings and works and/or extensions to existing buildings should not exceed the preferred building heights specified in Table 1 and Map 1.

Front setbacks

- The front setbacks of new buildings and works and/or extensions to existing buildings should not be less than the preferred setbacks specified in Table 1 and Map 1.

Activity

- Development should avoid large internal retail spaces that do not encourage a street based retail environment.
- Ground floor development should include a component of active frontage to any street frontage/ pedestrian route to provide visual interest for pedestrians.

- Where possible, the edges of large stores should be 'wrapped' with smaller scale uses (such as speciality shops or cafes) to assist in activating the street frontage during both the day and evening.
- Edges of development should be activated and solar access opportunities should be maximised for outdoor areas (including seating and dining areas).

Access

- Direct, high quality pedestrian connections (footpaths, tree planting, water sensitive urban design, and weather protection where possible) should be provided along building frontages/key pedestrian desire lines.
- Permeability should be achieved between the existing retail core and any new development. In particular, fences should be limited between developments to maximise pedestrian movement.
- Street alignments which are not parallel to Fifteenth Street or adjoining side streets should be avoided.
- Winding street alignments which increase walking/ cycling distances should be avoided.
- The number and width of vehicle ingress and egress points (crossovers) along Fifteenth Street should be minimised.
- Secondary vehicular and pedestrian access points should be provided along side streets where possible.
- Safe, direct links should be provided to surrounding neighbourhoods, particularly for pedestrians and cyclists.
- Safe, direct pedestrian links should be provided from shopping areas to car parking areas.
- Bicycle parking facilities, change facilities and bicycle storage should be provided where possible.
- Adequate access should be provided for commercial vehicles, service vehicles and loading activities separate to main vehicular access ways, building entrances and pedestrian routes, to minimise potential conflicts. This should be located to the rear of buildings where possible.
- Adequate access should be provided for emergency and service vehicle access to all developments.

Car parking

- Parking and access areas should be designed to ensure compatibility between all forms of movement – pedestrian, cyclist, wheelchair and vehicular (including service and emergency).
- The majority of required car parking bays should be encouraged to be located at the front of the building, between the building and the road, to increase passive surveillance, safety and convenience (refer to the *Indicative Car Parking Layout* as detailed in the Fifteenth & Deakin Structure Plan (July 2012).
- Large areas of grade level car parking should be avoided at prominent corner sites (as identified in the *Buildings Maps* in the Fifteenth & Deakin Structure Plan (July 2012).

Building scale and siting

- Where there is an interface with a residential zone, built form should provide upper level setbacks to maintain the amenity of adjoining residential properties, in keeping with the requirements of ResCode.
- The scale and siting of a building should minimise the overshadowing of adjoining lots and allow for sufficient sunlight penetration and natural ventilation.

- The siting of new built form should not affect the capacity to achieve high quality landscape treatments along streets. In some locations it may be appropriate for sites to contribute a small portion of private land to the area required for future public realm upgrades.
- Large free-standing buildings (built form 'islands') should be avoided in car parking areas.

Building design

- The development of contemporary, high quality and sustainable architecture should be encouraged, that incorporates principles of Ecologically Sustainable Design (ESD) and Crime Prevention through Environmental Design (CPTED), as part of creating a distinctive image and identity for Fifteenth Street and Deakin Avenue.
- Adaptable building designs should be provided that can be readily altered or expanded for alternate uses over time.
- Durable, sustainable, quality materials should be used that are consistent with the local character and responsive to the climate of Mildura.
- Large continuous masses of the same finish should be avoided.
- All new buildings should include articulation to all visible facades (including facades visible from streets, footpaths and public spaces) to generate pedestrian activity at the street level and provide visual interest, through design treatments such as variations in surface texture, colours or materials and the appropriate placement of transparent windows and doors.
- New retail/ commercial buildings should have 60-80% of all visible facades activated with doors and/ or windows (using clear glazing) at the lower levels, to offer a visual connection between the occupants of the building and people on the street.
- The use of blank walls and reflective glazing that hides the presence of activity within buildings should be avoided.
- Buildings should be designed to overlook streets, footpaths and public spaces where possible.
- Balconies or terraces should be incorporated in upper levels where appropriate to enhance the architectural articulation of buildings and provide passive surveillance and connection with the street.
- Lighting should be incorporated into the design of the facade to contribute to a sense of security at night.
- Service related areas such as loading and storage should be integrated with the building fabric where possible.
- Solid roller door shutters should be avoided along ground level retail/ commercial frontages.
- Air conditioning services, antennas and other utilities should be effectively screened from public view using roof structures and architectural elements designed as an integral part of the building.
- New buildings should be designed with the ground floor at street level to avoid the need for ramp or staircase access.
- Building design should provide for the safety and accessibility of all users, including access by people of all mobilities in accordance with the *Disability Discrimination Act 1992* (DDA).
- Continuous weather protection (verandahs, shade cloths or canopies) should be provided along key pedestrian routes.
- Pedestrian entry points into buildings should be prominent, legible and well sheltered.

Prominent corner sites

- Development on prominent corner sites should emphasise the importance of the corner location and act as a local landmark through:
  - Achieving well designed, high quality contemporary architecture;
  - Actively defining corners and edges through building up to and addressing all street frontages;
  - Developing the site to its full height potential;
  - Providing active frontages to all visible facades;
  - Ensuring attractive side elevations;
  - Providing substantial landscaping; and
  - Incorporating landmark elements such as urban art/ sculpture.

Landscaping

- Front setbacks should be attractively landscaped and have primary regard for any overall landscape theme for Fifteenth Street and Deakin Avenue.
- Any Fifteenth Street or Deakin Avenue streetscape theme (including landscaping, street furniture and streetscape materials) should be continued into private commercial/ retail properties to promote a more coherent relationship between the public and private realms.
- Existing native vegetation should be retained where possible.
- Large scale tree planting should be incorporated along or close to the property frontage to complement the existing planting theme of the highway reservation. Species chosen should be appropriate to the adjacent built form.
- One large canopy tree should be incorporated for every 6 to 8 cars within the central medians of parking bays to provide shelter and offer an attractive appearance to ground-level car parking. Trees should be provided as established species with no lower branches or foliage to impinge on visibility. The expected mature height of the underneath of the canopy should be a minimum of 2.4m above ground level.
- Landscaping should be used to screen unsightly car parking areas and utility areas without compromising user safety.
- Water Sensitive Urban Design (WSUD) treatments should be incorporated where possible throughout the site for the collection and treatment of stormwater.
- Plant species should be incorporated for environmental benefit by using:
  - Deciduous trees for summer shade and winter sun penetration (i.e. adjacent to window, car parking areas an outdoor dining areas);
  - Drought tolerant and low water usage species; and
  - Plants with low fertiliser requirements.
- The extent and height of fencing/ walls should be limited and landscaping considered as an alternative. If fencing or walls are necessary, low level and visually permeable fencing/ walls should be used where possible.
- Maintenance requirements should be minimised by using robust landscape materials.
- Piecemeal works/ design elements should be avoided.
- Opportunities to incorporate public art/ sculptures in appropriate locations should be considered in accordance with Council's Art Strategy and programmes.

3.0 Subdivision

--/--/20--
C--

None specified.

4.0 Signs

16/05/2013 C67

Sign requirements are at Clause 52.05. In addition to the requirements of the zone, the following guidelines are to be met to the satisfaction of the responsible authority:

- Outdoor signage should be minimised.
- Visual clutter of illuminated signs should be avoided, including signage illuminated by internal lighting or floodlighting.
- Signage which is visually obtrusive or out of proportion with the built form of the area should be avoided.
- Large sky signs, panel signs, promotional signs, flashing or animated signs and signs that include reflective surfaces or bright colours should be avoided, as they are inappropriate for this area.
- Signs should not be located within front setbacks. Smaller signs should be located on buildings and integrated within the building facade, to complement the design of the building.
- Areas of signage and advertising should be consolidated so as to not dominate the streetscape.

5.0 Application requirements

--/--/20-- C--

The following application requirements apply to an application for a permit under Clause 43.02 to exceed the preferred building height, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis plan and a written urban context report documenting how the development will achieve the general requirements of this Schedule.

The following application requirements apply to an application for a permit under Clause 43.02 to vary the preferred setback, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis plan and a written urban context report documenting how the development will achieve the general requirements of this Schedule.

6.0 Decision guidelines

16/05/2013 C67

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The design objectives of this Schedule.
- Whether the application meets the design requirements and outcomes to be achieved in Table 1 and Map 1 of this Schedule.

Table 1 - Heights and Setbacks

Area	Preferred height	Sub Area	Preferred front setback
City Gate Precinct	12m (if commercial upper levels) 18m (if residential upper levels)	A	0m
		B	3m

Commented [BB(53]: Numeric terminology can be abbreviated e.g., m in a table. If this is done, do it consistently in the table/schedule.

	Above 12m buildings should be recessed from the front facade Where there is a residential zone interface building height and upper levels must be setback to retain amenity of adjoining residential properties	C	10m
		D	12m
		E	50m
Fifteenth Street Precinct	12m Where there is a residential zone interface building height and upper levels must be setback to retain amenity of adjoining residential properties	A	0m
		B	5m
		C	10m
		D	20m
		E	40m
		F	50m
		G	50m

Note: *Building heights are to be measured from the central point at the adjoining footpath level.*

Map 1 to Schedule 12 to Clause 43.02

Fifteenth & Deakin Building Heights & Setbacks

Commented [BB(54]: Placed under the map heading as MD specifies only specific map heading format.

16/05/2013 C67

SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO13.**

IRYMPLE STRUCTURE PLAN AREA

1.0 Design objectives

16/05/2013 C67

To implement the Irymple Commercial Development Design Guidelines in accordance with the *Irymple Structure Plan (July 2012).*

To create a new commercial 'heart' for Irymple as a focus for new retail activity and orientation.

To create new local employment opportunities through support for industrial growth and tourism opportunities.

To provide for more housing choice and diversity in Irymple.

To ensure that new development is sensitively designed and complements or enhances the existing character of Irymple.

2.0 Buildings and works

16/05/2013 C67

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Building heights

- New buildings and works and/or extensions to existing buildings should not exceed the preferred building heights specified in Table 1 and Map 1.

Activity

- Development should avoid large internal retail spaces that do not encourage a street based retail environment.
- Ground floor uses should include a component of active frontage to any street frontage/ pedestrian route.
- Traders are encouraged to provide outdoor seating and dining/ other external areas to activate edges of buildings and maximise solar access opportunities.
- The scale of development and design of noise attenuation measures should respect adjoining residential uses.
- Residential development at upper levels is encouraged.
- The design of development should address off site amenity impacts such as noise generation.

Commented [BB(55]: Insert MD lead-in sentence if possible.

Commented [DG56R55]: Done

Access

- Direct, high quality pedestrian connections (footpaths, tree planting, WSUD, and weather protection where possible) should be provided along building frontages/ key pedestrian desire lines.
- Permeability should be achieved between the existing retail core and any new development. In particular, fences should be limited between developments to maximise pedestrian movement.
- Street alignments which are not parallel to Fifteenth Street or adjoining side streets and winding street alignments which increase walking/ cycling distances should be avoided.
- The number and width of vehicle ingress and egress points (crossovers) along Fifteenth Street should be minimised.
- Secondary vehicular and pedestrian access points should be provided along side streets where possible.
- Safe, direct links should be provided to surrounding neighbourhoods, particularly for pedestrians and cyclists.
- Safe, direct pedestrian links should be provided from shopping areas to car parking areas.
- Bicycle parking facilities, change facilities and bicycle storage should be provided where possible.
- Adequate access should be provided for commercial vehicles, service vehicles and loading activities separate to main vehicular access areas, building entrances and pedestrian routes to minimise potential conflicts. This should be located to the rear of buildings where possible.
- Adequate access should be provided for emergency and service vehicle access to all developments.

Car parking

- Car parking should be provided in the form of a single, compact on-site car parking area that provides direct, high quality and safe pedestrian access to shops, encouraging people to walk around the area by foot.
- Large areas of grade level car parking without substantial landscaping should be avoided.
- Options should be investigated for the inclusion of caravan/ recreation vehicle (RV) parking. This should be located in an area that is easily accessible, with clear signage to direct users to parking areas.

Building scale and siting

- The recommended building heights as detailed on the Irymple Structure Plan Buildings Map (Map 1) should be implemented.
- New development should make best use of available space, achieving a more compact and sustainable urban form.
- A narrow shop front pattern should be provided where buildings are sited and oriented to front onto new streets/ pedestrian environments and a strong, consistent active edge should be provided.
- The scale of new development should respect the character and amenity of adjoining residential areas. Built form which is adjacent to residential areas should step down to match the height of neighbouring buildings and dwellings, in keeping with the requirements of ResCode.
- Large free-standing buildings (built form 'islands') should be avoided in car parking areas.

- The scale, bulk and placement of a building should minimise the overshadowing of adjoining lots and allow for sufficient sunlight penetration and natural ventilation.

Building design

- The development of contemporary, high quality and sustainable architecture should be encouraged, that incorporates principles of Ecologically Sustainable Design (ESD) and Crime Prevention through Environmental Design (CPTED), as part of creating a distinctive image and identity for Irymple.
- Adaptable building designs should be provided that can that can be readily altered or expanded for alternate uses over time.
- Durable, sustainable, quality materials should be used that are consistent with the local character and responsive to the climate of Irymple.
- Large continuous masses of the same finish should be avoided.
- Buildings should be designed to overlook streets, footpaths and public spaces where possible.
- New retail/ commercial buildings should have 60-80% of all visible facades activated with doors and/ or windows (using clear glazing) at the lower levels, offering a visual connection between the occupants of the building and people on the street.
- The use of blank walls and reflective glazing that hides the presence of activity within buildings should be avoided.
- Wide building frontages with a single use should be avoided.
- Balconies or terraces should be incorporated in upper levels where appropriate to enhance the architectural articulation of buildings and provide passive surveillance and connection with the street.
- Lighting should be incorporated into the design of the facade to contribute to a sense of security at night.
- Service related areas such as loading and storage should be integrated with the building fabric where possible.
- Solid roller door shutters should be avoided along ground level frontages.
- Air conditioning services, antennas and other utilities should be effectively screened from public view using roof structures and architectural elements designed as an integral part of the building.
- New buildings should be designed with the ground floor at street level to avoid the need for ramp or staircase access.
- Building design should provide for the safety and accessibility of all users, including access by people of all mobilities in accordance with the Disability Discrimination Act 1992 (DDA).
- Continuous weather protection (verandahs, shade cloths or canopies) should be provided along key pedestrian routes.

Landscaping

- Front setbacks along Fifteenth Street should be attractively landscaped and have primary regard for any overall landscape theme for the highway.
- Tree planting should be incorporated along the public domain of new streets. Species chosen should be proportionate with adjacent built form.
- One large canopy tree should be incorporated for every 6 to 8 cars within the central medians of parking bays to provide shelter and offer an attractive appearance to ground-level car parking. Trees should be provided as established species with no lower level branches or foliage to impinge on visibility. The expected mature height of the underneath of the canopy should be a minimum of 2.4m above ground level.

- Landscaping should be used to screen unsightly car parking areas and utility areas without compromising user safety.
- Water Sensitive Urban Design (WSUD) treatments should be incorporated where possible throughout the site for the collection and treatment of stormwater.
- Plant species should be incorporated for environmental benefit by using:
  - Deciduous trees for summer shade and winter sun penetration (i.e. adjacent to windows, car parking areas and outdoor dining areas);
  - Drought tolerant and low water usage species; and
  - Plants with low fertiliser requirements.
- Service areas and garbage collection points should be screened from view by walls, fencing, planting or any combination of these.

3.0 Subdivision

--/--/20--
C--

None specified.

4.0 Signs

16/05/2013
C67

Sign requirements are at Clause 52.05. In addition to the requirements of the zone, the following guidelines are to be met to the satisfaction of the responsible authority:

- Signage should be integrated within the building facade, so that it complements the design of the building.
- Areas of signage and advertising should be consolidated so as to not dominate the streetscape.
- Signage which is visually obtrusive or out of proportion with the built form of the area should be avoided.

5.0 Application requirements

--/--/20--
C--

The following application requirements apply to an application for a permit under Clause 43.02 to exceed the preferred building height, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis plan and a written urban context report documenting how the development will achieve the general requirements of this Schedule.

6.0 Decision guidelines

16/05/2013
C67

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The design objectives of this Schedule.
- Whether the proposal meets the design requirements and outcomes to be achieved in Table 1 and Map 1 of this Schedule.
- Where applicable, whether the proposal meets the design requirements and outcomes to be achieved in the site specific design guidelines for land at the north-east corner of Karadoc Avenue and Fifteenth Street or for land south-east of the corner of Sandilong Avenue and Fifteenth Street, in accordance with the *Irymple Structure Plan (July 2012)*.

Table 1 – Commercial Building Heights

Area	Preferred height	Outcome
H1	12m	To achieve commercial development that is designed to better address the streetscape context and make a positive contribution to the pedestrian experience along main roads and neighbouring side streets.
H2	12m (Refer to site specific urban design guidelines)	To achieve the site specific design guidelines for land at the north-east corner of Karadoc Avenue and Fifteenth Street and for land south-east of the corner of Sandilong Avenue and Fifteenth Street, in accordance with the *Irymple Structure Plan (July 2012).*

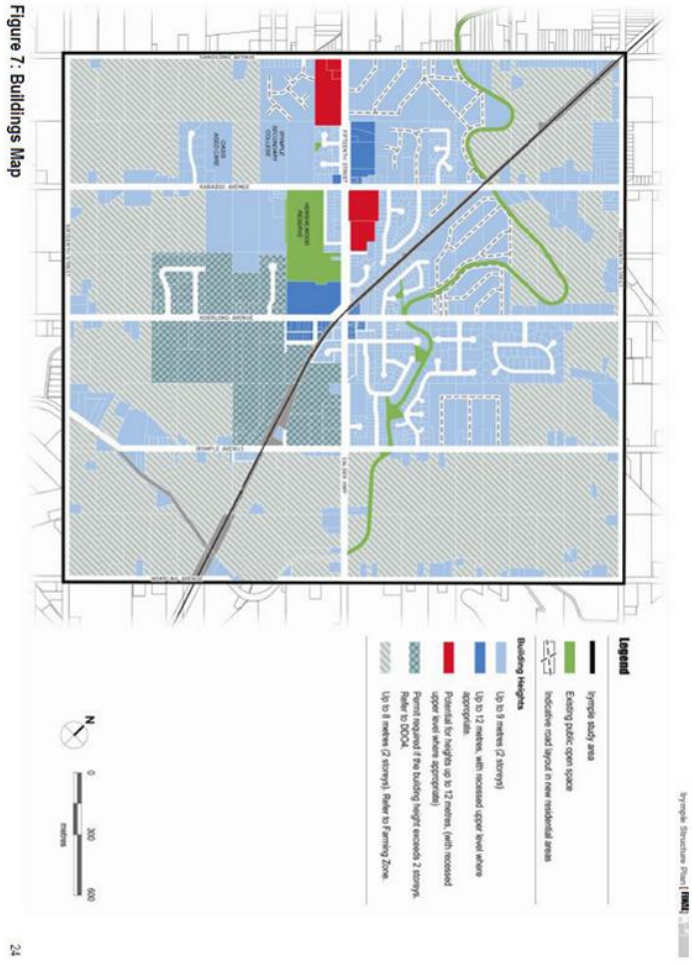
Note: Building heights are to be measured from the central point at the adjoining footpath level.

Commented [BB(57]: Can be abbreviated as 'm' in a table.

Map 1 to Schedule 13 to Clause 43.02

Irymple Structure Plan Buildings Map

Figure 7: Buildings Map



24

SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

--/--/20-- Proposed C100 Pt 2

Shown on the planning scheme map as **DDO14.**

SIXTEENTH STREET GREENWAY interface

1.0 Design objectives

--/--/20-- Proposed C100 Pt 2

To ensure that built form and streetscape interfaces support the Sixteenth Street Greenway role as a prioritised pedestrian and cycling street.

To encourage medium density housing in the form of appropriately designed apartment buildings, townhouses or terrace houses.

To encourage landscaping that enhances the dominance of vegetation and a sense of openness to the street.

2.0 Buildings and works

--/--/20-- Proposed C100 Pt 2

A permit is not required to construct or carry out the following:

- Works on lots which do not front or adjoin Sixteenth Street.
- A fence to Sixteenth Street of 1 metre or less in height.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the following requirements:

- A fence fronting Sixteenth Street must not exceed 1 metre in height.
- Any garages, car parking and vehicle access to on-site car parking must be provided to the rear of lots.
- Any on-site car parking must be screened from Sixteenth Street.
- Direct pedestrian access from Sixteenth Street must be provided to dwelling entries of lots.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- Front setbacks to Sixteenth Street should be between 1 metre and 3 metres.
- Properties should be built to side boundaries with no setbacks, to allow for maximum use of the land. If a side setback is deemed necessary, only one should be provided, with a minimum setback of 1 metre.
- Buildings should address the Sixteenth Street frontage.
- Habitable rooms and/or upper level balconies fronting Sixteenth Street should be incorporated to increase passive surveillance of the Greenway.
- Garages should consolidate with adjoining properties where possible, to create a break between development.
- Upper level development above garages at the rear with balconies or habitable room windows is encouraged to increase passive surveillance.
- Where possible, existing crossovers to Sixteenth Street should be removed.
- Frontages to Sixteenth Street should be open with low or no front fences preferred.

3.0 Subdivision

--/--/20--
Proposed
C100 Pt 2

A permit cannot be granted to subdivide land which is not in accordance with the following:

- Provision of rear vehicular access for any lot fronting Sixteenth Street.

4.0 Signs

--/--/20--
Proposed
C100 Pt 2

None specified.

5.0 Application requirements

--/--/20--
Proposed
C100 Pt 2

None specified.

6.0 Decision guidelines

--/--/20--
Proposed
C100 Pt 2

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact on pedestrian connectivity, safety and amenity along Sixteenth Street.
- The contribution the proposed development makes to the diversification of housing stock in Mildura.
- The responsiveness to the vision for Sixteenth Street outlined in the Mildura South (Sixteenth and Deakin West) Development Plan, 2014.
- The contribution the building makes to the public realm along Sixteenth Street, including the level of activation and surveillance.

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

24/06/2010
C44

Shown on the planning scheme map as **DPO1.**

RESIDENTIAL AREAS

1.0 Objectives

None specified.

--/--/20--
C--

Requirement before a permit is granted

15/11/2007
C42

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- A subdivision to create a lot for an existing dwelling.
- Any buildings and works associated with the continued use of the land for agriculture.

3.0 Conditions and requirements for permits

24/06/2010
C44

The following requirements should be met before a permit can be granted to subdivide land:

- The subdivision must be a two lot subdivision and the lot with the dwelling must not be greater than 4000 square metres.
- An agreement under section 173 of the Act must be entered into with the owner of each lot, which ensures the land may not be further subdivided so as to increase the number of lots until a development plan has been prepared to the satisfaction of the responsible authority.

4.0 Requirements for development plan

15/11/2007
C42

A development plan must include the following requirements:

- A clearly distinguishable road hierarchy with the differences in road function reflected in the road width, design layout and road reserve treatments;
- A range of residential lot sizes.
- The lot layout, size and density.
- Innovative design of all proposed public open spaces incorporating pedestrian and cycle paths and linking open space networks with community facilities and local neighbourhood activity centres with the surrounding residential precinct;
- The means of servicing to lots including the provision of reticulated water and sewer to all residential lots.
- The need for open space and any other community infrastructure as considered necessary by the responsible authority.
- The impact of the development on any sites of flora or fauna significance, archaeological significance or significant views that may affect the land.
- Retention of any existing trees of value and an appropriate landscaping theme for nature strips and public open space including the use of salt tolerant plants.
- Identification of common trenching of compatible services.
- The application of water sensitive urban design principles.
- The comments of the owners of the land.
- The comments of Lower Murray Water.

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

15/11/2007
C42

Shown on the planning scheme map as **DPO2.**

LOW DENSITY RESIDENTIAL AREAS

1.0 Objectives

None specified.

2.0 Requirement before a permit is granted

15/11/2007
C42

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- A subdivision to create a lot for an existing dwelling.
- Any buildings and works associated with the continued use of the land for agriculture.

3.0 Conditions and requirements for permits

15/11/2007
C42

The following requirements should be met before a permit can be granted to subdivide land:

- The subdivision must be a two lot subdivision.
- An agreement under section 173 of the Act must be entered into with the owner of the lot without the dwelling, which ensures the land may not be further subdivided so as to increase the number of lots until a development plan has been prepared to the satisfaction of the responsible authority.

4.0 Requirements for development plan

15/11/2007
C42

A development plan must include the following requirements:

- A clearly distinguishable road hierarchy with the differences in road function reflected in the road width, design layout and road reserve treatments.
- Innovative design of all proposed public open spaces incorporating pedestrian and cycle paths and linking open space networks with community facilities and local neighbourhood activity centres with the surrounding residential precinct.
- The means of servicing to lots including the provision of reticulated water and sewer to all residential lots or alternative EPA approved effluent disposal systems.
- Identification of the means of draining the land.
- The need for open space and any other community infrastructure as considered necessary by the responsible authority.
- The impact of the development on any sites of flora or fauna significance, archaeological significance or significant views that may affect the land.
- Retention of any existing tree stands of value and an appropriate landscaping theme for nature strips and public open space including the use of salt tolerant plants.
- Identification of common trenching of compatible services.
- The application of water sensitive urban design principles.
- The comments of Lower Murray Water.
- The comments of the Mallee Catchment Management Authority.

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

09/08/2012
C66

Shown on the planning scheme map as **DPO3.**

ONTARIO-FLORA DEVELOPMENT AREA

1.0 Objectives

--/--/20--
C--

None specified.

2.0 Requirement before a permit is granted

09/08/2012
C66

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to construct a building or construct or carry out works for:

- An alteration or extension to an existing dwelling.

3.0 Conditions and requirements for permits

None specified.

2.0 Requirements for development plan

09/08/2012
C66

A development plan must include the following requirements:

- Ensure that development of the land is undertaken in a manner, layout and intensity consistent with the preferred future character of the area.
- Provide consolidated residential development to be accommodated close to public open space and the Mildura Golf Course and ensure this development is of a high quality, energy efficient and responds positively towards the park or golf course edges.
- Ensure that appropriate interfaces are maintained with public open space.
- Ensure integration of development beween adjoining land parcels and with the movement network of the surrounding area.
- Facilitate subdivision of the land in an environmentally sensitive manner and the construction of buildings to meet high standards of ecologically sustainable development (ESD).
- Ensure that appropriate drainage and sewerage services are provided to avoid detriment to the water quality or associated ecosystems of Lake Ranfurly or the Murray River.
- Ensure that excellent pedestrian and cycle linkages are provided.

The development plan must be generally consistent with the *Ontario-Flora Land Use Vision and Urban Design Framework, July 2010* and must include the following, to the satisfaction of the responsible authority:

- Proposed cut and fill and any other associated earthworks, which must be accompanied by an assessment by a suitably qualified expert of the off-site impacts of the proposed works on flooding and drainage. This information must be provided for all parcels of land within the development plan area to ensure a comprehensive assessment of the proposed works and their wider impacts. The requirements of the Mallee Catchment Management Authority must be met, including the following:
  - Land must be filled to the 1percent flood level;
  - All access roads must be filled to the 1percent flood level; and
  - All dwellings must be set at least 300 millimetres above the 1percent flood level.

- Details of proposed drainage management that addresses underground and overland flows, on-site drainage detention, water quality, nutrient control, water sensitive urban design, in particular consideration of the establishment of a wetland buffer in the northern corner of Lake Ranfurly, or other options including recycling where appropriate. If required a drainage basin should be detailed on the development plan. The public open space contribution required under section 18 of the *Subdivision Act 1988* should be received before the development plan is prepared to assist in the development of the wetland.
- All servicing, including water, sewerage, gas and electricity.
- The stages in which the land is to be subdivided and developed.
- A flora and fauna assessment by a suitably qualified professional.
- A traffic management assessment, report and details of proposed traffic management by a suitably qualified traffic engineer, which must address the following matters:
  - An assessment of the expected traffic impacts associated with the subdivision and development;
  - Design details of any proposed traffic management measures (eg. intersection treatments), which must be to the satisfaction of the responsible authority and, where relevant, VicRoads;
  - Proposed vehicle access, including a clearly distinguishable road hierarchy (with differences in road function reflected in the road width, design layout and road reserve treatments), rationalisation of vehicle access points to Flora Avenue, the partial construction of Fourteenth Street and internal road layouts generally consistent with the *Ontario-Flora Land Use Vision and Urban Design Framework, July 2010*;
  - Establishment of a partial road link along the north-western golf course boundary to establish a frontage towards the golf course and provide a spatial buffer from course hitting zones;
  - The establishment of a street network that allows future connections with adjoining lots to form a cohesive and well connected neighbourhood; and
  - A bicycle and pedestrian path network which complements the internal and external road network, provides appropriate linkages within and external to the site, and provides an attractive and safe pedestrian environment.
- A landscape concept for road reserves, public open space and other public areas prepared by a suitably qualified landscape architect, including the following:
  - Details of landscape design principles for the precinct;
  - Establishment of a themed avenue of indigenous plantings along new streets, with a minimum of two (2) canopy tree plantings provided with each detached dwelling, and commensurate appropriate tree planting provided for multi-unit and other types of development;
  - The establishment of a wetland having regard to the Lake Ranfurly wetlands and the integration of the wetlands with streetscape improvements;
  - Indicative canopy planting, comprising indigenous species and accompanied by understorey planting, where appropriate; and
  - A management plan for the maintenance of the landscaping.
- A requirement that the subdivision design response will address energy efficiency and solar orientation of lots and consider additional sustainability initiatives such as communal energy generation or water recycling opportunities, to the satisfaction of the responsible authority.
- A requirement to use a single style of street lighting that utilises energy efficient technology (such as solar power and energy efficient globes), subject to approval by any relevant agency and to the satisfaction of the responsible authority.
- Designation of building envelopes for buildings should provide the following as appropriate:

- A minimum building setback of 26 metres from the Mildura Golf Course boundary, or an alternative setback which takes account of any further risk assessment undertaken with respect to stray golf balls;
- Car parking and garages positioned behind the main building line;
- All buildings set back at least 6 metres from the street frontage to allow for canopy vegetation within front gardens; and
- Medium density residential development sites located adjacent to park edges, providing increased densities along the edges of open space.

- A requirement that new developments within this precinct will aspire to high sustainability standards and incorporate water sensitive urban design in recognition of their proximity to important environmental assets, to the satisfaction of the responsible authority.
- A requirement that any additional design guidelines that are developed for this precinct should ensure that buildings materials are consistent with surrounding residential stock and the approved *Fairways Mildura Design Guidelines, Version 2 (March 2012)* and that building design addresses cross ventilation, thermal massing of materials and the proposed type of heating and cooling devices.

SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

17/11/2016
C89

Shown on the planning scheme map as **DPO4.**

IRYMPLE LOW DENSITY RESIDENTIAL AREA

1.0 Objectives

--/--/20--
C--

None specified.

2.0 Requirement before a permit is granted

17/11/2016
C89

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- A subdivision to create a lot for an existing dwelling.
- Any buildings and works associated with the continued use of the land for agriculture.

3.0 Conditions and requirements for permits

17/11/2016
C89

The following requirements should be met before a permit is granted to subdivide land prior to the preparation of a development plan to the satisfaction of the responsible authority:

- The subdivision must be a two lot subdivision.
- An agreement under section 173 of the Act must be entered into with the owner of the lot without the dwelling, which ensures the land may not be further subdivided so as to increase the number of lots until a development plan has been prepared to the satisfaction of the responsible authority.

4.0 Requirements for development plan

17/11/2016
C89

The development plan must identify and consider the following:

- The means of servicing to lots, including the provision of reticulated water and sewerage to all residential lots, or alternative EPA approved effluent disposal systems.
- The need for open space, as considered necessary by the responsible authority, in accordance with the relevant guidelines.
- The need for any other community infrastructure, as considered necessary by the responsible authority.
- Any sites of flora or fauna significance or archaeological or heritage significance, and how these could be integrated into the design of any subdivision.
- Areas subject to the impacts of salinity.
- The application of water sensitive urban design principles.
- The comments of Lower Murray Water.
- The comments of the Mallee Catchment Management Authority.

The development plan must provide for the following:

- A clearly distinguishable road hierarchy, with the differences in road function reflected in the road width, design, layout and road reserve treatments.
- Identification of the means of draining the land.
- Identification of common trenching of compatible services.

- Appropriate interface treatments to schools and areas of public open space.
- Pedestrian linkages to Irymple Primary School and Irymple Secondary School and to Fifteenth Street and the Irymple town centre.
- Integration with the General Residential Zone to the south-east.
- Inclusion of greenways or other linear open spaces, to provide opportunities for incidental exercise and social interaction.
- Retention of any existing tree stands of value and the development of an appropriate landscaping theme for nature strips and public open space, including the use of salt tolerant plants where relevant.
- Identification of public realm treatments and interfaces which reflect the low density residential nature of the area, such as post and wire fencing (or no fencing) rather than solid fencing.

SCHEDULE 5 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

17/11/2016
C89

Shown on the planning scheme map as **DPO5.**

CABARITA LOW DENSITY RESIDENTIAL AREA

1.0 Objectives

--/--/20--
C--

None specified.

2.0 Requirement before a permit is granted

17/11/2016
C89

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- A subdivision to create a lot for an existing dwelling.
- Any buildings and works associated with the continued use of the land for agriculture.

3.0 Conditions and requirements for permits

17/11/2016
C89

The following requirements should be met before a permit is granted to subdivide land prior to the preparation of a development plan to the satisfaction of the responsible authority:

- The subdivision must be a two lot subdivision.
- An agreement under section 173 of the Act must be entered into with the owner of the lot without the dwelling, which ensures the land may not be further subdivided so as to increase the number of lots until a development plan has been prepared to the satisfaction of the responsible authority.

4.0 Requirements for development plan

17/11/2016
C89

The development plan must identify and consider the following:

- The means of servicing to lots including the provision of reticulated water and sewerage to all residential lots, or alternative EPA approved effluent disposal systems.
- The need for open space, as considered necessary by the responsible authority, in accordance with the relevant guidelines.
- The need for any other community infrastructure, as considered necessary by the responsible authority.
- The appropriate minimum lot size (may be larger than 0.4ha) considered necessary to address the environmental constraints to development that may exist given the proximity to Lake Hawthorn, to the satisfaction of the Responsible Authority.
- Any sites of flora or fauna significance or archaeological or heritage significance, and how these could be integrated into the design of any subdivision.
- Areas subject to the impacts of salinity.
- The application of water sensitive urban design principles.
- The comments of Lower Murray Water.
- The comments of the Mallee Catchment Management Authority.

The development plan must provide for the following:

- A clearly distinguishable road hierarchy, with the differences in road function reflected in the road width, design, layout and road reserve treatments.
- Identification of the means of draining the land.
- Identification of common trenching of compatible services.
- Formation of Robertson Street and the inclusion of other appropriate interface treatments to Lake Hawthorn.
- A minimum of one clear vehicular connection between development on adjoining lots to ensure an integrated low density residential precinct.
- Appropriate treatments to the northern interface with the railway line.
- Pedestrian linkages to existing tracks and trails around Lake Hawthorn and to the Murray River.
- Retention of any existing tree stands of value and the development of an appropriate landscaping theme for nature strips and public open space, which reflects the indigenous vegetation found around Lake Hawthorn.
- Identification of public realm treatments and interfaces which reflect the low density residential nature of the area, such as post and wire fencing (or no fencing) rather than solid fencing.

SCHEDULE 6 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

17/11/2016
C89

Shown on the planning scheme map as **DPO6.**

NICHOLS POINT NEIGHBOURHOOD RESIDENTIAL AREA

1.0 Objectives

--/--/20--
C--

None specified.

2.0 Requirement before a permit is granted

17/11/2016
C89

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- A subdivision to create a lot for an existing dwelling.
- Any buildings and works associated with the continued use of the land for agriculture.

3.0 Conditions and requirements for permits

17/11/2016
C89

The following requirements should be met before a permit is granted to subdivide land prior to the preparation of a development plan to the satisfaction of the responsible authority:

- The subdivision must be a two lot subdivision.
- An agreement under section 173 of the Act must be entered into with the owner of the lot without the dwelling, which ensures the land may not be further subdivided so as to increase the number of lots until a development plan has been prepared to the satisfaction of the responsible authority.

4.0 Requirements for development plan

17/11/2016
C89

The development plan must identify and consider the following:

- The means of servicing to lots, including the provision of reticulated water and sewerage to all residential lots.
- The need for open space, as considered necessary by the responsible authority, in accordance with the relevant guidelines.
- The need for any other community infrastructure, as considered necessary by the responsible authority.
- The need for any local convenience retailing to be provided on Fifth Street.
- Any sites of flora or fauna significance or archaeological or heritage significance, and how these could be integrated into the design of any subdivision.
- Areas subject to the impacts of salinity.
- How drainage in Nichols Point is likely to relate to the broader Mildura East Growth area, and how this may be integrated in the longer term.
- The application of water sensitive urban design principles.
- The comments of Lower Murray Water.
- The comments of the Mallee Catchment Management Authority.

The development plan must provide for the following:

- A clearly distinguishable road hierarchy, with the differences in road function reflected in the road width, design, layout and road reserve treatments.
- Identification of the means of draining the land, with consideration for future growth.
- Identification of common trenching of compatible services.
- Integration of local convenience shopping, if required on Fifth Street.
- Appropriate interface treatments to the school and areas of public open space.
- A neighbourhood focal point or village green.
- Appropriate interfaces to areas identified as part of the Mildura East Growth Area.
- Pedestrian linkages to the Nichols Point Primary School and Recreation Reserve.
- Allowance for future longer term pedestrian and vehicular connections to the Mildura East Growth Area to the north, west and south.
- Recognition of (and integration with) existing residential areas and dwellings where possible.
- Inclusion of greenways or other linear open spaces, to provide opportunities for incidental exercise and social interaction.
- Retention and development of the existing drainage channel as a 'blueway'.
- Retention of any existing tree stands of value and the development of an appropriate landscaping theme for nature strips and public open space, including the use of salt tolerant plants where relevant.
- Identification of public realm treatments and interfaces which reflect the low density residential nature of the area, such as post and wire fencing (or no fencing) rather than solid fencing.

SCHEDULE TO CLAUSE 44.02 SALINITY MANAGEMENT OVERLAY

13/03/2014 C64

Shown on the planning scheme map as **SMO.**

1.0 Salinity management objectives to be achieved

--/--/20-- C--

None specified.

2.0 Statement of risk

--/--/20-- C--

None specified.

3.0 Permit requirement

13/03/2014 C64

A permit is not required for:

- Buildings and works or subdivision which is undertaken on land with an approved "Salinity Action Statement" as required in accordance with the *Salinity Management Guidelines 2009*, or subsequent versions thereof.
- A single dwelling or buildings and works associated with or ancillary to a single dwelling.

Any permit application for subdivision within the overlay area is also to be accompanied by a Site Capability Report addressing the requirements of the *Site Salinity Management Guidelines 2009*, or subsequent versions thereof.

A permit application is to address the requirements at Clause 44.02-5, as appropriate.

Any permit must include a condition requiring the applicant to provide a "Salinity Action Statement" as specified in the *Site Salinity Management Guidelines 2009* or subsequent versions thereof prior to the certification of the plan of subdivision for land identified as Moderate to Very High Risk (inclusive). This requirement does not apply to an application for a two lot subdivision to excise an existing dwelling.

Depending on the levels of risk as identified on the attached map, conditions will include, but not be limited to:

Level 1 – Low Risk

- Implementation of efficient water use practices
- No specific salinity action statement is required

Level 2 – Moderate Risk

- Hydrogeological investigation
- Decommissioning of existing tile drains
- Design and installation of a suitable subsurface drainage system

Level 3 – High (a) Risk

- Hydrogeological investigation
- Decommissioning of existing tile drains
- Reduction and maintenance of regional groundwater below a level that would impact on urban development

Level 4 – High (b) Risk

- Hydrogeological investigation
- Decommissioning of existing tile drains
- Design and installation of a suitable subsurface drainage system
- Reduction and maintenance of regional groundwater below a level that would impact on urban development

Level 5 – Very High Risk

- No development permitted

In the event that the detailed site analysis is at variance with the attached map, then the requirements must accord with the risk levels identified by the risk analysis.

In accordance with the Site *Salinity Management Guidelines 2009*, or subsequent versions thereof, any permit must include the following permit note:

Efficient water use practices should be implemented, designed specifically to minimise the amount of water infiltrating below the plant root zone. Appendix B of the Site Salinity Management Guidelines 2009 provides an overview of selected options by which this may be achieved. These measures will assist in ensuring that the level of urban salinity risk does not increase in the future.

In deciding on an application, in addition to the decision guidelines at Clause 44.02-8, the responsible authority must consider the Salinity Risk Management approach as identified in the *Site Salinity Management Guidelines 2009.*

4.0 Application requirements

--/--/20--
C--

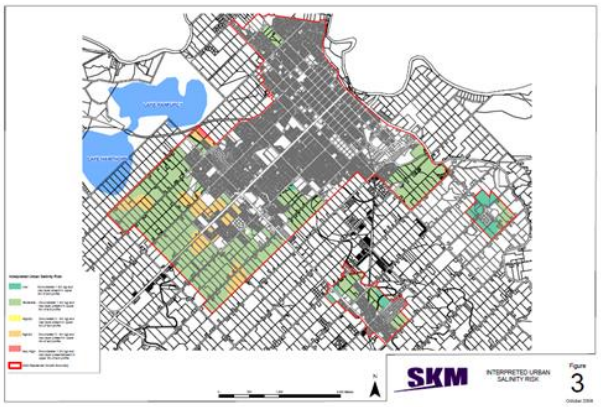
None specified.

5.0 Decision guidelines

--/--/20--
C--

None specified.

Map 1 to Schedule 2 to Clause 44.02



19/01/2006
VC37

SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as **FO** or **RFO.**

1.0 Floodway objectives to be achieved

--/--/20--
C--

None specified.

2.0 Statement of risk

--/--/20--
C--

None specified.

3.0 Permit requirement

--/--/20--
C--

None specified.

4.0 Application requirements

--/--/20--
C--

None specified.

5.0 Decision guidelines

--/--/20--
C--

None specified.

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

19/01/2006
VC37

Shown on the planning scheme map as **LSIO.**

1.0 Land subject to inundation objectives to be achieved

--/--/20--
C--

None specified.

2.0 Statement of risk

--/--/20--
C--

None specified.

3.0 Permit requirement

--/--/20--
C--

None specified.

4.0 Application requirements

--/--/20--
C--

None specified.

5.0 Decision guidelines

--/--/20--
C--

None specified.

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

13/03/2014
C64

1.0 Public acquisition

--/--/20--
C--

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	Vic Roads	Road widening
PAO2	Mildura Rural City Council	Public Open Space *Note: The PAO2 applies to a 10m wide area of Lot 1 LP136886, Fifteenth Street, Mildura, from the boundary of MRCC Reserve 1 PS648035, Fifteenth Street, Mildura (as shown on Planning Scheme Map 29PAO).*
PAO3	Grampians Wimmera Mallee Water	Waste water treatment facility

19/01/2006
VC37

SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

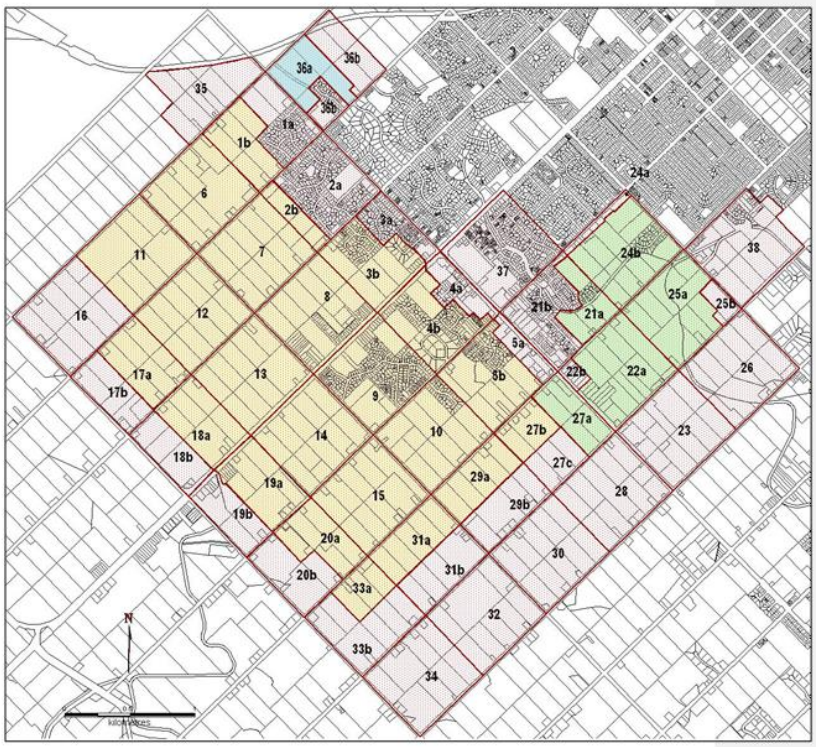
Shown on the planning scheme map as **DCPO1**.

DEVELOPMENT CONTRIBUTIONS PLAN – INFRASTRUCTURE WORKS

1.0 Area covered by this development contributions plan

19/01/2006
VC37

The Plan applies to all land within the boundaries of the 57 land parcels designated in Mildura South Development Contributions Plan Area from area 1a to area 38. The Plan provides for different amounts of levy to be payable in specified areas, which are shown on the Plan to this schedule, and in the Incorporated Mildura South Development Contributions Plan (3 March 2005).



2.0 Summary of costs

19/01/2006
VC37

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes below)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Ontario Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m) BP007	$136,302	2020 To 2020	$62,699	$10,972	$51,727	38%
Ontario Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) BP008	$83,218	2020 To 2020	$64,910	$39,556	$25,354	30%

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes below)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Walnut Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) BP015	$83,218	2022 To 2022	$41,609	$30,669	$10,940	13%
Deakin Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) BP022	$76,456	2024 To 2024	$38,228	$25,028	$13,200	17%
Deakin Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m) BP023	$76,456	2024 To 2024	$38,228	$22,081	$16,147	21%
San Mateo Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) BP031	$83,218	2026 To 2026	$41,609	$21,414	$20,195	24%
San Mateo Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m) BP032	$83,218	2026 To 2026	$41,609	$18,166	$23,443	28%
Benetook Avenue - Fourteenth Street to Fifteenth Street (1st half - about 660m) BP047	$76,456	2025 To 2025	$61,929	$3,112	$58,817	77%
Benetook Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m) BP048	$136,302	2025 To 2025	$110,405	$47,209	$63,196	46%
Fourteenth Street - San Mateo Avenue to Etiwanda Avenue BP101	$70,666	2023 To 2023	$32,506	$5,182	$27,324	39%
Fifteenth Street - Railway Line / Bike Path to Riverside Avenue BP105	$41,303	2014 To 2014	$27,260	$0	$27,260	66%
Fifteenth Street - Riverside Avenue to Ontario Avenue BP106	$76,917	2014 To 2014	$25,383	$7,879	$17,503	23%
Ranfurly to Irymple Green Belt - San Mateo Avenue to Etiwanda Avenue BP203	$409,248	2012 To 2012	$192,346	$71,097	$121,250	30%
Ranfurly to Irymple Green Belt - Etiwanda Avenue to Benetook Avenue BP204	$235,639	2012 To 2012	$155,522	$25,390	$130,132	55%
Cabarita to Benetook - Riverside Avenue to Ontario Avenue BP211	$109,895	2015 To 2015	$65,937	$11,977	$53,960	49%
Cabarita to Benetook spur - Sixteenth Street to Fifteenth Street BP212	$203,091	2015 To 2015	$91,391	$23,104	$68,287	34%
Cabarita to Benetook - Ontario Avenue to Walnut Avenue BP213	$189,176	2018 To 2018	$124,856	$39,226	$85,631	45%
Cabarita to Benetook - Walnut Avenue to Deakin Avenue BP214	$187,794	2020 To 2020	$123,944	$42,373	$81,571	43%
Cabarita to Benetook - Deakin Avenue to San Mateo Avenue BP215	$172,487	2020 To 2020	$86,243	$39,118	$47,125	27%
Cabarita to Benetook - San Mateo Avenue to Etiwanda Avenue BP216	$196,139	2024 To 2024	$98,069	$16,957	$81,113	41%
Mildura South Multi-Purpose Community Centre (& Pre-School) CF001	$3,437,714	2025 To 2030	$3,437,714	$782,988	$2,654,725	77%
Mildura South Scheme DG001	$37,422,250	2005 To 2030	$28,852,299	$4,946,346	$23,905,954	64%
San Mateo to Benetook near Fifteenth Street Scheme DG002	$5,749,825	2005 To 2016	$5,120,758	$1,125,963	$3,994,795	69%
Ranfurly Drain near Fifteenth Street Scheme DG003	$650,657	2012 To 2012	$650,657	$7,436	$643,221	99%

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes below)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Playgrounds OS001	$10,792,223	2005 To 2030	$8,457,277	$2,163,661	$6,293,616	58%
Stormwater Retention - Mildura South OS002	$8,562,417	2005 To 2030	$6,601,565	$1,120,380	$5,481,185	64%
Stormwater Retention - Benetook Basin OS003	$606,639	2005 To 2016	$540,269	$105,022	$435,247	72%
Recreation & Community Centre Land OS004	$2,248,398	2005 To 2030	$2,248,398	$512,105	$1,736,294	77%
Linear Reserves & Parks OS005	$3,449,024	2005 To 2030	$2,702,812	$691,472	$2,011,340	58%
Bus Stop Shelters RB001	$317,925	2005 To 2030	$317,925	$101,410	$216,515	68%
Fifteenth Street / Riverside Avenue Intersection Treatment RI001	$371,661	2006 To 2006	$122,648	$41,093	$81,555	22%
Sixteenth Street / Riverside Avenue Intersection Treatment RI002	$271,483	2009 To 2009	$105,878	$21,091	$84,787	31%
Fifteenth Street / Ontario Avenue Intersection Treatment RI004	$371,661	2006 To 2006	$111,498	$42,148	$69,351	19%
Sixteenth Street / Ontario Avenue Intersection Treatment RI005	$353,629	2005 To 2005	$205,105	$49,562	$155,543	44%
Sixteenth Street / San Mateo Avenue Intersection Treatment RI014	$371,661	2016 To 2016	$167,247	$66,343	$100,904	27%
Seventeenth Street / San Mateo Avenue Intersection Treatment RI015	$393,700	2020 To 2020	$55,118	$2,170	$52,948	13%
Sixteenth Street / Etiwanda Avenue Intersection Treatment RI017	$371,661	2023 To 2023	$141,231	$59,670	$81,561	22%
Seventeenth Street / Etiwanda Avenue Intersection Treatment RI018	$393,700	2025 To 2025	$39,370	$2,255	$37,115	9%
Sixteenth Street / Benetook Avenue Intersection Treatment RI020	$393,700	2028 To 2028	$62,992	$24,627	$38,365	10%
Fifteenth Street / Walnut Avenue Intersection Treatment RI041	$557,491	2018 To 2018	$122,648	$64,124	$58,525	10%
Riverside Avenue - Railway Line to Fifteenth Street RR003	$185,520	2012 To 2012	$166,968	$47,051	$119,917	65%
Riverside Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) RR004	$177,796	2006 To 2006	$58,673	$13,806	$44,867	25%
Riverside Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m) RR005	$177,796	2008 To 2008	$39,115	$6,729	$32,386	18%
Riverside Avenue - Sixteenth Street to Seventeenth Street (1st half, PU Zone - about 660m) RR006	$177,796	2009 To 2009	$26,669	$1,464	$25,205	14%
Ontario Avenue - Fourteenth Street to Fifteenth Street (2nd half, R1 Zone - about 660m) RR011	$345,835	2020 To 2020	$86,459	$43,574	$42,885	12%
Ontario Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) RR012	$345,835	2020 To 2020	$214,418	$74,536	$139,882	40%
Walnut Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) RR020	$312,967	2022 To 2022	$103,279	$46,545	$56,734	18%

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes below)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Walnut Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m) RR021	$326,571	2022 To 2022	$163,285	$53,990	$109,295	33%
Walnut Avenue - Sixteenth Street to Seventeenth Street (1st half - about 660m) RR022	$312,967	2023 To 2023	$156,483	$13,952	$142,531	46%
Walnut Avenue - Sixteenth Street to Seventeenth Street (part 2nd half - about 380m) RR023	$180,200	2023 To 2023	$59,466	$1,347	$58,119	32%
Walnut Avenue - Sixteenth Street to Seventeenth Street (part 2nd half - about 280m) RR024	$132,776	2030 To 2030	$43,816	$993	$42,823	32%
San Mateo Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) RR045	$312,967	2024 To 2024	$156,483	$88,816	$67,667	22%
San Mateo Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m) RR046	$312,967	2024 To 2024	$156,483	$71,382	$85,102	27%
San Mateo Avenue - Sixteenth Street to Seventeenth Street (1st half - about 660m) RR047	$312,967	2025 To 2025	$240,984	$45,946	$195,038	62%
San Mateo Avenue - Sixteenth Street to Seventeenth Street (2nd half - about 660m) RR048	$312,967	2025 To 2025	$162,743	$6,357	$156,385	50%
Etiwanda Avenue - Eleventh Street to Fourteenth Street (2nd half - about 660m) RR050	$312,967	2020 To 2020	$34,426	$6,614	$27,813	9%
Etiwanda Avenue - Fourteenth Street to Fifteenth Street (1st half - about 660m) RR051	$345,835	2010 To 2010	$166,001	$43,262	$122,739	35%
Etiwanda Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m) RR052	$345,835	2010 To 2010	$200,584	$68,787	$131,798	38%
Etiwanda Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) RR053	$177,796	2030 To 2030	$149,349	$50,576	$98,773	56%
Etiwanda Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m) RR054	$177,796	2030 To 2030	$149,349	$62,213	$87,136	49%
Etiwanda Avenue - Sixteenth Street to Seventeenth Street (1st half - about 660m) RR055	$185,520	2030 To 2030	$120,588	$9,138	$111,450	60%
Etiwanda Avenue - Sixteenth Street to Seventeenth Street (2nd half - about 660m) RR056	$177,796	2030 To 2030	$76,452	$4,193	$72,260	41%
Benetook Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m) RR061	$380,617	2027 To 2027	$247,401	$60,247	$187,154	49%
Benetook Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m) RR062	$397,166	2027 To 2027	$258,158	$116,293	$141,865	36%
Benetook Avenue - Sixteenth Street to Seventeenth Street (1st half - about 660m) RR063	$397,166	2028 To 2028	$162,838	$19,813	$143,025	36%

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes below)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Benetook Avenue - Sixteenth Street to Seventeenth Street (2nd half - about 660m) RR064	$380,617	2028 To 2028	$102,767	$13,636	$89,131	23%
Fourteenth Street - San Mateo Avenue to Etiwanda Avenue RR101	$319,638	2029 To 2029	$95,892	$18,421	$77,470	24%
Fourteenth Street - Etiwanda Avenue to Benetook Avenue RR102	$319,638	2029 To 2029	$105,481	$20,728	$84,753	27%
Fifteenth Street - Railway Line to Riverside Avenue RR104	$35,022	2009 To 2009	$23,115	$6,514	$16,601	47%
Fifteenth Street - Riverside Avenue to Ontario Avenue RR105	$164,322	2030 To 2030	$44,367	$20,981	$23,386	14%
Fifteenth Street - Ontario Avenue to Walnut Avenue RR106	$319,638	2030 To 2030	$44,749	$21,661	$23,088	7%
Sixteenth Street - Riverside Avenue to Ontario Avenue RR113	$164,322	2007 To 2007	$72,302	$5,138	$67,164	41%
Sixteenth Street - Ontario Avenue to Walnut Avenue RR114	$319,638	2010 To 2010	$210,961	$20,061	$190,900	60%
Sixteenth Street - Walnut Avenue to Deakin Avenue RR115	$319,638	2020 To 2020	$210,961	$43,264	$167,698	52%
Sixteenth Street - Deakin Avenue to San Mateo Avenue RR116	$333,533	2026 To 2026	$166,767	$34,745	$132,021	40%
Sixteenth Street - San Mateo Avenue to Etiwanda Avenue RR117	$319,638	2030 To 2030	$159,819	$33,345	$126,474	40%
Sixteenth Street - Etiwanda Avenue to Benetook Avenue RR118	$333,533	2030 To 2030	$166,767	$15,883	$150,884	45%

Notes:

This table sets out a summary of the costs prescribed in the Mildura South Development Contributions Plan. Refer to the incorporated document Mildura South Development Contributions Plan (3 March 2005) for full details.

For the purpose of this DCP, the projects shall be delivered in accordance with the timing shown for each project, or within a 20% margin (rounded down) beyond the date shown using 2005 as the base year, but not less than two years. For example, a project shown with a delivery date of 2030 shall be delivery before 2035 (ie. 25 years from 2005 x 20%). Council reserves the right to deliver projects earlier that the delivery dates shown.

3.0 Summary of contributions

19/01/2006
VC37

The following table has five parts. The first part lists contributions for Residential Development, the second part for Major Retail Development, the third part for Local Shop Development, the fourth part for Office Development and the final part for Industrial Development.

RESIDENTIAL							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling
Area 001a	$186	$0	$1,205	$683	**$2,074**	$199	**$199**
Area 001b	$186	$3,924	$2,118	$683	**$6,912**	$199	**$199**
Area 002a	$123	$0	$1,205	$401	**$1,729**	$199	**$199**
Area 002b	$123	$3,924	$2,118	$401	**$6,567**	$199	**$199**
Area 003a	$106	$0	$1,205	$182	**$1,492**	$199	**$199**
Area 003b	$106	$3,924	$2,118	$182	**$6,330**	$199	**$199**
Area 004a	$102	$0	$1,205	$59	**$1,366**	$199	**$199**
Area 004b	$102	$3,924	$2,118	$59	**$6,203**	$199	**$199**
Area 005a	$253	$0	$1,205	$88	**$1,545**	$199	**$199**
Area 005b	$253	$3,924	$2,118	$88	**$6,383**	$199	**$199**
Area 006	$118	$3,924	$2,118	$594	**$6,754**	$199	**$199**
Area 007	$63	$3,924	$2,118	$601	**$6,706**	$199	**$199**
Area 008	$83	$3,924	$2,118	$412	**$6,538**	$199	**$199**
Area 009	$92	$3,924	$2,118	$258	**$6,393**	$199	**$199**
Area 010	$84	$3,924	$2,118	$345	**$6,471**	$199	**$199**
Area 011	$44	$3,924	$2,118	$346	**$6,432**	$199	**$199**
Area 012	$63	$3,924	$2,118	$439	**$6,544**	$199	**$199**
Area 013	$62	$3,924	$2,118	$411	**$6,515**	$199	**$199**
Area 014	$49	$3,924	$2,118	$385	**$6,476**	$199	**$199**
Area 015	$61	$3,924	$2,118	$530	**$6,634**	$199	**$199**
Area 016	$0	$0	$1,205	$136	**$1,341**	$199	**$199**
Area 017a	$0	$3,924	$2,118	$196	**$6,238**	$199	**$199**
Area 017b	$0	$0	$1,205	$196	**$1,401**	$199	**$199**
Area 018a	$0	$3,924	$2,118	$191	**$6,233**	$199	**$199**
Area 018b	$0	$0	$1,205	$191	**$1,396**	$199	**$199**
Area 019a	$0	$3,924	$2,118	$244	**$6,286**	$199	**$199**
Area 019b	$0	$0	$1,205	$244	**$1,448**	$199	**$199**
Area 020a	$0	$3,924	$2,118	$351	**$6,393**	$199	**$199**
Area 020b	$0	$0	$1,205	$351	**$1,556**	$199	**$199**
Area 021a	$160	$3,245	$1,494	$63	**$4,962**	$0	**$0**
Area 021b	$160	$0	$950	$63	**$1,173**	$0	**$0**
Area 022a	$496	$3,245	$1,494	$71	**$5,307**	$0	**$0**

RESIDENTIAL							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling
Area 022b	$496	$0	$950	$71	**$1,517**	$0	**$0**
Area 023	$210	$0	$950	$15	**$1,174**	$0	**$0**
Area 024a	$195	$0	$950	$138	**$1,283**	$0	**$0**
Area 024b	$195	$3,245	$1,494	$138	**$5,073**	$0	**$0**
Area 025a	$415	$3,245	$1,494	$138	**$5,293**	$0	**$0**
Area 025b	$415	$0	$950	$138	**$1,503**	$0	**$0**
Area 026	$128	$0	$950	$35	**$1,113**	$0	**$0**
Area 027a	$286	$3,245	$1,749	$128	**$5,408**	$199	**$199**
Area 027b	$286	$3,924	$2,118	$128	**$6,456**	$199	**$199**
Area 027c	$286	$0	$1,205	$128	**$1,619**	$199	**$199**
Area 028	$0	$0	$1,205	$72	**$1,277**	$199	**$199**
Area 029a	$0	$3,924	$2,118	$494	**$6,536**	$199	**$199**
Area 029b	$0	$0	$1,205	$494	**$1,699**	$199	**$199**
Area 030	$0	$0	$1,205	$371	**$1,576**	$199	**$199**
Area 031a	$0	$3,924	$2,118	$803	**$6,845**	$199	**$199**
Area 031b	$0	$0	$1,205	$803	**$2,008**	$199	**$199**
Area 032	$0	$0	$1,205	$606	**$1,811**	$199	**$199**
Area 033a	$0	$3,924	$2,118	$629	**$6,671**	$199	**$199**
Area 033b	$0	$0	$1,205	$629	**$1,834**	$199	**$199**
Area 034	$0	$0	$1,205	$479	**$1,684**	$199	**$199**
Area 035	$408	$0	$1,205	$567	**$2,180**	$199	**$199**
Area 036a	$183	$3,981	$950	$547	**$5,661**	$0	**$0**
Area 036b	$183	$0	$950	$547	**$1,680**	$0	**$0**
Area 037	$0	$0	$950	$14	**$964**	$0	**$0**
Area 038	$0	$0	$950	$120	**$1,070**	$0	**$0**

MAJOR RETAIL							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of major retail development	Per 100 sqm of major retail development	Per 100 sqm of major retail development	Per 100 sqm of major retail development	**Per 100 sqm of major retail development**	Per 100 sqm of major retail development	**Per 100 sqm of major retail de**
Area 001a		$0		$3,597	**$3,597**		
Area 001b		$2,180		$3,597	**$5,777**		**0.00**
Area 002a		$0		$2,111	**$2,111**		**0.00**
Area 002b		$2,180		$2,111	**$4,291**		**0.00**

Commented [BB(58]: Make lower cases for sub header in the rest of the tables for consistency.

MAJOR RETAIL							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of major retail development	Per 100 sqm of major retail development	Per 100 sqm of major retail development	Per 100 sqm of major retail development	**Per 100 sqm of major retail development**	Per 100 sqm of major retail development	**Per 100 sqm of major retail de**
Area 003a		$0		$956	**$956**		
Area 003b		$2,180		$956	**$3,137**		**0.00**
Area 004a		$0		$310	**$310**		**0.00**
Area 004b		$2,180		$310	**$2,490**		**0.00**
Area 005a		$0		$463	**$463**		**0.00**
Area 005b		$2,180		$463	**$2,643**		**0.00**
Area 006		$2,180		$3,126	**$5,306**		**0.00**
Area 007		$2,180		$3,166	**$5,346**		**0.00**
Area 008		$2,180		$2,170	**$4,351**		**0.00**
Area 009		$2,180		$1,359	**$3,540**		**0.00**
Area 010		$2,180		$1,816	**$3,996**		**0.00**
Area 011		$2,180		$1,820	**$4,000**		**0.00**
Area 012		$2,180		$2,310	**$4,490**		**0.00**
Area 013		$2,180		$2,163	**$4,343**		**0.00**
Area 014		$2,180		$2,027	**$4,207**		**0.00**
Area 015		$2,180		$2,790	**$4,970**		**0.00**
Area 016		$0		$716	**$716**		**0.00**
Area 017a		$2,180		$1,032	**$3,212**		**0.00**
Area 017b		$0		$1,032	**$1,032**		**0.00**
Area 018a		$2,180		$1,005	**$3,186**		**0.00**
Area 018b		$0		$1,005	**$1,005**		**0.00**
Area 019a		$2,180		$1,282	**$3,462**		**0.00**
Area 019b		$0		$1,282	**$1,282**		**0.00**
Area 020a		$2,180		$1,847	**$4,027**		**0.00**
Area 020b		$0		$1,847	**$1,847**		**0.00**
Area 021a		$1,803		$331	**$2,134**		**0.00**
Area 021b		$0		$331	**$331**		**0.00**
Area 022a		$1,803		$376	**$2,178**		**0.00**
Area 022b		$0		$376	**$376**		**0.00**
Area 023		$0		$78	**$78**		**0.00**
Area 024a		$0		$729	**$729**		**0.00**
Area 024b		$1,803		$729	**$2,531**		**0.00**
Area 025a		$1,803		$729	**$2,531**		**0.00**
Area 025b		$0		$729	**$729**		**0.00**
Area 026		$0		$184	**$184**		**0.00**
Area 027a		$1,803		$671	**$2,474**		**0.00**

Commented [BB(58]: Make lower cases for sub header in the rest of the tables for consistency.

MAJOR RETAIL							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of major retail development	Per 100 sqm of major retail development	Per 100 sqm of major retail development	Per 100 sqm of major retail development	**Per 100 sqm of major retail development**	Per 100 sqm of major retail development	**Per 100 sqm of major retail de**
Area 027b		$2,180		$671	**$2,851**		
Area 027c		$0		$671	**$671**		**0.00**
Area 028		$0		$378	**$378**		**0.00**
Area 029a		$2,180		$2,598	**$4,778**		**0.00**
Area 029b		$0		$2,598	**$2,598**		**0.00**
Area 030		$0		$1,952	**$1,952**		**0.00**
Area 031a		$2,180		$4,227	**$6,408**		**0.00**
Area 031b		$0		$4,227	**$4,227**		**0.00**
Area 032		$0		$3,188	**$3,188**		**0.00**
Area 033a		$2,180		$3,312	**$5,492**		**0.00**
Area 033b		$0		$3,312	**$3,312**		**0.00**
Area 034		$0		$2,521	**$2,521**		**0.00**
Area 035		$0		$2,984	**$2,984**		**0.00**
Area 036a		$2,211		$2,879	**$5,091**		**0.00**
Area 036b		$0		$2,879	**$2,879**		**0.00**
Area 037		$0		$76	**$76**		**0.00**
Area 038		$0		$633	**$633**		**0.00**

Commented [BB(58]: Make lower cases for sub header in the rest of the tables for consistency.

LOCAL SHOP							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of local shop development	Per 100 sqm of Local Shop Development	Per 100 sqm of Local Shop Development	Per 100 sqm of Local Shop Development	**Per 100 sqm of Local Shop Development**	Per 100 sqm of Local Shop Development	**Per 100 sqm of Local Shop De**
Area 001a		$0		$854	**$854**		
Area 001b		$2,180		$854	**$3,034**		**0.00**
Area 002a		$0		$501	**$501**		**0.00**
Area 002b		$2,180		$501	**$2,681**		**0.00**
Area 003a		$0		$227	**$227**		**0.00**
Area 003b		$2,180		$227	**$2,407**		**0.00**
Area 004a		$0		$74	**$74**		**0.00**
Area 004b		$2,180		$74	**$2,254**		**0.00**
Area 005a		$0		$110	**$110**		**0.00**
Area 005b		$2,180		$110	**$2,290**		**0.00**
Area 006		$2,180		$742	**$2,923**		**0.00**

Commented [BB(59]: Make lower cases for the rest of the header when authoring in Keystone.

LOCAL SHOP							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of local shop development	Per 100 sqm of Local Shop Development	Per 100 sqm of Local Shop Development	Per 100 sqm of Local Shop Development	**Per 100 sqm of Local Shop Development**	Per 100 sqm of Local Shop Development	**Per 100 sqm of Local Shop De**
Area 007		$2,180		$752	**$2,932**		
Area 008		$2,180		$515	**$2,696**		**0.00**
Area 009		$2,180		$323	**$2,503**		**0.00**
Area 010		$2,180		$431	**$2,611**		**0.00**
Area 011		$2,180		$432	**$2,612**		**0.00**
Area 012		$2,180		$549	**$2,729**		**0.00**
Area 013		$2,180		$514	**$2,694**		**0.00**
Area 014		$2,180		$481	**$2,662**		**0.00**
Area 015		$2,180		$663	**$2,843**		**0.00**
Area 016		$0		$170	**$170**		**0.00**
Area 017a		$2,180		$245	**$2,425**		**0.00**
Area 017b		$0		$245	**$245**		**0.00**
Area 018a		$2,180		$239	**$2,419**		**0.00**
Area 018b		$0		$239	**$239**		**0.00**
Area 019a		$2,180		$304	**$2,485**		**0.00**
Area 019b		$0		$304	**$304**		**0.00**
Area 020a		$2,180		$439	**$2,619**		**0.00**
Area 020b		$0		$439	**$439**		**0.00**
Area 021a		$1,803		$79	**$1,882**		**0.00**
Area 021b		$0		$79	**$79**		**0.00**
Area 022a		$1,803		$89	**$1,892**		**0.00**
Area 022b		$0		$89	**$89**		**0.00**
Area 023		$0		$19	**$19**		**0.00**
Area 024a		$0		$173	**$173**		**0.00**
Area 024b		$1,803		$173	**$1,976**		**0.00**
Area 025a		$1,803		$173	**$1,976**		**0.00**
Area 025b		$0		$173	**$173**		**0.00**
Area 026		$0		$44	**$44**		**0.00**
Area 027a		$1,803		$159	**$1,962**		**0.00**
Area 027b		$2,180		$159	**$2,340**		**0.00**
Area 027c		$0		$159	**$159**		**0.00**
Area 028		$0		$90	**$90**		**0.00**
Area 029a		$2,180		$617	**$2,797**		**0.00**
Area 029b		$0		$617	**$617**		**0.00**
Area 030		$0		$464	**$464**		**0.00**
Area 031a		$2,180		$1,004	**$3,184**		**0.00**

Commented [BB(59]: Make lower cases for the rest of the header when authoring in Keystone.

LOCAL SHOP							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of local shop development	Per 100 sqm of Local Shop Development	Per 100 sqm of Local Shop Development	Per 100 sqm of Local Shop Development	**Per 100 sqm of Local Shop Development**	Per 100 sqm of Local Shop Development	**Per 100 sqm of Local Shop De**
Area 031b		$0		$1,004	**$1,004**		
Area 032		$0		$757	**$757**		**0.00**
Area 033a		$2,180		$787	**$2,967**		**0.00**
Area 033b		$0		$787	**$787**		**0.00**
Area 034		$0		$599	**$599**		**0.00**
Area 035		$0		$709	**$709**		**0.00**
Area 036a		$2,211		$684	**$2,895**		**0.00**
Area 036b		$0		$684	**$684**		**0.00**
Area 037		$0		$18	**$18**		**0.00**
Area 038		$0		$150	**$150**		**0.00**

Commented [BB(59]: Make lower cases for the rest of the header when authoring in Keystone.

OFFICE							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of office development	Per 100 sqm of Office Development	Per 100 sqm of Office Development	Per 100 sqm of Office Development	**Per 100 sqm of Office Development**	Per 100 sqm of Office Development	**Per 100 sqm of Office De**
Area 001a		$0		$565	**$565**		
Area 001b		$1,453		$565	**$2,018**		**0.00**
Area 002a		$0		$331	**$331**		**0.00**
Area 002b		$1,453		$331	**$1,785**		**0.00**
Area 003a		$0		$150	**$150**		**0.00**
Area 003b		$1,453		$150	**$1,604**		**0.00**
Area 004a		$0		$49	**$49**		**0.00**
Area 004b		$1,453		$49	**$1,502**		**0.00**
Area 005a		$0		$73	**$73**		**0.00**
Area 005b		$1,453		$73	**$1,526**		**0.00**
Area 006		$1,453		$491	**$1,944**		**0.00**
Area 007		$1,453		$497	**$1,951**		**0.00**
Area 008		$1,453		$341	**$1,794**		**0.00**
Area 009		$1,453		$213	**$1,667**		**0.00**
Area 010		$1,453		$285	**$1,739**		**0.00**
Area 011		$1,453		$286	**$1,739**		**0.00**
Area 012		$1,453		$363	**$1,816**		**0.00**
Area 013		$1,453		$340	**$1,793**		**0.00**

Commented [BB(60]: Make lower cases for the rest of the header when authoring in Keystone.

OFFICE							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of office development	Per 100 sqm of Office Development	Per 100 sqm of Office Development	Per 100 sqm of Office Development	**Per 100 sqm of Office Development**	Per 100 sqm of Office Development	**Per 100 sqm of Office De**
Area 014		$1,453		$318	**$1,772**		
Area 015		$1,453		$438	**$1,892**		**0.00**
Area 016		$0		$112	**$112**		**0.00**
Area 017a		$1,453		$162	**$1,615**		**0.00**
Area 017b		$0		$162	**$162**		**0.00**
Area 018a		$1,453		$158	**$1,611**		**0.00**
Area 018b		$0		$158	**$158**		**0.00**
Area 019a		$1,453		$201	**$1,655**		**0.00**
Area 019b		$0		$201	**$201**		**0.00**
Area 020a		$1,453		$290	**$1,743**		**0.00**
Area 020b		$0		$290	**$290**		**0.00**
Area 021a		$1,202		$52	**$1,254**		**0.00**
Area 021b		$0		$52	**$52**		**0.00**
Area 022a		$1,202		$59	**$1,261**		**0.00**
Area 022b		$0		$59	**$59**		**0.00**
Area 023		$0		$12	**$12**		**0.00**
Area 024a		$0		$114	**$114**		**0.00**
Area 024b		$1,202		$114	**$1,316**		**0.00**
Area 025a		$1,202		$114	**$1,316**		**0.00**
Area 025b		$0		$114	**$114**		**0.00**
Area 026		$0		$29	**$29**		**0.00**
Area 027a		$1,202		$105	**$1,307**		**0.00**
Area 027b		$1,453		$105	**$1,559**		**0.00**
Area 027c		$0		$105	**$105**		**0.00**
Area 028		$0		$59	**$59**		**0.00**
Area 029a		$1,453		$408	**$1,861**		**0.00**
Area 029b		$0		$408	**$408**		**0.00**
Area 030		$0		$307	**$307**		**0.00**
Area 031a		$1,453		$664	**$2,117**		**0.00**
Area 031b		$0		$664	**$664**		**0.00**
Area 032		$0		$501	**$501**		**0.00**
Area 033a		$1,453		$520	**$1,974**		**0.00**
Area 033b		$0		$520	**$520**		**0.00**
Area 034		$0		$396	**$396**		**0.00**
Area 035		$0		$469	**$469**		**0.00**
Area 036a		$1,474		$452	**$1,926**		**0.00**

Commented [BB(60]: Make lower cases for the rest of the header when authoring in Keystone.

OFFICE							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of office development	Per 100 sqm of Office Development	Per 100 sqm of Office Development	Per 100 sqm of Office Development	**Per 100 sqm of Office Development**	Per 100 sqm of Office Development	**Per 100 sqm of Office De**
Area 036b		$0		$452	**$452**		
Area 037		$0		$12	**$12**		**0.00**
Area 038		$0		$99	**$99**		**0.00**

Commented [BB(60]: Make lower cases for the rest of the header when authoring in Keystone.

INDUSTRIAL							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of industrial development	Per 100 sqm of industrial development	Per 100 sqm of industrial development	Per 100 sqm of industrial development	**Per 100 sqm of industrial development**	Per 100 sqm of industrial development	**Per 100 sqm of industrial development**
Area 001a		$0		$565	**$565**		**0.00**
Area 001b		$1,453		$565	**$2,018**		**0.00**
Area 002a		$0		$331	**$331**		**0.00**
Area 002b		$1,453		$331	**$1,785**		**0.00**
Area 003a		$0		$150	**$150**		**0.00**
Area 003b		$1,453		$150	**$1,604**		**0.00**
Area 004a		$0		$49	**$49**		**0.00**
Area 004b		$1,453		$49	**$1,502**		**0.00**
Area 005a		$0		$73	**$73**		**0.00**
Area 005b		$1,453		$73	**$1,526**		**0.00**
Area 006		$1,453		$491	**$1,944**		**0.00**
Area 007		$1,453		$497	**$1,951**		**0.00**
Area 008		$1,453		$341	**$1,794**		**0.00**
Area 009		$1,453		$213	**$1,667**		**0.00**
Area 010		$1,453		$285	**$1,739**		**0.00**
Area 011		$1,453		$286	**$1,739**		**0.00**
Area 012		$1,453		$363	**$1,816**		**0.00**
Area 013		$1,453		$340	**$1,793**		**0.00**
Area 014		$1,453		$318	**$1,772**		**0.00**
Area 015		$1,453		$438	**$1,892**		**0.00**
Area 016		$0		$112	**$112**		**0.00**
Area 017a		$1,453		$162	**$1,615**		**0.00**
Area 017b		$0		$162	**$162**		**0.00**
Area 018a		$1,453		$158	**$1,611**		**0.00**
Area 018b		$0		$158	**$158**		**0.00**

INDUSTRIAL							
Area	Development infrastructure					Community infrastructure	
	Bike path	Drainage	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of industrial development	Per 100 sqm of industrial development	Per 100 sqm of industrial development	Per 100 sqm of industrial development	**Per 100 sqm of industrial development**	Per 100 sqm of industrial development	**Per 100 sqm of industrial development**
Area 019a		$1,453		$201	**$1,655**		**0.00**
Area 019b		$0		$201	**$201**		**0.00**
Area 020a		$1,453		$290	**$1,743**		**0.00**
Area 020b		$0		$290	**$290**		**0.00**
Area 021a		$1,202		$52	**$1,254**		**0.00**
Area 021b		$0		$52	**$52**		**0.00**
Area 022a		$1,202		$59	**$1,261**		**0.00**
Area 022b		$0		$59	**$59**		**0.00**
Area 023		$0		$12	**$12**		**0.00**
Area 024a		$0		$114	**$114**		**0.00**
Area 024b		$1,202		$114	**$1,316**		**0.00**
Area 025a		$1,202		$114	**$1,316**		**0.00**
Area 025b		$0		$114	**$114**		**0.00**
Area 026		$0		$29	**$29**		**0.00**
Area 027a		$1,202		$105	**$1,307**		**0.00**
Area 027b		$1,453		$105	**$1,559**		**0.00**
Area 027c		$0		$105	**$105**		**0.00**
Area 028		$0		$59	**$59**		**0.00**
Area 029a		$1,453		$408	**$1,861**		**0.00**
Area 029b		$0		$408	**$408**		**0.00**
Area 030		$0		$307	**$307**		**0.00**
Area 031a		$1,453		$664	**$2,117**		**0.00**
Area 031b		$0		$664	**$664**		**0.00**
Area 032		$0		$501	**$501**		**0.00**
Area 033a		$1,453		$520	**$1,974**		**0.00**
Area 033b		$0		$520	**$520**		**0.00**
Area 034		$0		$396	**$396**		**0.00**
Area 035		$0		$469	**$469**		**0.00**
Area 036a		$1,474		$452	**$1,926**		**0.00**
Area 036b		$0		$452	**$452**		**0.00**
Area 037		$0		$12	**$12**		**0.00**
Area 038		$0		$99	**$99**		**0.00**

Notes:

Square meters of floorspace refers to leaseable floorspace.

A Local Shop is a single tenant commercial premises as permitted in a Residential 1 (R1Z) zone.

Major Retail refers to all forms of retailing (on land zoned for retail use) but does not include Local Shop as defined in this DCP. Major Retailing includes shopping centres, bulky goods retailing and fast food premises.

Should a development proposal technically fall outside of the Residential, Major Retail, Local Shop, Office and Industrial classifications used in this DCP, Mildura Rural City Council shall determine the most appropriate development charge to be used for the development. Such developments may require a case-by-case assessment of the number of demand units that they represent. This assessment may occur at the time a planning permit is applied for, or at the time a building permit is registered with the Council.

These contribution amounts are current as at 1st July 2004. They will be adjusted annually on July 1 each year to cover inflation, by applying: Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook for capital works items in the DCP; and Land value change index derived by an Independent Certified Practising Valuer for the land components of the DCP. A list showing the current contribution amounts will be held at Council's Planning Department.

Payment is to be made in cash, prior to the commencement of the development. Council, in its discretion, may consider accepting works/land in kind in lieu of cash contributions.

These tables set out a summary of the costs prescribed in the Mildura South Development Contributions Plan. Refer to the incorporated document Mildura South Development Contributions Plan (3 March 2005) for full details.

4.0 Land or development excluded from development contributions plan

19/01/2006
VC37

Proponents of all development types anywhere in the DCP Area shall be liable for development contributions, apart from residential development that has obtained a planning permit prior to the incorporation of this DCP in the Planning Scheme.

13/06/2014
GC8

SCHEDULE 2 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

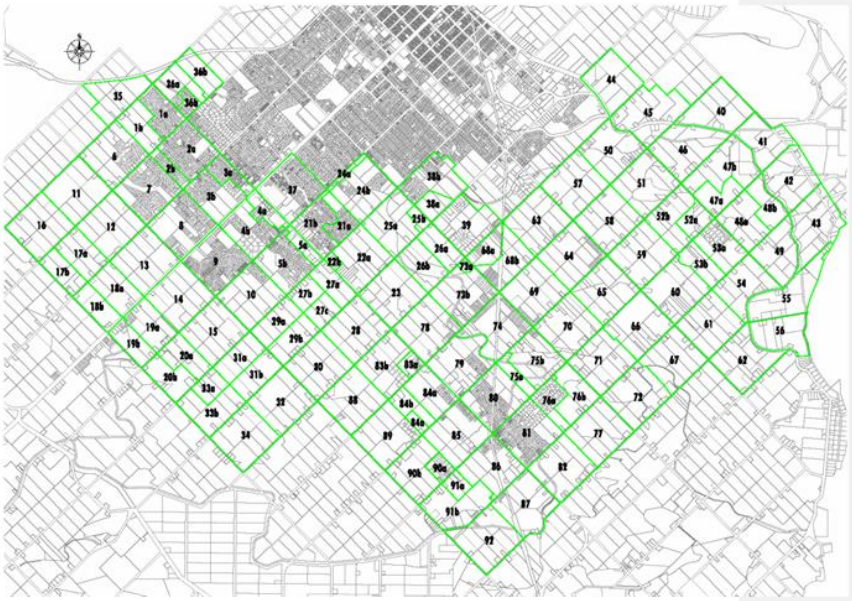
Shown on the planning scheme map as **DCPO2.**

DEVELOPMENT CONTRIBUTIONS PLAN – INFRASTRUCTURE WORKS

1.0 Area covered by this development contributions plan

15/11/2007
C42

The plan applies to all land within the boundaries of the 125 land parcels designated in Development Contributions Plan No. 2 for Mildura Rural City Council, SGS Economics and Planning, October 2006 from area 1a to area 92. The plan provides for different amounts of levy to be payable in specified areas, which are shown on the plan to this schedule, and in the incorporated document.



2.0 Summary of costs

15/11/2007
C42

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes elow)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Benetook Avenue - Eleventh Street to Fourteenth Street (2nd half - about 660m)	$154,270	2015 to 2015	$94,105	$17,907	$76,198	49%
Fifteenth Street - San Mateo Avenue to Etiwanda Avenue	$79,970	2015 to 2015	$37,586	$20,718	$16,868	21%
Fifteenth Street - Etiwanda Avenue to Benetook Avenue	$79,970	2016 to 2016	$37,586	$15,718	$21,868	27%
Ranfurly to Irymple Green Belt - Sandilong Avenue to Karadoc Avenue	$328,060	2025 to 2025	$52,490	$14,709	$37,781	12%
Cabarita to Mildura Hospital (Railway Corridor) - Riverside Avenue to Ontario Avenue / Fourteenth Street	$386,270	2030 to 2030	$61,803	$12,103	$49,700	13%
Karadoc Avenue - Fourteenth Street to Fifteenth Street (2nd half about 470m)	$61,620	2025 to 2025	$26,497	$8,832	$17,664	29%
Irymple Avenue - Cureton Avenue to Fifth Street (1st half about 320m)	$74,800	2030 to 2030	$18,700	$5,577	$13,123	18%
Fifth Street - Karadoc Avenue to Koorlong Avenue	$192,070	2015 to 2015	$53,780	$24,395	$29,385	15%
Fifth Street - Koorlong Avenue to Irymple Avenue	$192,070	2015 to 2015	$40,335	$16,407	$23,927	12%
Fifteenth Street - Sandilong Avenue to Karadoc Avenue	$142,580	2020 to 2020	$21,387	$4,277	$17,110	12%
Irymple Multi-purpose Community Centre, Internet Café & Library (expansion)	$1,630,234	2015 to 2017	$1,630,234	$993,833	$636,402	39%
Irymple Skatepark	$338,400	2009 to 2010	$338,400	$206,297	$132,103	39%
Irymple Recreation Precinct Plan	$10,000	2006 to 2007	$10,000	$6,096	$3,904	39%
Nichols Point Change Rooms	$350,360	2010 to 2011	$350,360	$262,770	$87,590	25%
Nichols Point Recreation Precinct Plan	$10,000	2008 to 2008	$10,000	$7,500	$2,500	25%
Irymple Drainage Works	$18,701,000	2006 to 2021	$7,667,410	$3,494,595	$4,172,815	22%
Irymple Pump Station	$5,000,000	2014 to 2015	$5,000,000	$2,278,863	$2,721,137	54%
Nichols Point Drainage Works	$1,415,500	2006 to 2008	$1,160,710	$358,646	$802,064	57%
Irymple Preschool	$1,407,007	2030 to 2030	$1,407,007	$857,747	$549,259	39%
Mildura South Preschool	$1,407,007	2009 to 2010	$1,407,007	$351,381	$1,055,625	75%
Stormwater Retention - Irymple	$4,287,200	2006 to 2021	$1,757,752	$866,497	$891,255	21%
Playgrounds - Irymple	$1,271,270	2010 to 2021	$1,271,270	$626,682	$644,588	51%
Linear Reserves & Parks - Irymple	$2,018,250	2006 to 2021	$827,483	$504,455	$323,028	16%
Blueway - Irymple	$62,860	2006 to 2021	$62,860	$30,987	$31,873	51%
Etiwanda Focal Park	$266,410	2009 to 2009	$266,410	$91,172	$175,238	66%
Blueway - Etiwanda	$125,280	2006 to 2020	$125,280	$35,578	$89,702	72%
Etiwanda Open Space	$920,070	2006 to 2020	$920,070	$314,872	$605,198	66%
Stormwater Retention - Nichols Point	$273,350	2006 to 2008	$273,350	$84,462	$188,888	69%
Linear Reserves & Parks - Nichols Point	$46,040	2006 to 2008	$46,040	$14,226	$31,814	69%
Playground - Nichols Point	$250,480	2010 to 2011	$250,480	$77,396	$173,084	69%
Blueway - Nichols Point	$137,510	2006 to 2008	$112,758	$34,841	$77,917	57%
Bus stops / shelters - Irymple	$79,590	2007 to 2021	$79,590	$28,010	$51,580	65%

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes elow)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Bus stops / shelters - Nichols Point	$15,920	2007 to 2021	$15,920	$6,812	$9,108	57%
Irymple Entrance Features	$36,170	2010 to 2020	$36,170	$14,950	$21,220	59%
Etiwanda Entrance Features	$27,130	2010 to 2015	$27,130	$7,930	$19,200	71%
Nichols Point Entrance Features	$27,130	2008 to 2010	$27,130	$11,609	$15,521	57%
Riverside Entrance Features	$18,090	2016 to 2018	$18,090	$0	$18,090	100%
Fourteenth Street / Sandilong Avenue Intersection Treatment	$840,000	2025 to 2025	$235,200	$109,573	$125,627	15%
Fifth Street / Koorlong Avenue	$420,000	2010 to 2010	$138,600	$89,329	$49,271	12%
Fourteenth Street - Benetook Avenue to Cowra Avenue	$327,370	2020 to 2020	$58,927	$15,759	$43,168	13%
Seventeenth Street - Deakin Avenue to San Mateo Avenue	$361,760	2020 to 2020	$57,882	$2,254	$55,628	15%
Seventeenth Street - San Mateo Avenue to Etiwanda Avenue	$361,760	2020 to 2020	$57,882	$2,883	$54,998	15%
Seventeenth Street - Etiwanda Avenue to Benetook Avenue	$361,760	2025 to 2025	$75,970	$5,699	$70,270	19%
Sandilong Avenue - Fourteenth Street to Fifteenth Street (1st half - about 660m)	$323,420	2015 to 2015	$171,413	$43,353	$128,060	40%
Sandilong Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m)	$323,420	2015 to 2015	$171,413	$19,810	$151,602	47%
Sandilong Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m)	$323,420	2015 to 2015	$93,792	$8,209	$85,583	26%
Sandilong Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m)	$323,420	2020 to 2020	$61,450	$4,358	$57,091	18%
Karadoc Avenue - Cureton Avenue to Fifth Street (about 890m)	$436,130	2025 to 2025	$174,452	$110,244	$64,208	15%
Karadoc Avenue - Fourteenth Street to Fifteenth Street (1st half - about 660m)	$357,290	2020 to 2020	$153,635	$61,306	$92,328	26%
Karadoc Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m)	$357,290	2020 to 2020	$153,635	$41,210	$112,424	31%
Karadoc Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m)	$430,760	2020 to 2020	$60,306	$16,470	$43,837	10%
Koorlong Avenue - Cureton Avenue to Fifth Street (about 820m)	$401,820	2025 to 2025	$321,456	$153,205	$168,251	42%
Koorlong Avenue - Fifth Street to Eleventh Street (1st half - about 660m)	$357,290	2020 to 2020	$92,895	$44,066	$48,830	14%
Irymple Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 650m)	$318,520	2030 to 2030	$89,186	$48,222	$40,964	13%
Fifth Street - Sandilong Avenue to Karadoc Avenue (about 610m)	$330,220	2020 to 2020	$105,670	$71,311	$34,359	10%
Fifth Street - Karadoc Avenue to Koorlong Avenue (about 610m)	$330,220	2020 to 2020	$92,462	$46,788	$45,674	14%
Fifth Street - Koorlong Avenue to Irymple Avenue (about 610m)	$330,220	2025 to 2025	$69,346	$33,050	$36,296	11%

Notes: *This table sets out a summary of the costs prescribed in Development Contributions Plan No. 2 for Mildura Rural City Council, SGS Economics and Planning, October 2006. Refer to the incorporated document (9 October 2006) for full details.*

For the purpose of this development contributions plan, the projects must be delivered in accordance with the timing shown for each project, or within a 20% margin (rounded down) beyond the date shown using 2006 as the base year, but not less than two years. For example, a project shown with a delivery date of 2030 must be delivered before 2034 (i.e. 24 years from 2007 x 20%). The responsible authority reserves the right to deliver projects earlier that the delivery dates shown..

3.0 Summary of contributions

13/06/2014
GC8

The following table has five parts. The first part lists contributions for residential development, the second part for major retail development, the third part for local shop development, the fourth part for office development and the final part for industrial development.

RESIDENTIAL

Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	**Per Dwelling**	Per Dwelling	**Per Dwelling**
Area 001a	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 001b	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 002a	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 002b	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 003a	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 003b	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 004a	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 004b	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 005a	$46.11	$0.00	$236.62	$0.00	$0.00	**$282.73**	$0.00	**$0.00**
Area 005b	$46.11	$0.00	$236.62	$0.00	$0.00	**$282.73**	$0.00	**$0.00**
Area 006	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 007	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 008	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 009	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 010	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 011	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 012	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 013	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 014	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 015	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 016	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 017a	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 017b	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 018a	$0.00	$0.00	$236.62	$0.00	$82.87	**$319.49**	$0.00	**$0.00**
Area 018b	$0.00	$0.00	$236.62	$0.00	$82.87	**$319.49**	$0.00	**$0.00**
Area 019a	$0.00	$0.00	$236.62	$0.00	$187.13	**$423.75**	$0.00	**$0.00**
Area 019b	$0.00	$0.00	$236.62	$0.00	$187.13	**$423.75**	$0.00	**$0.00**
Area 020a	$0.00	$0.00	$236.62	$0.00	$360.26	**$596.87**	$0.00	**$0.00**
Area 020b	$0.00	$0.00	$236.62	$0.00	$360.26	**$596.87**	$0.00	**$0.00**
Area 021a	$46.11	$0.00	$0.00	$848.62	$3.30	**$898.03**	$0.00	**$0.00**
Area 021b	$46.11	$0.00	$0.00	$736.94	$3.30	**$786.34**	$0.00	**$0.00**
Area 022a	$93.79	$0.00	$0.00	$848.62	$3.30	**$945.71**	$0.00	**$0.00**
Area 022b	$93.79	$0.00	$0.00	$736.94	$3.30	**$834.02**	$0.00	**$0.00**
Area 023	$0.00	$0.00	$0.00	$0.00	$57.83	**$57.83**	$0.00	**$0.00**
Area 024a	$0.00	$0.00	$0.00	$736.94	$3.30	**$740.23**	$0.00	**$0.00**
Area 024b	$0.00	$0.00	$0.00	$848.62	$3.30	**$851.92**	$0.00	**$0.00**
Area 025a	$0.00	$0.00	$0.00	$848.62	$58.84	**$907.46**	$0.00	**$0.00**
Area 025b	$0.00	$0.00	$0.00	$736.94	$58.84	**$795.77**	$0.00	**$0.00**
Area 026a	$0.00	$0.00	$0.00	$0.00	$113.37	**$113.37**	$0.00	**$0.00**
Area 026b	$0.00	$0.00	$0.00	$0.00	$113.37	**$113.37**	$0.00	**$0.00**
Area 027a	$93.79	$0.00	$236.62	$111.69	$0.00	**$442.09**	$0.00	**$0.00**
Area 027b	$93.79	$0.00	$236.62	$0.00	$0.00	**$330.40**	$0.00	**$0.00**
Area 027c	$93.79	$0.00	$236.62	$0.00	$0.00	**$330.40**	$0.00	**$0.00**
Area 028	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 029a	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 029b	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 030	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 031a	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 031b	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 032	$0.00	$0.00	$236.62	$0.00	$0.00	**$236.62**	$0.00	**$0.00**
Area 033a	$0.00	$0.00	$236.62	$0.00	$277.38	**$514.00**	$0.00	**$0.00**
Area 033b	$0.00	$0.00	$236.62	$0.00	$277.38	**$514.00**	$0.00	**$0.00**
Area 034	$0.00	$0.00	$236.62	$0.00	$173.13	**$409.74**	$0.00	**$0.00**
Area 035	$0.00	$0.00	$236.62	$0.00	$188.75	**$425.37**	$0.00	**$0.00**
Area 036a	$86.11	$0.00	$0.00	$0.00	$0.00	**$86.11**	$0.00	**$0.00**
Area 036b	$86.11	$0.00	$0.00	$0.00	$0.00	**$86.11**	$0.00	**$0.00**

RESIDENTIAL

Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	**Per Dwelling**	Per Dwelling	**Per Dwelling**
Area 037	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$0.00	**$0.00**
Area 038a	$252.89	$0.00	$0.00	$736.94	$58.84	**$1,048.66**	$0.00	**$0.00**
Area 038b	$252.89	$0.00	$0.00	$736.94	$58.84	**$1,048.66**	$0.00	**$0.00**
Area 039	$252.89	$0.00	$0.00	$0.00	$113.37	**$366.26**	$0.00	**$0.00**
Area 040	$0.00	$0.00	$0.00	$0.00	$772.46	**$772.46**	$602.40	**$602.40**
Area 041	$0.00	$0.00	$0.00	$0.00	$1,289.67	**$1,289.67**	$602.40	**$602.40**
Area 042	$0.00	$0.00	$0.00	$0.00	$864.16	**$864.16**	$602.40	**$602.40**
Area 043	$0.00	$0.00	$0.00	$0.00	$346.96	**$346.96**	$0.00	**$0.00**
Area 044	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$0.00	**$0.00**
Area 045	$0.00	$0.00	$0.00	$0.00	$302.50	**$302.50**	$602.40	**$602.40**
Area 046	$0.00	$0.00	$0.00	$0.00	$1,261.34	**$1,261.34**	$602.40	**$602.40**
Area 047a	$359.66	$7,386.04	$0.00	$4,048.85	$2,269.69	**$14,064.23**	$602.40	**$602.40**
Area 047b	$359.66	$0.00	$0.00	$0.00	$2,269.69	**$2,629.35**	$602.40	**$602.40**
Area 048a	$345.79	$7,386.04	$0.00	$4,048.85	$1,541.69	**$13,322.36**	$602.40	**$602.40**
Area 048b	$345.79	$0.00	$0.00	$0.00	$1,541.69	**$1,887.48**	$602.40	**$602.40**
Area 049	$99.45	$0.00	$0.00	$0.00	$458.53	**$557.98**	$602.40	**$602.40**
Area 050	$0.00	$0.00	$0.00	$0.00	$302.50	**$302.50**	$602.40	**$602.40**
Area 051	$0.00	$0.00	$0.00	$0.00	$1,261.34	**$1,261.34**	$602.40	**$602.40**
Area 052a	$359.66	$7,386.04	$0.00	$4,048.85	$2,269.69	**$14,064.23**	$602.40	**$602.40**
Area 052b	$359.66	$0.00	$0.00	$0.00	$2,269.69	**$2,629.35**	$602.40	**$602.40**
Area 053a	$246.34	$7,386.04	$0.00	$4,048.85	$1,541.69	**$13,222.91**	$602.40	**$602.40**
Area 053b	$246.34	$0.00	$0.00	$0.00	$1,541.69	**$1,788.03**	$602.40	**$602.40**
Area 054	$0.00	$0.00	$0.00	$0.00	$458.53	**$458.53**	$602.40	**$602.40**
Area 055	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$602.40	**$602.40**
Area 056	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$602.40	**$602.40**
Area 057	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$602.40	**$602.40**
Area 058	$0.00	$0.00	$0.00	$0.00	$346.96	**$346.96**	$602.40	**$602.40**
Area 059	$0.00	$0.00	$0.00	$0.00	$547.95	**$547.95**	$602.40	**$602.40**
Area 060	$0.00	$0.00	$0.00	$0.00	$547.95	**$547.95**	$602.40	**$602.40**
Area 061	$0.00	$0.00	$0.00	$0.00	$346.96	**$346.96**	$602.40	**$602.40**
Area 062	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$602.40	**$602.40**
Area 063	$0.00	$0.00	$0.00	$0.00	$57.83	**$57.83**	$602.40	**$602.40**
Area 064	$0.00	$0.00	$0.00	$0.00	$57.83	**$57.83**	$602.40	**$602.40**
Area 065	$0.00	$0.00	$0.00	$0.00	$57.83	**$57.83**	$602.40	**$602.40**
Area 066	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$602.40	**$602.40**
Area 067	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**	$602.40	**$602.40**
Area 068a	$0.00	$0.00	$0.00	$0.00	$251.05	**$251.05**	$0.00	**$0.00**
Area 068b	$0.00	$0.00	$0.00	$0.00	$251.05	**$251.05**	$0.00	**$0.00**
Area 069	$0.00	$0.00	$249.82	$398.28	$260.13	**$908.22**	$860.62	**$860.62**
Area 070	$0.00	$0.00	$249.82	$398.28	$122.45	**$770.54**	$860.62	**$860.62**
Area 071	$0.00	$0.00	$249.82	$398.28	$5.44	**$653.53**	$860.62	**$860.62**
Area 072	$0.00	$0.00	$249.82	$398.28	$5.44	**$653.53**	$860.62	**$860.62**
Area 073a	$0.00	$0.00	$249.82	$398.28	$314.21	**$962.30**	$860.62	**$860.62**
Area 073b	$0.00	$0.00	$249.82	$398.28	$314.21	**$962.30**	$860.62	**$860.62**
Area 074	$40.22	$0.00	$249.82	$398.28	$360.41	**$1,048.72**	$860.62	**$860.62**
Area 075a	$0.00	$5,066.94	$249.82	$2,383.40	$165.01	**$7,865.17**	$860.62	**$860.62**
Area 075b	$0.00	$0.00	$249.82	$398.28	$165.01	**$813.10**	$860.62	**$860.62**
Area 076a	$0.00	$5,066.94	$249.82	$2,383.40	$39.08	**$7,739.24**	$860.62	**$860.62**
Area 076b	$0.00	$0.00	$249.82	$398.28	$39.08	**$687.17**	$860.62	**$860.62**
Area 077	$0.00	$0.00	$249.82	$398.28	$24.49	**$672.58**	$860.62	**$860.62**
Area 078	$0.00	$0.00	$249.82	$398.28	$291.67	**$939.76**	$860.62	**$860.62**
Area 079	$83.49	$5,066.94	$249.82	$2,383.40	$404.34	**$8,187.99**	$860.62	**$860.62**
Area 080	$17.63	$5,066.94	$249.82	$2,383.40	$175.93	**$7,893.73**	$860.62	**$860.62**
Area 081	$0.00	$5,066.94	$249.82	$2,383.40	$39.08	**$7,739.24**	$860.62	**$860.62**
Area 082	$0.00	$0.00	$249.82	$398.28	$24.49	**$672.58**	$860.62	**$860.62**
Area 083a	$0.00	$5,066.94	$249.82	$2,383.40	$120.39	**$7,820.55**	$860.62	**$860.62**
Area 083b	$0.00	$0.00	$249.82	$398.28	$120.39	**$768.48**	$860.62	**$860.62**
Area 084a	$65.86	$5,066.94	$249.82	$2,383.40	$173.88	**$7,939.90**	$860.62	**$860.62**
Area 084b	$65.86	$0.00	$249.82	$398.28	$173.88	**$887.83**	$860.62	**$860.62**
Area 085	$0.00	$5,066.94	$249.82	$2,383.40	$58.93	**$7,759.09**	$860.62	**$860.62**
Area 086	$0.00	$5,066.94	$249.82	$2,383.40	$39.08	**$7,739.24**	$860.62	**$860.62**
Area 087	$0.00	$0.00	$249.82	$398.28	$24.49	**$672.58**	$860.62	**$860.62**
Area 088	$0.00	$0.00	$249.82	$398.28	$62.67	**$710.76**	$860.62	**$860.62**
Area 089	$0.00	$0.00	$249.82	$398.28	$73.60	**$721.69**	$860.62	**$860.62**
Area 090a	$0.00	$5,066.94	$249.82	$2,383.40	$16.37	**$7,716.53**	$860.62	**$860.62**

RESIDENTIAL

Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	**Per Dwelling**	Per Dwelling	**Per Dwelling**
Area 090b	$0.00	$0.00	$249.82	$398.28	$16.37	**$664.46**	$860.62	**$860.62**
Area 091a	$0.00	$5,066.94	$249.82	$2,383.40	$5.44	**$7,705.60**	$860.62	**$860.62**
Area 091b	$0.00	$0.00	$249.82	$398.28	$5.44	**$653.53**	$860.62	**$860.62**
Area 092	$0.00	$0.00	$249.82	$398.28	$5.44	**$653.53**	$860.62	**$860.62**

MAJOR RETAIL

Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 001a		$0.00			$0.00	**$0.00**		**$0**
Area 001b		$0.00			$0.00	**$0.00**		**$0**
Area 002a		$0.00			$0.00	**$0.00**		**$0.00**
Area 002b		$0.00			$0.00	**$0.00**		**$0.00**
Area 003a		$0.00			$0.00	**$0.00**		**$0.00**
Area 003b		$0.00			$0.00	**$0.00**		**$0.00**
Area 004a		$0.00			$0.00	**$0.00**		**$0.00**
Area 004b		$0.00			$0.00	**$0.00**		**$0.00**
Area 005a		$0.00			$0.00	**$0.00**		**$0.00**
Area 005b		$0.00			$0.00	**$0.00**		**$0.00**
Area 006		$0.00			$0.00	**$0.00**		**$0.00**
Area 007		$0.00			$0.00	**$0.00**		**$0.00**
Area 008		$0.00			$0.00	**$0.00**		**$0.00**
Area 009		$0.00			$0.00	**$0.00**		**$0.00**
Area 010		$0.00			$0.00	**$0.00**		**$0.00**
Area 011		$0.00			$0.00	**$0.00**		**$0.00**
Area 012		$0.00			$0.00	**$0.00**		**$0.00**
Area 013		$0.00			$0.00	**$0.00**		**$0.00**
Area 014		$0.00			$0.00	**$0.00**		**$0.00**
Area 015		$0.00			$0.00	**$0.00**		**$0.00**
Area 016		$0.00			$0.00	**$0.00**		**$0.00**
Area 017a		$0.00			$0.00	**$0.00**		**$0.00**
Area 017b		$0.00			$0.00	**$0.00**		**$0.00**
Area 018a		$0.00			$436.18	**$436.18**		**$0.00**
Area 018b		$0.00			$436.18	**$436.18**		**$0.00**
Area 019a		$0.00			$984.89	**$984.89**		**$0.00**
Area 019b		$0.00			$984.89	**$984.89**		**$0.00**
Area 020a		$0.00			$1,896.09	**$1,896.09**		**$0.00**
Area 020b		$0.00			$1,896.09	**$1,896.09**		**$0.00**
Area 021a		$0.00			$17.34	**$17.34**		**$0.00**
Area 021b		$0.00			$17.34	**$17.34**		**$0.00**
Area 022a		$0.00			$17.34	**$17.34**		**$0.00**
Area 022b		$0.00			$17.34	**$17.34**		**$0.00**
Area 023		$0.00			$304.36	**$304.36**		**$0.00**
Area 024a		$0.00			$17.34	**$17.34**		**$0.00**
Area 024b		$0.00			$17.34	**$17.34**		**$0.00**
Area 025a		$0.00			$309.66	**$309.66**		**$0.00**
Area 025b		$0.00			$309.66	**$309.66**		**$0.00**
Area 026a		$0.00			$596.68	**$596.68**		**$0.00**
Area 026b		$0.00			$596.68	**$596.68**		**$0.00**
Area 027a		$0.00			$0.00	**$0.00**		**$0.00**
Area 027b		$0.00			$0.00	**$0.00**		**$0.00**
Area 027c		$0.00			$0.00	**$0.00**		**$0.00**
Area 028		$0.00			$0.00	**$0.00**		**$0.00**
Area 029a		$0.00			$0.00	**$0.00**		**$0.00**
Area 029b		$0.00			$0.00	**$0.00**		**$0.00**
Area 030		$0.00			$0.00	**$0.00**		**$0.00**
Area 031a		$0.00			$0.00	**$0.00**		**$0.00**
Area 031b		$0.00			$0.00	**$0.00**		**$0.00**
Area 032		$0.00			$0.00	**$0.00**		**$0.00**

Commented [BB(61]: Make lower cases for rest of the column headers as shown.

MAJOR RETAIL								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 033a		$0.00			$1,459.90	**$1,459.90**		**$0**
Area 033b		$0.00			$1,459.90	**$1,459.90**		**$0**
Area 034		$0.00			$911.20	**$911.20**		**$0.00**
Area 035		$0.00			$993.41	**$993.41**		**$0.00**
Area 036a		$0.00			$0.00	**$0.00**		**$0.00**
Area 036b		$0.00			$0.00	**$0.00**		**$0.00**
Area 037		$0.00			$0.00	**$0.00**		**$0.00**
Area 038a		$0.00			$309.66	**$309.66**		**$0.00**
Area 038b		$0.00			$309.66	**$309.66**		**$0.00**
Area 039		$0.00			$596.68	**$596.68**		**$0.00**
Area 040		$0.00			$4,065.58	**$4,065.58**		**$0.00**
Area 041		$0.00			$6,787.71	**$6,787.71**		**$0.00**
Area 042		$0.00			$4,548.22	**$4,548.22**		**$0.00**
Area 043		$0.00			$1,826.08	**$1,826.08**		**$0.00**
Area 044		$0.00			$0.00	**$0.00**		**$0.00**
Area 045		$0.00			$1,592.10	**$1,592.10**		**$0.00**
Area 046		$0.00			$6,638.63	**$6,638.63**		**$0.00**
Area 047a		$4,103.35			$11,945.76	**$16,049.11**		**$0.00**
Area 047b		$0.00			$11,945.76	**$11,945.76**		**$0.00**
Area 048a		$4,103.35			$8,114.16	**$12,217.51**		**$0.00**
Area 048b		$0.00			$8,114.16	**$8,114.16**		**$0.00**
Area 049		$0.00			$2,413.31	**$2,413.31**		**$0.00**
Area 050		$0.00			$1,592.10	**$1,592.10**		**$0.00**
Area 051		$0.00			$6,638.63	**$6,638.63**		**$0.00**
Area 052a		$4,103.35			$11,945.76	**$16,049.11**		**$0.00**
Area 052b		$0.00			$11,945.76	**$11,945.76**		**$0.00**
Area 053a		$4,103.35			$8,114.16	**$12,217.51**		**$0.00**
Area 053b		$0.00			$8,114.16	**$8,114.16**		**$0.00**
Area 054		$0.00			$2,413.31	**$2,413.31**		**$0.00**
Area 055		$0.00			$0.00	**$0.00**		**$0.00**
Area 056		$0.00			$0.00	**$0.00**		**$0.00**
Area 057		$0.00			$0.00	**$0.00**		**$0.00**
Area 058		$0.00			$1,826.08	**$1,826.08**		**$0.00**
Area 059		$0.00			$2,883.95	**$2,883.95**		**$0.00**
Area 060		$0.00			$2,883.95	**$2,883.95**		**$0.00**
Area 061		$0.00			$1,826.08	**$1,826.08**		**$0.00**
Area 062		$0.00			$0.00	**$0.00**		**$0.00**
Area 063		$0.00			$304.36	**$304.36**		**$0.00**
Area 064		$0.00			$304.36	**$304.36**		**$0.00**
Area 065		$0.00			$304.36	**$304.36**		**$0.00**
Area 066		$0.00			$0.00	**$0.00**		**$0.00**
Area 067		$0.00			$0.00	**$0.00**		**$0.00**
Area 068a		$0.00			$1,321.31	**$1,321.31**		**$0.00**
Area 068b		$0.00			$1,321.31	**$1,321.31**		**$0.00**
Area 069		$0.00			$1,369.09	**$1,369.09**		**$0.00**
Area 070		$0.00			$644.45	**$644.45**		**$0.00**
Area 071		$0.00			$28.62	**$28.62**		**$0.00**
Area 072		$0.00			$28.62	**$28.62**		**$0.00**
Area 073a		$0.00			$1,653.74	**$1,653.74**		**$0.00**
Area 073b		$0.00			$1,653.74	**$1,653.74**		**$0.00**
Area 074		$0.00			$1,896.89	**$1,896.89**		**$0.00**
Area 075a		$2,814.97			$868.45	**$3,683.42**		**$0.00**
Area 075b		$0.00			$868.45	**$868.45**		**$0.00**
Area 076a		$2,814.97			$205.66	**$3,020.63**		**$0.00**
Area 076b		$0.00			$205.66	**$205.66**		**$0.00**
Area 077		$0.00			$128.90	**$128.90**		**$0.00**
Area 078		$0.00			$1,535.10	**$1,535.10**		**$0.00**
Area 079		$2,814.97			$2,128.09	**$4,943.06**		**$0.00**
Area 080		$2,814.97			$925.97	**$3,740.94**		**$0.00**
Area 081		$2,814.97			$205.66	**$3,020.63**		**$0.00**
Area 082		$0.00			$128.90	**$128.90**		**$0.00**
Area 083a		$2,814.97			$633.63	**$3,448.60**		**$0.00**
Area 083b		$0.00			$633.63	**$633.63**		**$0.00**
Area 084a		$2,814.97			$915.15	**$3,730.12**		**$0.00**

Commented [BB(61]: Make lower cases for rest of the column headers as shown.

MAJOR RETAIL								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 084b		$0.00			$915.15	**$915.15**		**$0**
Area 085		$2,814.97			$310.14	**$3,125.11**		**$0**
Area 086		$2,814.97			$205.66	**$3,020.63**		**$0.00**
Area 087		$0.00			$128.90	**$128.90**		**$0.00**
Area 088		$0.00			$329.82	**$329.82**		**$0.00**
Area 089		$0.00			$387.34	**$387.34**		**$0.00**
Area 090a		$2,814.97			$86.14	**$2,901.11**		**$0.00**
Area 090b		$0.00			$86.14	**$86.14**		**$0.00**
Area 091a		$2,814.97			$28.62	**$2,843.59**		**$0.00**
Area 091b		$0.00			$28.62	**$28.62**		**$0.00**
Area 092		$0.00			$28.62	**$28.62**		**$0.00**

Commented [BB(61]: Make lower cases for rest of the column headers as shown.

LOCAL SHOP								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 001a		$0.00			$0.00	**$0.00**		**$0**
Area 001b		$0.00			$0.00	**$0.00**		**$0**
Area 002a		$0.00			$0.00	**$0.00**		**$0.00**
Area 002b		$0.00			$0.00	**$0.00**		**$0.00**
Area 003a		$0.00			$0.00	**$0.00**		**$0.00**
Area 003b		$0.00			$0.00	**$0.00**		**$0.00**
Area 004a		$0.00			$0.00	**$0.00**		**$0.00**
Area 004b		$0.00			$0.00	**$0.00**		**$0.00**
Area 005a		$0.00			$0.00	**$0.00**		**$0.00**
Area 005b		$0.00			$0.00	**$0.00**		**$0.00**
Area 006		$0.00			$0.00	**$0.00**		**$0.00**
Area 007		$0.00			$0.00	**$0.00**		**$0.00**
Area 008		$0.00			$0.00	**$0.00**		**$0.00**
Area 009		$0.00			$0.00	**$0.00**		**$0.00**
Area 010		$0.00			$0.00	**$0.00**		**$0.00**
Area 011		$0.00			$0.00	**$0.00**		**$0.00**
Area 012		$0.00			$0.00	**$0.00**		**$0.00**
Area 013		$0.00			$0.00	**$0.00**		**$0.00**
Area 014		$0.00			$0.00	**$0.00**		**$0.00**
Area 015		$0.00			$0.00	**$0.00**		**$0.00**
Area 016		$0.00			$0.00	**$0.00**		**$0.00**
Area 017a		$0.00			$0.00	**$0.00**		**$0.00**
Area 017b		$0.00			$0.00	**$0.00**		**$0.00**
Area 018a		$0.00			$103.59	**$103.59**		**$0.00**
Area 018b		$0.00			$103.59	**$103.59**		**$0.00**
Area 019a		$0.00			$233.91	**$233.91**		**$0.00**
Area 019b		$0.00			$233.91	**$233.91**		**$0.00**
Area 020a		$0.00			$450.32	**$450.32**		**$0.00**
Area 020b		$0.00			$450.32	**$450.32**		**$0.00**
Area 021a		$0.00			$4.12	**$4.12**		**$0.00**
Area 021b		$0.00			$4.12	**$4.12**		**$0.00**
Area 022a		$0.00			$4.12	**$4.12**		**$0.00**
Area 022b		$0.00			$4.12	**$4.12**		**$0.00**
Area 023		$0.00			$72.29	**$72.29**		**$0.00**
Area 024a		$0.00			$4.12	**$4.12**		**$0.00**
Area 024b		$0.00			$4.12	**$4.12**		**$0.00**
Area 025a		$0.00			$73.54	**$73.54**		**$0.00**
Area 025b		$0.00			$73.54	**$73.54**		**$0.00**
Area 026a		$0.00			$141.71	**$141.71**		**$0.00**
Area 026b		$0.00			$141.71	**$141.71**		**$0.00**
Area 027a		$0.00			$0.00	**$0.00**		**$0.00**

Commented [BB(62]: Make lower cases for rest of the column headers as shown.

LOCAL SHOP								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 027b		$0.00			$0.00	**$0.00**		**$0.00**
Area 027c		$0.00			$0.00	**$0.00**		**$0.00**
Area 028		$0.00			$0.00	**$0.00**		**$0.00**
Area 029a		$0.00			$0.00	**$0.00**		**$0.00**
Area 029b		$0.00			$0.00	**$0.00**		**$0.00**
Area 030		$0.00			$0.00	**$0.00**		**$0.00**
Area 031a		$0.00			$0.00	**$0.00**		**$0.00**
Area 031b		$0.00			$0.00	**$0.00**		**$0.00**
Area 032		$0.00			$0.00	**$0.00**		**$0.00**
Area 033a		$0.00			$346.73	**$346.73**		**$0.00**
Area 033b		$0.00			$346.73	**$346.73**		**$0.00**
Area 034		$0.00			$216.41	**$216.41**		**$0.00**
Area 035		$0.00			$235.94	**$235.94**		**$0.00**
Area 036a		$0.00			$0.00	**$0.00**		**$0.00**
Area 036b		$0.00			$0.00	**$0.00**		**$0.00**
Area 037		$0.00			$0.00	**$0.00**		**$0.00**
Area 038a		$0.00			$73.54	**$73.54**		**$0.00**
Area 038b		$0.00			$73.54	**$73.54**		**$0.00**
Area 039		$0.00			$141.71	**$141.71**		**$0.00**
Area 040		$0.00			$965.57	**$965.57**		**$0.00**
Area 041		$0.00			$1,612.08	**$1,612.08**		**$0.00**
Area 042		$0.00			$1,080.20	**$1,080.20**		**$0.00**
Area 043		$0.00			$433.69	**$433.69**		**$0.00**
Area 044		$0.00			$0.00	**$0.00**		**$0.00**
Area 045		$0.00			$378.12	**$378.12**		**$0.00**
Area 046		$0.00			$1,576.67	**$1,576.67**		**$0.00**
Area 047a		$4,103.35			$2,837.12	**$6,940.47**		**$0.00**
Area 047b		$0.00			$2,837.12	**$2,837.12**		**$0.00**
Area 048a		$4,103.35			$1,927.11	**$6,030.47**		**$0.00**
Area 048b		$0.00			$1,927.11	**$1,927.11**		**$0.00**
Area 049		$0.00			$573.16	**$573.16**		**$0.00**
Area 050		$0.00			$378.12	**$378.12**		**$0.00**
Area 051		$0.00			$1,576.67	**$1,576.67**		**$0.00**
Area 052a		$4,103.35			$2,837.12	**$6,940.47**		**$0.00**
Area 052b		$0.00			$2,837.12	**$2,837.12**		**$0.00**
Area 053a		$4,103.35			$1,927.11	**$6,030.47**		**$0.00**
Area 053b		$0.00			$1,927.11	**$1,927.11**		**$0.00**
Area 054		$0.00			$573.16	**$573.16**		**$0.00**
Area 055		$0.00			$0.00	**$0.00**		**$0.00**
Area 056		$0.00			$0.00	**$0.00**		**$0.00**
Area 057		$0.00			$0.00	**$0.00**		**$0.00**
Area 058		$0.00			$433.69	**$433.69**		**$0.00**
Area 059		$0.00			$684.94	**$684.94**		**$0.00**
Area 060		$0.00			$684.94	**$684.94**		**$0.00**
Area 061		$0.00			$433.69	**$433.69**		**$0.00**
Area 062		$0.00			$0.00	**$0.00**		**$0.00**
Area 063		$0.00			$72.29	**$72.29**		**$0.00**
Area 064		$0.00			$72.29	**$72.29**		**$0.00**
Area 065		$0.00			$72.29	**$72.29**		**$0.00**
Area 066		$0.00			$0.00	**$0.00**		**$0.00**
Area 067		$0.00			$0.00	**$0.00**		**$0.00**
Area 068a		$0.00			$313.81	**$313.81**		**$0.00**
Area 068b		$0.00			$313.81	**$313.81**		**$0.00**
Area 069		$0.00			$325.16	**$325.16**		**$0.00**
Area 070		$0.00			$153.06	**$153.06**		**$0.00**
Area 071		$0.00			$6.80	**$6.80**		**$0.00**
Area 072		$0.00			$6.80	**$6.80**		**$0.00**
Area 073a		$0.00			$392.76	**$392.76**		**$0.00**
Area 073b		$0.00			$392.76	**$392.76**		**$0.00**
Area 074		$0.00			$450.51	**$450.51**		**$0.00**
Area 075a		$2,814.97			$206.26	**$3,021.23**		**$0.00**
Area 075b		$0.00			$206.26	**$206.26**		**$0.00**
Area 076a		$2,814.97			$48.84	**$2,863.81**		**$0.00**
Area 076b		$0.00			$48.84	**$48.84**		**$0.00**

Commented [BB(62]: Make lower cases for rest of the column headers as shown.

LOCAL SHOP								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 077		$0.00			$30.61	**$30.61**		
Area 078		$0.00			$364.59	**$364.59**		
Area 079		$2,814.97			$505.42	**$3,320.39**		
Area 080		$2,814.97			$219.92	**$3,034.89**		**$0.00**
Area 081		$2,814.97			$48.84	**$2,863.81**		**$0.00**
Area 082		$0.00			$30.61	**$30.61**		**$0.00**
Area 083a		$2,814.97			$150.49	**$2,965.46**		**$0.00**
Area 083b		$0.00			$150.49	**$150.49**		**$0.00**
Area 084a		$2,814.97			$217.35	**$3,032.32**		**$0.00**
Area 084b		$0.00			$217.35	**$217.35**		**$0.00**
Area 085		$2,814.97			$73.66	**$2,888.63**		**$0.00**
Area 086		$2,814.97			$48.84	**$2,863.81**		**$0.00**
Area 087		$0.00			$30.61	**$30.61**		**$0.00**
Area 088		$0.00			$78.33	**$78.33**		**$0.00**
Area 089		$0.00			$91.99	**$91.99**		**$0.00**
Area 090a		$2,814.97			$20.46	**$2,835.43**		**$0.00**
Area 090b		$0.00			$20.46	**$20.46**		**$0.00**
Area 091a		$2,814.97			$6.80	**$2,821.77**		**$0.00**
Area 091b		$0.00			$6.80	**$6.80**		**$0.00**
Area 092		$0.00			$6.80	**$6.80**		**$0.00**

Commented [BB(62]: Make lower cases for rest of the column headers as shown.

OFFICE								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 001a		$0.00			$0.00	**$0.00**		**$0.00**
Area 001b		$0.00			$0.00	**$0.00**		**$0.00**
Area 002a		$0.00			$0.00	**$0.00**		**$0.00**
Area 002b		$0.00			$0.00	**$0.00**		**$0.00**
Area 003a		$0.00			$0.00	**$0.00**		**$0.00**
Area 003b		$0.00			$0.00	**$0.00**		**$0.00**
Area 004a		$0.00			$0.00	**$0.00**		**$0.00**
Area 004b		$0.00			$0.00	**$0.00**		**$0.00**
Area 005a		$0.00			$0.00	**$0.00**		**$0.00**
Area 005b		$0.00			$0.00	**$0.00**		**$0.00**
Area 006		$0.00			$0.00	**$0.00**		**$0.00**
Area 007		$0.00			$0.00	**$0.00**		**$0.00**
Area 008		$0.00			$0.00	**$0.00**		**$0.00**
Area 009		$0.00			$0.00	**$0.00**		**$0.00**
Area 010		$0.00			$0.00	**$0.00**		**$0.00**
Area 011		$0.00			$0.00	**$0.00**		**$0.00**
Area 012		$0.00			$0.00	**$0.00**		**$0.00**
Area 013		$0.00			$0.00	**$0.00**		**$0.00**
Area 014		$0.00			$0.00	**$0.00**		**$0.00**
Area 015		$0.00			$0.00	**$0.00**		**$0.00**
Area 016		$0.00			$0.00	**$0.00**		**$0.00**
Area 017a		$0.00			$0.00	**$0.00**		**$0.00**
Area 017b		$0.00			$0.00	**$0.00**		**$0.00**
Area 018a		$0.00			$68.49	**$68.49**		**$0.00**
Area 018b		$0.00			$68.49	**$68.49**		**$0.00**
Area 019a		$0.00			$154.65	**$154.65**		**$0.00**
Area 019b		$0.00			$154.65	**$154.65**		**$0.00**
Area 020a		$0.00			$297.73	**$297.73**		**$0.00**
Area 020b		$0.00			$297.73	**$297.73**		**$0.00**
Area 021a		$0.00			$2.72	**$2.72**		**$0.00**
Area 021b		$0.00			$2.72	**$2.72**		**$0.00**
Area 022a		$0.00			$2.72	**$2.72**		**$0.00**
Area 022b		$0.00			$2.72	**$2.72**		**$0.00**

Commented [BB(63]: Make rest of the header in lower cases as well when authoring in Keystone.

OFFICE								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 023		$0.00			$47.79	**$47.79**		**$**
Area 024a		$0.00			$2.72	**$2.72**		**$**
Area 024b		$0.00			$2.72	**$2.72**		**$0.00**
Area 025a		$0.00			$48.62	**$48.62**		**$0.00**
Area 025b		$0.00			$48.62	**$48.62**		**$0.00**
Area 026a		$0.00			$93.69	**$93.69**		**$0.00**
Area 026b		$0.00			$93.69	**$93.69**		**$0.00**
Area 027a		$0.00			$0.00	**$0.00**		**$0.00**
Area 027b		$0.00			$0.00	**$0.00**		**$0.00**
Area 027c		$0.00			$0.00	**$0.00**		**$0.00**
Area 028		$0.00			$0.00	**$0.00**		**$0.00**
Area 029a		$0.00			$0.00	**$0.00**		**$0.00**
Area 029b		$0.00			$0.00	**$0.00**		**$0.00**
Area 030		$0.00			$0.00	**$0.00**		**$0.00**
Area 031a		$0.00			$0.00	**$0.00**		**$0.00**
Area 031b		$0.00			$0.00	**$0.00**		**$0.00**
Area 032		$0.00			$0.00	**$0.00**		**$0.00**
Area 033a		$0.00			$229.24	**$229.24**		**$0.00**
Area 033b		$0.00			$229.24	**$229.24**		**$0.00**
Area 034		$0.00			$143.08	**$143.08**		**$0.00**
Area 035		$0.00			$155.99	**$155.99**		**$0.00**
Area 036a		$0.00			$0.00	**$0.00**		**$0.00**
Area 036b		$0.00			$0.00	**$0.00**		**$0.00**
Area 037		$0.00			$0.00	**$0.00**		**$0.00**
Area 038a		$0.00			$48.62	**$48.62**		**$0.00**
Area 038b		$0.00			$48.62	**$48.62**		**$0.00**
Area 039		$0.00			$93.69	**$93.69**		**$0.00**
Area 040		$0.00			$638.40	**$638.40**		**$0.00**
Area 041		$0.00			$1,065.84	**$1,065.84**		**$0.00**
Area 042		$0.00			$714.18	**$714.18**		**$0.00**
Area 043		$0.00			$286.74	**$286.74**		**$0.00**
Area 044		$0.00			$0.00	**$0.00**		**$0.00**
Area 045		$0.00			$250.00	**$250.00**		**$0.00**
Area 046		$0.00			$1,042.43	**$1,042.43**		**$0.00**
Area 047a		$2,735.57			$1,875.78	**$4,611.35**		**$0.00**
Area 047b		$0.00			$1,875.78	**$1,875.78**		**$0.00**
Area 048a		$2,735.57			$1,274.12	**$4,009.69**		**$0.00**
Area 048b		$0.00			$1,274.12	**$1,274.12**		**$0.00**
Area 049		$0.00			$378.95	**$378.95**		**$0.00**
Area 050		$0.00			$250.00	**$250.00**		**$0.00**
Area 051		$0.00			$1,042.43	**$1,042.43**		**$0.00**
Area 052a		$2,735.57			$1,875.78	**$4,611.35**		**$0.00**
Area 052b		$0.00			$1,875.78	**$1,875.78**		**$0.00**
Area 053a		$2,735.57			$1,274.12	**$4,009.69**		**$0.00**
Area 053b		$0.00			$1,274.12	**$1,274.12**		**$0.00**
Area 054		$0.00			$378.95	**$378.95**		**$0.00**
Area 055		$0.00			$0.00	**$0.00**		**$0.00**
Area 056		$0.00			$0.00	**$0.00**		**$0.00**
Area 057		$0.00			$0.00	**$0.00**		**$0.00**
Area 058		$0.00			$286.74	**$286.74**		**$0.00**
Area 059		$0.00			$452.85	**$452.85**		**$0.00**
Area 060		$0.00			$452.85	**$452.85**		**$0.00**
Area 061		$0.00			$286.74	**$286.74**		**$0.00**
Area 062		$0.00			$0.00	**$0.00**		**$0.00**
Area 063		$0.00			$47.79	**$47.79**		**$0.00**
Area 064		$0.00			$47.79	**$47.79**		**$0.00**
Area 065		$0.00			$47.79	**$47.79**		**$0.00**
Area 066		$0.00			$0.00	**$0.00**		**$0.00**
Area 067		$0.00			$0.00	**$0.00**		**$0.00**
Area 068a		$0.00			$207.48	**$207.48**		**$0.00**
Area 068b		$0.00			$207.48	**$207.48**		**$0.00**
Area 069		$0.00			$214.98	**$214.98**		**$0.00**
Area 070		$0.00			$101.19	**$101.19**		**$0.00**
Area 071		$0.00			$4.49	**$4.49**		**$0.00**

Commented [BB(63]: Make rest of the header in lower cases as well when authoring in Keystone.

OFFICE								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	Road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 072		$0.00			$4.49	**$4.49**		**$**
Area 073a		$0.00			$259.68	**$259.68**		**$**
Area 073b		$0.00			$259.68	**$259.68**		**$0.00**
Area 074		$0.00			$297.86	**$297.86**		**$0.00**
Area 075a		$1,876.65			$136.37	**$2,013.01**		**$0.00**
Area 075b		$0.00			$136.37	**$136.37**		**$0.00**
Area 076a		$1,876.65			$32.29	**$1,908.94**		**$0.00**
Area 076b		$0.00			$32.29	**$32.29**		**$0.00**
Area 077		$0.00			$20.24	**$20.24**		**$0.00**
Area 078		$0.00			$241.05	**$241.05**		**$0.00**
Area 079		$1,876.65			$334.16	**$2,210.81**		**$0.00**
Area 080		$1,876.65			$145.40	**$2,022.05**		**$0.00**
Area 081		$1,876.65			$32.29	**$1,908.94**		**$0.00**
Area 082		$0.00			$20.24	**$20.24**		**$0.00**
Area 083a		$1,876.65			$99.50	**$1,976.14**		**$0.00**
Area 083b		$0.00			$99.50	**$99.50**		**$0.00**
Area 084a		$1,876.65			$143.70	**$2,020.35**		**$0.00**
Area 084b		$0.00			$143.70	**$143.70**		**$0.00**
Area 085		$1,876.65			$48.70	**$1,925.35**		**$0.00**
Area 086		$1,876.65			$32.29	**$1,908.94**		**$0.00**
Area 087		$0.00			$20.24	**$20.24**		**$0.00**
Area 088		$0.00			$51.79	**$51.79**		**$0.00**
Area 089		$0.00			$60.82	**$60.82**		**$0.00**
Area 090a		$1,876.65			$13.53	**$1,890.17**		**$0.00**
Area 090b		$0.00			$13.53	**$13.53**		**$0.00**
Area 091a		$1,876.65			$4.49	**$1,881.14**		**$0.00**
Area 091b		$0.00			$4.49	**$4.49**		**$0.00**
Area 092		$0.00			$4.49	**$4.49**		**$0.00**

Commented [BB(63]: Make rest of the header in lower cases as well when authoring in Keystone.

INDUSTRIAL								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 001a		$0.00			$0.00	**$0.00**		**$**
Area 001b		$0.00			$0.00	**$0.00**		**$**
Area 002a		$0.00			$0.00	**$0.00**		**$0.00**
Area 002b		$0.00			$0.00	**$0.00**		**$0.00**
Area 003a		$0.00			$0.00	**$0.00**		**$0.00**
Area 003b		$0.00			$0.00	**$0.00**		**$0.00**
Area 004a		$0.00			$0.00	**$0.00**		**$0.00**
Area 004b		$0.00			$0.00	**$0.00**		**$0.00**
Area 005a		$0.00			$0.00	**$0.00**		**$0.00**
Area 005b		$0.00			$0.00	**$0.00**		**$0.00**
Area 006		$0.00			$0.00	**$0.00**		**$0.00**
Area 007		$0.00			$0.00	**$0.00**		**$0.00**
Area 008		$0.00			$0.00	**$0.00**		**$0.00**
Area 009		$0.00			$0.00	**$0.00**		**$0.00**
Area 010		$0.00			$0.00	**$0.00**		**$0.00**
Area 011		$0.00			$0.00	**$0.00**		**$0.00**
Area 012		$0.00			$0.00	**$0.00**		**$0.00**
Area 013		$0.00			$0.00	**$0.00**		**$0.00**
Area 014		$0.00			$0.00	**$0.00**		**$0.00**
Area 015		$0.00			$0.00	**$0.00**		**$0.00**
Area 016		$0.00			$0.00	**$0.00**		**$0.00**
Area 017a		$0.00			$0.00	**$0.00**		**$0.00**
Area 017b		$0.00			$0.00	**$0.00**		**$0.00**
Area 018a		$0.00			$68.49	**$68.49**		**$0.00**
Area 018b		$0.00			$68.49	**$68.49**		**$0.00**

Commented [BB(64]: Make the rest of the header in lower cases as shown here

INDUSTRIAL								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 001a		$0.00			$0.00	**$0.00**		**$0.00**
Area 019a		$0.00			$154.65	**$154.65**		**$0.00**
Area 019b		$0.00			$154.65	**$154.65**		**$0.00**
Area 020a		$0.00			$297.73	**$297.73**		**$0.00**
Area 020b		$0.00			$297.73	**$297.73**		**$0.00**
Area 021a		$0.00			$2.72	**$2.72**		**$0.00**
Area 021b		$0.00			$2.72	**$2.72**		**$0.00**
Area 022a		$0.00			$2.72	**$2.72**		**$0.00**
Area 022b		$0.00			$2.72	**$2.72**		**$0.00**
Area 023		$0.00			$47.79	**$47.79**		**$0.00**
Area 024a		$0.00			$2.72	**$2.72**		**$0.00**
Area 024b		$0.00			$2.72	**$2.72**		**$0.00**
Area 025a		$0.00			$48.62	**$48.62**		**$0.00**
Area 025b		$0.00			$48.62	**$48.62**		**$0.00**
Area 026a		$0.00			$93.69	**$93.69**		**$0.00**
Area 026b		$0.00			$93.69	**$93.69**		**$0.00**
Area 027a		$0.00			$0.00	**$0.00**		**$0.00**
Area 027b		$0.00			$0.00	**$0.00**		**$0.00**
Area 027c		$0.00			$0.00	**$0.00**		**$0.00**
Area 028		$0.00			$0.00	**$0.00**		**$0.00**
Area 029a		$0.00			$0.00	**$0.00**		**$0.00**
Area 029b		$0.00			$0.00	**$0.00**		**$0.00**
Area 030		$0.00			$0.00	**$0.00**		**$0.00**
Area 031a		$0.00			$0.00	**$0.00**		**$0.00**
Area 031b		$0.00			$0.00	**$0.00**		**$0.00**
Area 032		$0.00			$0.00	**$0.00**		**$0.00**
Area 033a		$0.00			$229.24	**$229.24**		**$0.00**
Area 033b		$0.00			$229.24	**$229.24**		**$0.00**
Area 034		$0.00			$143.08	**$143.08**		**$0.00**
Area 035		$0.00			$155.99	**$155.99**		**$0.00**
Area 036a		$0.00			$0.00	**$0.00**		**$0.00**
Area 036b		$0.00			$0.00	**$0.00**		**$0.00**
Area 037		$0.00			$0.00	**$0.00**		**$0.00**
Area 038a		$0.00			$48.62	**$48.62**		**$0.00**
Area 038b		$0.00			$48.62	**$48.62**		**$0.00**
Area 039		$0.00			$93.69	**$93.69**		**$0.00**
Area 040		$0.00			$638.40	**$638.40**		**$0.00**
Area 041		$0.00			$1,065.84	**$1,065.84**		**$0.00**
Area 042		$0.00			$714.18	**$714.18**		**$0.00**
Area 043		$0.00			$286.74	**$286.74**		**$0.00**
Area 044		$0.00			$0.00	**$0.00**		**$0.00**
Area 045		$0.00			$250.00	**$250.00**		**$0.00**
Area 046		$0.00			$1,042.43	**$1,042.43**		**$0.00**
Area 047a		$2,735.57			$1,875.78	**$4,611.35**		**$0.00**
Area 047b		$0.00			$1,875.78	**$1,875.78**		**$0.00**
Area 048a		$2,735.57			$1,274.12	**$4,009.69**		**$0.00**
Area 048b		$0.00			$1,274.12	**$1,274.12**		**$0.00**
Area 049		$0.00			$378.95	**$378.95**		**$0.00**
Area 050		$0.00			$250.00	**$250.00**		**$0.00**
Area 051		$0.00			$1,042.43	**$1,042.43**		**$0.00**
Area 052a		$2,735.57			$1,875.78	**$4,611.35**		**$0.00**
Area 052b		$0.00			$1,875.78	**$1,875.78**		**$0.00**
Area 053a		$2,735.57			$1,274.12	**$4,009.69**		**$0.00**
Area 053b		$0.00			$1,274.12	**$1,274.12**		**$0.00**
Area 054		$0.00			$378.95	**$378.95**		**$0.00**
Area 055		$0.00			$0.00	**$0.00**		**$0.00**
Area 056		$0.00			$0.00	**$0.00**		**$0.00**
Area 057		$0.00			$0.00	**$0.00**		**$0.00**
Area 058		$0.00			$286.74	**$286.74**		**$0.00**
Area 059		$0.00			$452.85	**$452.85**		**$0.00**
Area 060		$0.00			$452.85	**$452.85**		**$0.00**
Area 061		$0.00			$286.74	**$286.74**		**$0.00**
Area 062		$0.00			$0.00	**$0.00**		**$0.00**
Area 063		$0.00			$47.79	**$47.79**		**$0.00**

Commented [BB(64]: Make the rest of the header in lower cases as shown here

INDUSTRIAL								
Area	Development infrastructure						Community infrastructure	
	Bike path	Drainage	Education facility	Open space	road	Total development infrastructure charge	Community facility	Total community infrastructure charge
	Per 100 sqm of leasable space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable Space**	Per 100 sqm of Leasable Space	**Per 100 sqm of Leasable**
Area 001a		$0.00			$0.00	**$0.00**		**$0.00**
Area 064		$0.00			$47.79	**$47.79**		**$0.00**
Area 065		$0.00			$47.79	**$47.79**		**$0.00**
Area 066		$0.00			$0.00	**$0.00**		**$0.00**
Area 067		$0.00			$0.00	**$0.00**		**$0.00**
Area 068a		$0.00			$207.48	**$207.48**		**$0.00**
Area 068b		$0.00			$207.48	**$207.48**		**$0.00**
Area 069		$0.00			$214.98	**$214.98**		**$0.00**
Area 070		$0.00			$101.19	**$101.19**		**$0.00**
Area 071		$0.00			$4.49	**$4.49**		**$0.00**
Area 072		$0.00			$4.49	**$4.49**		**$0.00**
Area 073a		$0.00			$259.68	**$259.68**		**$0.00**
Area 073b		$0.00			$259.68	**$259.68**		**$0.00**
Area 074		$0.00			$297.86	**$297.86**		**$0.00**
Area 075a		$1,876.65			$136.37	**$2,013.01**		**$0.00**
Area 075b		$0.00			$136.37	**$136.37**		**$0.00**
Area 076a		$1,876.65			$32.29	**$1,908.94**		**$0.00**
Area 076b		$0.00			$32.29	**$32.29**		**$0.00**
Area 077		$0.00			$20.24	**$20.24**		**$0.00**
Area 078		$0.00			$241.05	**$241.05**		**$0.00**
Area 079		$1,876.65			$334.16	**$2,210.81**		**$0.00**
Area 080		$1,876.65			$145.40	**$2,022.05**		**$0.00**
Area 081		$1,876.65			$32.29	**$1,908.94**		**$0.00**
Area 082		$0.00			$20.24	**$20.24**		**$0.00**
Area 083a		$1,876.65			$99.50	**$1,976.14**		**$0.00**
Area 083b		$0.00			$99.50	**$99.50**		**$0.00**
Area 084a		$1,876.65			$143.70	**$2,020.35**		**$0.00**
Area 084b		$0.00			$143.70	**$143.70**		**$0.00**
Area 085		$1,876.65			$48.70	**$1,925.35**		**$0.00**
Area 086		$1,876.65			$32.29	**$1,908.94**		**$0.00**
Area 087		$0.00			$20.24	**$20.24**		**$0.00**
Area 088		$0.00			$51.79	**$51.79**		**$0.00**
Area 089		$0.00			$60.82	**$60.82**		**$0.00**
Area 090a		$1,876.65			$13.53	**$1,890.17**		**$0.00**
Area 090b		$0.00			$13.53	**$13.53**		**$0.00**
Area 091a		$1,876.65			$4.49	**$1,881.14**		**$0.00**
Area 091b		$0.00			$4.49	**$4.49**		**$0.00**
Area 092		$0.00			$4.49	**$4.49**		**$0.00**

Commented [BB(64]: Make the rest of the header in lower cases as shown here

Notes: *Square metres of floor space refers to leaseable floorspace.*

A local shop is a single tenant commercial premises as permitted in a General Residential Zone.

Major retail refers to all forms of retailing (on land zoned for retail use) but does not include local shop as defined in this development contributions plan. Major Retail includes shopping centres, bulky goods retailing and fast food premises.

Should a development proposal technically fall outside of the residential, major retail, local shop, office and industrial classifications used in this development contributions plan, the responsible authority shall determine the most appropriate development charge to be used for the development. Such developments may require a case-by-case assessment of the number of demand units that they represent. This assessment may occur at the time a planning permit application is applied for, or at the time a building permit is registered with the Mildura Rural City Council.

These contribution amounts are current as at 1st July 2006. They will be adjusted annually on July 1 each year to cover inflation, by applying: Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook for capital works items in the development contributions plan; and land value change index derived by an Independent Certified Practising Valuer for the land components of the development contributions plan. A list showing the current contribution amounts will be held at Council's Planning Department.

Payment is to be made in cash, prior to the commencement of the development. The responsible authority, in its discretion, may consider accepting works/land in kind in lieu of cash contributions.

Payment for residential subdivision is to be made at the statement of compliance stage for development infrastructure. Payment for community infrastructure is to be made at the building permit stage.

Payment for all other development requiring a planning permit is to be made at either planning/subdivision stage or building permit stage, at the responsible authority's discretion. Should the responsible authority elect to charge at subdivision stage, and no information is available at the time on square metres of leaseable space for non-residential development types, the following conversion rates will apply for the purposes of charge calculations:

Major retail leaseable space is deemed to equal 40% of lot area;

Local shop leaseable space is deemed to equal 60% of lot area;

Office leaseable space is deemed to equal 60% of lot area; and

Industrial leaseable space is deemed to equal 40% of lot area.

These tables set out a summary of the costs prescribed in Development Contributions Plan No. 2 for Mildura Rural City Council, SGS Economics and Planning, October 2006. Refer to the incorporated document (9 October 2006) for full details.

4.0 Land or development excluded from development contributions plan

15/11/2007 C42

Applicants of all development types anywhere in the development contributions plan area must be liable for development contributions, apart from residential development that has obtained a planning permit prior to the incorporation of this development contributions plan in the scheme.

30/10/2008 C38

SCHEDULE 3 TO CLAUSE 45.06 DEVELOPMENT CONTIBUTIONS PLAN OVERLAY

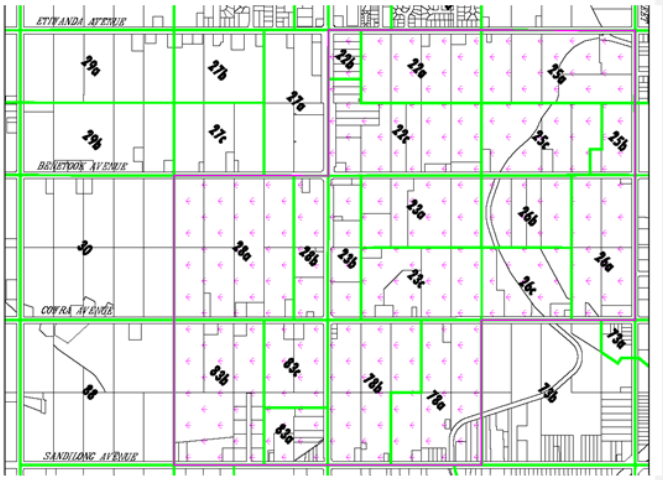
Shown on the planning scheme map as **DCPO3.**

DEVELOPMENT CONTRIBUTIONS PLAN – INFRASTRUCTURE WORKS

1.0 Area covered by this development contributions plan

30/10/2008 C38

The Plan applies to all land within the boundaries of the 19 land parcels designated in Development Contributions Plan No. 3 for Mildura Rural City Council from area 22a to area 83c. The Plan provides for different amounts of levy to be payable in specified areas, which are shown on the Plan to this schedule, and in the Incorporated Development Contributions Plan (27 June 2007).



2.0 Summary of costs

30/10/2008
C38

Project name	Total cost excluding GST	Time of provision (or within margin as stated in notes below)	Actual cost contribution attributable to total development in main catchment area	Actual cost contribution attributable to existing development in main catchment area	Actual cost recoverable from DCP	Proportion of cost recoverable from DCP
Mildura / Irymple Transition - construction	$15,019,400	2007 To 2020	$6,308,148	$491,535	$5,816,613	39%
Mildura / Irymple Transition SMA Land - acquisition	$387,600	2009 To 2011	$162,792	$12,685	$150,107	39%
Bus stops / shelters - Industrial and interface area	$83,570	2015 To 2016	$83,570	$1,098	$82,472	99%
Sixteenth Street / Benetook Avenue Intersection Treatment	$468,000	2028 To 2028	$14,040	$168	$13,872	3%
Fourteenth Street / Cowra Avenue Intersection Treatment	$421,000	2020 To 2020	$96,830	$11,683	$85,147	20%
Fourteenth Street / Sandilong Avenue Intersection Treatment	$884,000	2025 To 2025	$97,240	$1,352	$95,888	11%
15th St between Benetook and Cowra Ave Landscaping and Mounding	$690,060	2007 To 2020	$430,087	$3,358	$426,728	62%
15th St between Cowra and Sandilong Ave Landscaping	$564,710	2007 To 2020	$351,961	$2,748	$349,213	62%
Etiwanda Avenue - Fourteenth Street to Fifteenth Street (1st half - about 660m)	$410,980	2010 To 2010	$16,439	$3,312	$13,128	3%
Etiwanda Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m)	$410,980	2010 To 2010	$16,439	$3,312	$13,128	3%
Etiwanda Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m)	$211,280	2030 To 2030	$2,113	$497	$1,616	1%

Benetook Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m)	$452,310	2027 To 2027	$36,185	$5,652	$30,533	7%
Benetook Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m)	$471,970	2027 To 2027	$18,879	$52	$18,827	4%
Cowra Avenue - Fourteenth Street to Fifteenth Street (1st half - about 660m)	$371,920	2029 To 2029	$89,261	$1,241	$88,019	24%
Cowra Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m)	$371,920	2025 To 2025	$89,261	$1,173	$88,088	24%
Cowra Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m)	$371,920	2030 To 2030	$52,069	$703	$51,366	14%
Fourteenth Street - Etiwanda Avenue to Benetook Avenue	$379,850	2029 To 2029	$18,993	$209	$18,783	5%
Fourteenth Street - Benetook Avenue to Cowra Avenue	$343,740	2020 To 2020	$17,187	$189	$16,998	5%
Sandilong Avenue - Fourteenth Street to Fifteenth Street (2nd half - about 660m)	$339,590	2015 To 2015	$47,543	$22,619	$24,924	7%
Sandilong Avenue - Fifteenth Street to Sixteenth Street (1st half - about 660m)	$339,590	2015 To 2015	$3,396	$1,616	$1,780	1%
Sandilong Avenue - Fifteenth Street to Sixteenth Street (2nd half - about 660m)	$339,590	2020 To 2020	$16,980	$8,609	$8,370	2%

***Notes**:*

This table sets out a summary of the costs prescribed in Development Contributions Plan No. 3 for Mildura Rural City Council. Refer to the incorporated document (31 May 2007) for full details.

For the purpose of this DCP, the projects shall be delivered in accordance with the timing shown for each project, or within a 20% margin (rounded down) beyond the date shown using 2007 as the base year, but not less than two years. For example, a project shown with a delivery date of 2030 shall be delivery before 2034 (ie. 24 years from 2007 x 20%). Council reserves the right to deliver projects earlier that the delivery dates shown.

3.0 Summary of contributions

30/10/2008 C38

The following table has five parts. The first part lists contributions for Residential Development, the second part for Major Retail Development, the third part for Local Shop Development, the fourth part for Office Development and the final part for Industrial Development.

RESIDENTIAL				
	Development infrastructure			
Area	Drainage	Road	Road landscaping	Total development infrastructure charge
	Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling
Area 022a	$0	$14	$0	**$14**
Area 022b	$0	$14	$0	**$14**
Area 022c	$5,870	$6	$0	**$5,876**
Area 023a	$5,870	$85	$0	**$5,955**
Area 023b	$5,870	$85	$285	**$6,240**
Area 023c	$0	$56	$0	**$56**
Area 025a	$0	$24	$0	**$24**

Area 025b	$0	$24	$0	**$24**
Area 025c	$5,870	$16	$0	**$5,886**
Area 026a	$0	$89	$0	**$89**
Area 026b	$5,870	$89	$0	**$5,959**
Area 026c	$0	$60	$0	**$60**
Area 028a	$0	$50	$0	**$50**
Area 028b	$5,870	$50	$285	**$6,205**
Area 078a	$0	$530	$0	**$530**
Area 078b	$5,870	$530	$285	**$6,685**
Area 083a	$0	$797	$0	**$797**
Area 083b	$0	$797	$0	**$797**
Area 083c	$5,870	$797	$285	**$6,952**

MAJOR RETAIL

	Development infrastructure			
Area	**Drainage**	**Road**	**Road landscaping**	**Total development infrastructure charge**
	Per 100 sqm gross leasable floorspace	Per 100 sqm Gross Leaseable Floorspace	Per 100 sqm Gross Leaseable Floorspace	**Per 100 sqm Gross Leaseable Floorspace**
Area 022a	$0	$72	$0	**$72**
Area 022b	$0	$72	$0	**$72**
Area 022c	$3,261	$33	$0	**$3,295**
Area 023a	$3,261	$448	$0	**$3,709**
Area 023b	$3,261	$448	$1,500	**$5,209**
Area 023c	$0	$294	$0	**$294**
Area 025a	$0	$125	$0	**$125**
Area 025b	$0	$125	$0	**$125**
Area 025c	$3,261	$86	$0	**$3,347**
Area 026a	$0	$469	$0	**$469**
Area 026b	$3,261	$469	$0	**$3,730**
Area 026c	$0	$315	$0	**$315**
Area 028a	$0	$264	$0	**$264**
Area 028b	$3,261	$264	$1,500	**$5,025**
Area 078a	$0	$2,791	$0	**$2,791**
Area 078b	$3,261	$2,791	$1,500	**$7,552**
Area 083a	$0	$4,197	$0	**$4,197**
Area 083b	$0	$4,197	$0	**$4,197**
Area 083c	$3,261	$4,197	$1,500	**$8,958**

Commented [BB(65]: Same lower casing for rest of the column headers. Also, correct spelling for "leasable"?

LOCAL SHOP

	Development infrastructure			
Area	**Drainage**	**Road**	**Road landscaping**	**Total development infrastructure charge**
	Per 100 sqm gross leasable floorspace	Per 100 sqm Gross leasable Floorspace	Per 100 sqm Gross Leaseable Floorspace	**Per 100 sqm Gross Leaseable Floorspace**
Area 022a	$0	$17	$0	**$17**
Area 022b	$0	$17	$0	**$17**
Area 022c	$3,261	$8	$0	**$3,269**
Area 023a	$3,261	$106	$0	**$3,367**
Area 023b	$3,261	$106	$356	**$3,724**
Area 023c	$0	$70	$0	**$70**
Area 025a	$0	$30	$0	**$30**
Area 025b	$0	$30	$0	**$30**
Area 025c	$3,261	$20	$0	**$3,282**
Area 026a	$0	$111	$0	**$111**
Area 026b	$3,261	$111	$0	**$3,372**
Area 026c	$0	$75	$0	**$75**
Area 028a	$0	$63	$0	**$63**

Commented [BB(66]: Same lower casing for rest of the column headers. Also, correct spelling for "leasable"?

Area 028b	$3,261	$63	$356	$3,680
Area 078a	$0	$663	$0	$663
Area 078b	$3,261	$663	$356	$4,280
Area 083a	$0	$997	$0	$997
Area 083b	$0	$997	$0	$997
Area 083c	$3,261	$997	$356	$4,614

OFFICE

	Development infrastructure			
Area	Drainage	Road	Road landscaping	Total development infrastructure charge
	Per 100 sqm gross leaseable floorspace	Per 100 sqm Gross Leaseable Floorspace	Per 100 sqm Gross Leaseable Floorspace	Per 100 sqm Gross Leaseable Floorspace
Area 022a	$0	$11	$0	$11
Area 022b	$0	$11	$0	$11
Area 022c	$2,174	$5	$0	$2,179
Area 023a	$2,174	$70	$0	$2,244
Area 023b	$2,174	$70	$236	$2,480
Area 023c	$0	$46	$0	$46
Area 025a	$0	$20	$0	$20
Area 025b	$0	$20	$0	$20
Area 025c	$2,174	$14	$0	$2,188
Area 026a	$0	$74	$0	$74
Area 026b	$2,174	$74	$0	$2,248
Area 026c	$0	$49	$0	$49
Area 028a	$0	$41	$0	$41
Area 028b	$2,174	$41	$236	$2,451
Area 078a	$0	$438	$0	$438
Area 078b	$2,174	$438	$236	$2,848
Area 083a	$0	$659	$0	$659
Area 083b	$0	$659	$0	$659
Area 083c	$2,174	$659	$236	$3,069

Commented [BB(67]: Same lower casing for rest of the column headers. Also, correct spelling for "leasable"?

INDUSTRIAL

	Development infrastructure			
Area	Drainage	Road	Road Landscaping	Total Development Infrastructure Charge
	Per 100 sqm gross leaseable floorspace	Per 100 sqm Gross Leaseable Floorspace	Per 100 sqm Gross Leaseable Floorspace	Per 100 sqm Gross Leaseable I Floorspace
Area 022a	$0	$11	$0	$11
Area 022b	$0	$11	$0	$11
Area 022c	$2,174	$5	$0	$2,179
Area 023a	$2,174	$70	$0	$2,244
Area 023b	$2,174	$70	$236	$2,480
Area 023c	$0	$46	$0	$46
Area 025a	$0	$20	$0	$20
Area 025b	$0	$20	$0	$20
Area 025c	$2,174	$14	$0	$2,188
Area 026a	$0	$74	$0	$74
Area 026b	$2,174	$74	$0	$2,248
Area 026c	$0	$49	$0	$49
Area 028a	$0	$41	$0	$41
Area 028b	$2,174	$41	$236	$2,451
Area 078a	$0	$438	$0	$438
Area 078b	$2,174	$438	$236	$2,848
Area 083a	$0	$659	$0	$659
Area 083b	$0	$659	$0	$659

Commented [BB(68]: Same lower casing for rest of the column headers. Also, correct spelling for "leasable"?

Area 083c	$2,174	$659	$236	**$3,069**

Notes:

The Drainage charges for Areas 22c and 25c shown above replace the charges shown in DCP 1 (Mildura South DCP 3 March 2005). Areas 22c and 25c are proposed to be rezoned from RZ1 to IN3Z and the drainage project in this DCP (DCP 3) has taken this into account.

Square meters of floorspace refers to leaseable floorspace.

A Local Shop is a single tenant commercial premises as permitted in a Residential 1 (R1Z) zone.

Major Retail refers to all forms of retailing (on land zoned for retail use) but does not include Local Shop as defined in this DCP. Major Retailing includes shopping centres, bulky goods retailing and fast food premises.

Should a development proposal technically fall outside of the Residential, Major Retail, Local Shop, Office and Industrial classifications used in this DCP, Mildura Rural City Council shall determine the most appropriate development charge to be used for the development. Such developments may require a case-by-case assessment of the number of demand units that they represent. This assessment may occur at the time a planning permit is applied for, or at the time a building permit is registered with the Council.

These contribution amounts are current as at 1st July 2007. They will be adjusted annually on July 1 each year to cover inflation, by applying: Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook for capital works items in the DCP; and Land value change index derived by an Independent Certified Practising Valuer for the land components of the DCP. A list showing the current contribution amounts will be held at Council's Planning Department.

Payment is to be made in cash, prior to the commencement of the development. Council, in its discretion, may consider accepting works/land in kind in lieu of cash contributions.

Payment for residential subdivision is to be made at the statement of compliance stage for Development Infrastructure. Payment for Community Infrastructure is to be made at the building permit stage.

Payment for all other development requiring a planning permit is to be made at either planning / subdivision stage or building permit stage, at Council's discretion. Should Council elect to charge at subdivision stage, and no information is available at the time on square metres of leaseable space for non-residential development types, the following conversion rates will apply for the purposes of charge calculations:

Major Retail leaseable space is deemed to equal 40% of lot area;

Local Shop leaseable space is deemed to equal 60% of lot area;

Office leaseable space is deemed to equal 60% of lot area; and

Industrial leaseable space is deemed to equal 40% of lot area.

These tables set out a summary of the costs prescribed in Development Contributions Plan No. 3 for Mildura Rural City Council. Refer to the incorporated document (27 June 2007) for full details.

4.0 Landor development excluded from development contributions plan

30/10/2008
C38

Proponents of all development types anywhere in the DCP Area shall be liable for development contributions, apart from residential development that has obtained a planning permit prior to the incorporation of this DCP in the Planning Scheme.

SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

13/03/2014 C64

Shown on the planning scheme map as **PO1.**

MILDURA CBD

1.0 Parking objectives to be achieved

13/03/2014 C64

To provide car parking at a rate which is appropriate to the use of the land in the context of the CBD area.

To provide a clear, equitable and consistent approach to decision making under Clause 52.06 in the CBD area.

To provide incentives for developers to include community benefits in their designs so as to offset car parking requirements.

To achieve a high standard of shopper and pedestrian amenity in the CBD area with respect to accessibility, heritage considerations; streetscape, pedestrian linkages, lighting and personal security.

To provide certainty for developers on options for the alternate provision of parking.

2.0 Permit requirement

30/07/2018

None specified.

3.0 Number of car parking spaces required

13/03/2014 C64

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Hotel if the floor area available to the public exceeds 150 sqm	50	To each 100 sqm of bar floor area available to the public, plus
	20	To each 100 sqm of lounge floor area available to the public
Office	2.5	To each 100 sqm of net floor area
Restaurant	0.3	To each seat available to the public
Shop with a floor area of 2000 sqm or less	4	To each 100 sqm of leasable floor area
Shop with a floor area greater than 2000 sqm	6	To each 100 sqm of leasable floor area
Bar if the floor area available to the public exceeds 150 sqm	50	To each 100 sqm of bar floor area available to the public, plus
		To each 100 sqm of lounge floor area available to the public

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

4.0 Application requirements and decision guidelines for permit applications

30/07/2018

None specified.

5.0 Financial contribution requirement

30/07/2018

None specified.

6.0 Requirements for a car parking plan

30/07/2018

None specified.

7.0 Design standards for car parking

30/07/2018

None specified.

8.0 Decision guidelines for permit applications

13/03/2014
C64

Before deciding on an application to reduce the required number of car parking spaces, the responsible authority must consider the following, as appropriate:

- Whether the proposal is for extensions, redevelopment, re-use or a new development.
- The amount of parking credit which applies to the site.
- The availability of on street and off street car parking within 200 metres of the site.
- Whether the proposal will adversely affect the heritage significance of a building or streetscape.
- Whether the proposal incorporates pedestrian linkages and amenity features as specified in the *Mildura Urban Design Framework July 1999* and the Mildura CBD Plan 2007.
- The provision of bicycle parking.
- The proposed landscape treatment of the public and private domain.
- The need for building setbacks to retain the existing rhythm and scale of development.
- The provisions of Clause 16.01-3L on Housing diversity.
- The provisions of Clause 43.02 (DDO3) – Mildura Central Business District (CBD).

9.0 Background documents

xx/xx/2019

- *Budget Accommodation* (Mildura Rural City Council, 2000)
- *Mildura CBD Plan* (Planisphere 2007)

SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

13/03/2014 C64

Shown on the planning scheme map as **PO1.**

MILDURA CBD

1.0 Parking objectives to be achieved

13/03/2014 C64

To provide car parking at a rate which is appropriate to the use of the land in the context of the CBD area.

To provide a clear, equitable and consistent approach to decision making under Clause 52.06 in the CBD area.

To provide incentives for developers to include community benefits in their designs so as to offset car parking requirements.

To achieve a high standard of shopper and pedestrian amenity in the CBD area with respect to accessibility, heritage considerations; streetscape, pedestrian linkages, lighting and personal security.

To provide certainty for developers on options for the alternate provision of parking.

2.0 Permit requirement

30/07/2018

None specified.

3.0 Number of car parking spaces required

13/03/2014 C64

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Hotel if the floor area available to the public exceeds 150 sqm	50	To each 100 sqm of bar floor area available to the public, plus
	20	To each 100 sqm of lounge floor area available to the public
Office	2.5	To each 100 sqm of net floor area
Restaurant	0.3	To each seat available to the public
Shop with a floor area of 2000 sqm or less	4	To each 100 sqm of leasable floor area
Shop with a floor area greater than 2000 sqm	6	To each 100 sqm of leasable floor area
Bar if the floor area available to the public exceeds 150 sqm	50	To each 100 sqm of bar floor area available to the public, plus
		To each 100 sqm of lounge floor area available to the public

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

4.0 Application requirements and decision guidelines for permit applications

30/07/2018

None specified.

5.0 Financial contribution requirement

30/07/2018

None specified.

6.0 Requirements for a car parking plan

30/07/2018

None specified.

7.0 Design standards for car parking

30/07/2018

None specified.

8.0 Decision guidelines for permit applications

13/03/2014
C64

Before deciding on an application to reduce the required number of car parking spaces, the responsible authority must consider the following, as appropriate:

- Whether the proposal is for extensions, redevelopment, re-use or a new development.
- The amount of parking credit which applies to the site.
- The availability of on street and off street car parking within 200 metres of the site.
- Whether the proposal will adversely affect the heritage significance of a building or streetscape.
- Whether the proposal incorporates pedestrian linkages and amenity features as specified in the *Mildura Urban Design Framework July 1999* and the Mildura CBD Plan 2007.
- The provision of bicycle parking.
- The proposed landscape treatment of the public and private domain.
- The need for building setbacks to retain the existing rhythm and scale of development.
- The provisions of Clause 16.01-3L on Housing diversity.
- The provisions of Clause 43.02 (DDO3) – Mildura Central Business District (CBD).

9.0 Background documents

xx/xx/2019

- *Budget Accommodation* (Mildura Rural City Council, 2000)
- *Mildura CBD Plan* (Planisphere 2007)

19/01/2006
VC37

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

1.0 Under Section 23 of the Subdivision Act 1988

19/01/2006
VC37

Land	Easement or restriction	Requirement
None specified	None specified	None specified

2.0 Under Section 24A of the Subdivision Act 1988

19/01/2006
VC37

Land	Person	Action
None specified	None specified	None specified

3.0 Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
None specified	None specified	None specified

19/01/2006
VC37

SCHEDULE TO CLAUSE 52.05 SIGNS

25/05/2017
VC133

1.0 Exemption from notice and review

--/--/20--
C--

Land	Condition
None specified	

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

12/12/2017
VC138

1.0 Scheduled area

07/08/2014
C88

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
Bioenergy Power Plant, Carwarp, and associated infrastructure as detailed in the incorporated document titled "Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014".	All native vegetation including trees, shrubs, herbs and grasses, to the minimum extent necessary for the works undertaken for the construction and operation of the Bioenergy Power Plant, Carwarp, in accordance with the incorporated document titled "Bioenergy Power Plant Concept Master Plan, Carwarp, 14 May 2014".

2.0 Scheduled weed

15/09/2008
VC49

Area	Description of weed
None specified	

SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

19/01/2006
VC37

1.0 Permit not required

19/01/2006
VC37

Land	Type of licence
None specified	

2.0 Permit may not be granted

19/01/2006
VC37

Land	Type of licence
None specified	

SCHEDULE TO CLAUSE 52.28 GAMING

25/05/2017
VC133

1.0 Objectives

--/--/20--
C--

None specified.

1.0 Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
None specified	None specified

3.0 Prohibition of a gaming machine in a strip shopping centre

25/05/2017
VC133

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

4.0 Locations for gaming machines

--/--/20--
C--

None specified.

5.0 Venues for gaming machines

--/--/20--
C--

None specified.

6.0 Application requirements

30/07/2018

None specified.

7.0 Decision guidelines

30/07/2018

None specified.

19/01/2006
VC37

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0 SUBDIVISION AND PUBLIC OPEN SPACE CONTRIBUTION

Type or location of subdivision	Amount of contribution for public open space
All residential, commercial and industrial land other than land affected by Development Contributions Plan Overlay Schedule 1 (DCPO1), Development Contributions Plan Overlay Schedule 2 (DCPO2), Development Contributions Plan Overlay Schedule 3 (DCPO3).	5%.

SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

1.0 **Table 1 Classes of VicSmart application under zone provisions**

31/07/2018
VC148

Name of zone or class of zone	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

2.0 **Table 2 Classes of VicSmart application under overlay provisions**

31/07/2018
VC148

Name of overlay or class of overlay	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

3.0 **Table 3 Classes of VicSmart application under particular provisions**

31/07/2018
VC148

Name of particular provision	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

1.0 Information requirements

31/07/2018
VC148

None specified.

2.0 Decision guidelines

31/07/2018
VC148

None specified.

28/10/2013
VC102

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0 Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Referral authority type
Clause 6.0 of Schedule 2 to Clause 42.01 (ESO)	All applications	The relevant water or sewerage authority	Determining referral authority
Schedule 1 to Clause 45.02 (AEO)	Uses listed in Schedule 1 to Clause.	Airport owner	Determining referral authority
Schedule 2 to Clause 45.02 (AEO)	Uses listed in Schedule 2 to Clause.	Airport owner	Determining referral authority
Clause 2 of Schedule 9 to Clause 43.02 (DDO)	All applications	Road Corporation and the relevant sewerage authority	Determining referral authority
Clause 2 of Schedule 10 to Clause 43.02 (DDO)	All applications	Road Corporation and the relevant sewerage authority	Determining referral authority
Clause 2 of Schedule 11 to Clause 43.02 (DDO)	All applications	Road Corporation	Determining referral authority
Clause 6 of Schedule 8 to Clause 37.01 (SUZ)	All applications	Road Corporation	Determining referral authority

Commented [BB(69]: Not included in the package.

Commented [BB(70]: Not included in the package.

Commented [BB(71]: Confirm correct/updated clause #.

Commented [DG72R71]: Clause 5 to Clause 2

Commented [BB(73]: Confirm correct/updated clause #.

Commented [DG74R73]: Clause 5 to Clause 2

Commented [BB(75]: Confirm correct/updated clause #.

Commented [DG76R75]: Clause 5 to Clause 2

24/06/2010
C44

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0 Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
Clause 4.1 of Schedule 3 to Clause 37.01 (SUZ)	Environmental Management Plan.	Environment Protection Authority. New South Wales Environment Protection Authority. Lower Murray Region Water Authority. Department of Sustainability and Environment. Department of Primary Industries. Mallee Catchment Management Authority. New South Wales Department of Land and Water Conservation. Advisory Committee (established pursuant to Clause 6 of this Schedule). DELWP VicRoads Telstra Powercor Origin Energy Neighbourhood Cable Shire of Wentworth

Clause	Kind of application	Person or body to be notified
Clause 6.0 of Schedule 4 to Clause 42.01 (ESO)	All applications.	Owners and occupiers of the industrial site which is to be buffered
Clause 4 of Schedule 1 to Clause 43.04 (DPO)	Development Plan	Owners of the land Lower Murray Water
Clause 4 of Schedule 2 to Clause 43.04 (DPO)	Development Plan	Mallee Catchment Management Authority Lower Murray Water
Clause 4 of Schedule 4 to Clause 43.04 (DPO)	Development Plan	Mallee Catchment Management Authority Lower Murray Water
Clause 4 of Schedule 5 to Clause 43.04 (DPO)	Development Plan	Mallee Catchment Management Authority Lower Murray Water
Clause 4 of Schedule 6 to Clause 43.04 (DPO)	Development Plan	Mallee Catchment Management Authority Lower Murray Water

14.4 AMENDMENT C108MILD ADOPTION - MILDURA SOUTH NEIGHBOURHOOD ACTIVITY CENTRE - URBAN GROWTH ZONE - CORRECTION TO SCHEDULE ONE

Cr Anthony Cirillo declared that he held an indirect conflict of interest by close association. Cr Cirillo advised that the nature of the interest is due to a close relative owning land in the subject site area. Cr Cirillo accordingly left the meeting while the vote was taken, having taken no part in the debate, the time being 6:12pm.

Summary

The purpose of this report is to recommend Council adopt Amendment 108mild to address a recently identified error in the Schedule to the Urban Growth Zone (UGZ). The schedule omits the necessary permit trigger requiring development of land in the zone, to accord with the Neighbourhood Activity Centre (NAC) Master Plan currently under preparation as required by the schedule.

Council resolved to request a Ministerial Amendment to address the error at the ordinary meeting of Council in November 2019.

In accordance with a Ministerial exemption it was not required to be publicly exhibited and has only been notified directly to Prescribed Ministers and the Victorian Planning Authority (VPA) with no conflicting comments received.

On the basis of the assessment included in this report, the amendment is considered straightforward and it is therefore recommended that Council adopt Amendment C108mild.

2020/0176

Moved: Cr Gavin Sedgmen
Seconded: Cr Min Poole

That Council:

(i) adopt the Mildura Planning Scheme Amendment C108mild as notified and as attached in accordance with Section 29(1) of the *Planning and Environment Act 1987*; and
(ii) forward the amendment to the Minister for Planning, requesting approval.

CARRIED

Cr Cirillo returned to the meeting, the time being 6:16pm.

SCHEDULE 1 TO ~~THE~~ CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ1**.

MILDURA SOUTH PRECINCT STRUCTURE PLAN – ACTIVITY CENTRE

1.0 The plan

~~Map~~ Plan 1 shows the future urban structure identified in the Mildura South Precinct Structure Plan. This schedule applies to land identified as the Sixteenth and Ontario Activity Centre on ~~Map~~ Plan 1 below.

~~Map~~ Plan 1 to Schedule 1 to Clause 37.07

Formatted: Font: (Default) Arial



2.0 Use and development

2.1 The Lland

The use and development provisions specified in this schedule apply to all land shown as UGZ1 in the planning scheme maps.

2.2 Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works by reference to ~~Map~~ Plan 1 of this schedule.

Table 1: Applied zone provisions

Land shown on plan 1 of this schedule Retail and Commercial	Applied zone provisions Clause 34.01 – Commercial 1 Zone
Land shown on plan 1 of this schedule Public Open Space	Applied zone provisions Clause 36.02 – Public Park and Recreation Zone
Land shown on plan 1 of this schedule Community Uses	Applied zone provisions Clause 36.01 – Public Use Zone
Land shown on plan 1 of this schedule Higher Density Residential	Applied zone provisions Clause 32.07 – Residential Growth Zone

The precise boundary of the Commercial 1 Zone, Public Use Zone and Residential Growth Zone will be determined by the Urban Design Framework/Master Plan approved under Clause 3.0 of this schedule

2.3 Specific provisions – Use of the land

None specified

2.4 Specific provisions – Subdivision

None specified

2.5 Specific provisions – Buildings and works

None specified

3.0 Application requirements

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

Activity centre urban design framework

If land is identified as part of the neighbourhood activity centre on ~~Map~~Plan 1, a permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works until an Urban Design Framework/Master Plan for the activity centre has been prepared to the satisfaction of the responsible authority.

An Urban Design Framework/Master Plan approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as 'Sixteenth Street & Ontario Activity Centre' in the Mildura South Precinct Structure Plan must be consistent with any Urban Design Framework/Master Plan approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the granting of the permit will not prejudice the achievement of any objectives and planning and design guidelines for the activity centre as set out in the incorporated precinct structure plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework/Master Plan may be amended to the satisfaction of the responsible authority.

Before deciding whether to approve an urban design framework/master plan or a substantial amendment to an approved plan, the responsible authority must first display the plan for public comment for a period of 14 days and must take account of any comments received in response to display of the plan.

4.0 Conditions and requirements for permits

None specified.

5.0 Exemption from notice and review

None specified.

65.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority~~The following decision guidelines apply in addition to those identified elsewhere in the scheme~~:

- Consistency with the *Mildura South Precinct Structure Plan*, 2014.
- Consistency with the *Mildura South (Sixteenth and Deakin West) Development Plan*, 2014.

7.0 Signs

- None specified.

Formatted: Body Text1

14.5 MILDURA HERITAGE STUDY - PART B: STAGE 1 ADOPTION

Summary

The purpose of this report is to recommend Council adopt the Final Reports - Mildura Heritage Study – Part B, Stage 1, Volume 1: Key Findings and Recommendations; and Mildura Heritage Study – Part B, Stage 1: Draft Thematic Environmental History Volume 2; as attached to this report (Note: Attachments 3A, 3B) and to consider proceeding with Stage 2 of this project, in the coming Financial Year 2021-2022.

2020/0177

Moved: Cr Glenn Milne
Seconded: Cr Helen Healy

That Council:

(i) adopt the Mildura Heritage Study Part B – Stage 1: Volume1: Key Findings and Recommendations; and Mildura Heritage Study Part B – Stage 1: Draft Thematic Environmental History Volume 2; and
(ii) note the need for completion of Stage 2 of the Mildura Heritage Study Part B and the matter will be considered for incorporation in the Strategic Planning operational budget for 2021-22.

CARRIED

14.6 2020 VICTORIAN COUNTRY LONG COURSE SWIMMING CHAMPIONSHIPS

Summary

The purpose of this report is to seek approval of new event sponsorship funding to the Mildura Swimming Club for the 2021 Victorian Country Long Course Championships.

2020/0178

Moved: **Cr Glenn Milne**
Seconded: **Cr Mark Eckel**

That Council endorse a commitment of up to $20,000 in new event sponsorship funding to Mildura Swimming Club for the 2021 Victorian Country Long Course Championships.

CARRIED

14.7 COMMUNITY PARTNERSHIP GRANT PROGRAM 2020-2022 FEBRUARY ROUND

Cr Glenn Milne declared that he held an indirect conflict of interest by close association. Cr Milne advised that the nature of the interest is due to his membership on the board of MASP. Cr Milne accordingly left the meeting while the vote was taken, having taken no part in the debate, the time being 6:36pm.

Cr Helen Healy declared that she held an indirect conflict of interest by close association relating to items 14.7 and 14.8. Cr Healy advised that the nature of the interest is due to her membership on the committee for Food Next Door, and being the Business Manager of the Australian Alternative Varieties Wine Show. Cr Healy accordingly left the meeting while the vote was taken, having taken no part in the debate, the time being 6:36pm.

Summary

The purpose of this report is to consider recommendations for funding through the Community Partnership Grant Program 2020-2022 February Round.

2020/0179

Moved: **Cr Jason Modica**
Seconded: **Cr Mark Eckel**

That Council:

(i) approve the following grant applications totalling $235,488.00 for funding through the Community Partnership Grant Program 2020-2022 February Round as presented in the table below; and
(ii) delay awarding the funding for the Community Partnership Grants until:
  a) restrictions associated with the COVID-19 pandemic have been removed and the programs can proceed safely; or
  b) the program can be delivered safely online with no risk to the relevant agencies or Mildura Rural City Council and achieve the agreed upon social outcomes.

Applicant	Project Title	Description	Recommended Funding
Headspace	**Mildura LGBTQIA+**	**Booklet** **The Alphabet Soup Group, an LGBTQIA+ support group, will create a resource booklet that will raise awareness and knowledge of the local Mildura queer community and promote connectedness and support.**	**$4,900.00**
Hands Up Mallee	**Generations Music Together**	**A music and arts-learning program for children 0-5 and their families set in Aged Care.**	**$30,000.00**
Mildura English Language Centre	**Parenting in Australia**	**The aim of this project is to provide new arrival families with an intensive introduction to Australian life and strong connections to local Mildura support organisations.**	**$29,748.00**
Totally and Permanently Incapacitated Ex-servicemen and Women's Association Mildura Social Club	**Social connections through travel**	**Short and long distance Bus travel for members of the Mildura TPI (Totally and Permanently incapacitated Ex-servicemen & Women association) and their careers.**	**$25,000.00**
Portsea Camp	**The Portsea Camp**	**Children from Sunraysia travel to The Portsea Camp.**	**$29,700.00**
Millewa Advisory Committee	**Tomorrow Man - Tomorrow Woman in the Millewa**	**A series of workshops, facilitated by Tomorrow Man & Tomorrow Woman, held in the Millewa.**	**$26,140.00**
MASP	**Kokoda Youth Mentoring Program Indigenous focus**	**Due to ongoing travel restrictions MASP are proposing to complete an alternative track within Victoria.**	**$30,000.00**
Walk Off The War Within Mildura	**Walk Off The War Within**	**Event aimed at raising awareness of mental illness and suicide within Emergency & Defence Services & the Community.**	**$30,000.00**

Food Next Door	**Small-scale Farmer Incubator program**	**A Small-scale Farmer Incubator Program will be developed and initiated at the Food Next Door Community Demonstration Farm.**	**$30,000.00**
		Total Funding Recommended:	**$235,488.00**

CARRIED

Cr Milne returned to the meeting, the time being 6:42pm.

14.8 EVENTS FUNDING AND SUPPORT STATUS UPDATE

Cr Glenn Milne declared that he held an indirect conflict of interest by close association. Cr Milne advised that the nature of the interest is due to his work as a Thrift Shop Manager for The Salvation Army. Cr Milne accordingly left the meeting while the vote was taken, having taken no part in the debate, the time being 6:44pm.

Summary

The purpose of this report is to present the current status of the 2020-2021 Event Funding and Support round and to provide Council with a summary of the recommendations proposed.

2020/0180

Moved: **Cr Mark Eckel**
Seconded: **Cr Gavin Sedgmen**

That Council approve the following grant applications totalling $73,582.50 for funding through the Events Funding and Support 2020-2021 Grant Program as presented in the table below, with funding to be provided two months prior to the event, subject to the event proceeding within restrictions at the scheduled time of the event.

Applicant	Event	Recommended Funding Amount
Mildura Harness Racing Club	**2021 Mildura Pacing Cup Carnival**	**$12,500**
Sunraysia Drag Racing Association	**2020 Summit Racing Equipment Sportsman Series**	**$7,500**
Sunraysia Community Health Services	**2021 Easter Appeal Community Picnic Fundraiser**	**$167.50**
Sunraysia Golf Tours Pty Ltd	**2021 Shane Doherty Memorial Tri-State Masters**	**$5,000**
Mildura Alcheringa Pony Club	**2020 Mildura Alcheringa Pony Club EA Horse Trials**	**$3,375**
Ladd's Boxing Club	**2020 Ladd's Boxing Club Amateur Tournament**	**$3,091**
North West Victorian Motorcycle Club	**2020 Junior & Senior Victorian Dirt Track Championships**	**$2,970**
Sunraysia Willowfest Inc	**2020 Willowfest - The Championships**	**$3,800**

Garden of Hope Mildura Inc	**2020 Garden of Hope Family Fun Day**	**$3,108**
Arts Mildura Inc	**2020 Summer Thrills : Pride Edition**	**$3,925**
Arts Mildura Inc	**2020 Yarn Fest**	**$3,925**
The Salvation Army, Sunraysia	**2020 Ouyen Thrift Shop First Birthday**	**$3,058**
Patchewollock Music Festival	**2020 Patchewollock Music Festival**	**$4,333**
Sharkfest Incorporated	**2020 Sharkfest Music Festival**	**$3,475**
Sunraysia Indian Association	**2020 India Day "Festival of Lights"**	**$3,327**
Australian Alternative Varieties Wine Show	**2020 Australian Alternative Varieties Wine Show**	**$3,358**
Wakeboard State of Origin Event Committee	**2020 Wakeboard State of Origin SA vs VIC**	**$3,408**
Mildura Racing Club	**2020 Melbourne Cup Day at Mildura - November**	**$3,262**
Total Funding Recommended		**$73,582.50**

CARRIED

Cr Healy and Cr Milne returned to the meeting, the time being 6:47pm.

14.9 EVENTS FUNDING AND SUPPORT POLICY CP010

Summary

The purpose of this report is to present the Events Funding and Support Policy CP010 (the policy) and seek Council's resolution to adopt the updated policy.

2020/0181

Moved: Cr Gavin Sedgmen
Seconded: Cr Glenn Milne

That Council:

(i) adopt the updated Events Funding & Support Policy (CP010) as presented; and
(ii) approve the creation of the discretionary reserve 'Unspent Event Grant Reserve Fund'.

CARRIED

Mildura Rural City Council

Events Funding and Support Policy

Policy – CP010

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Leisure & Cultural Services	Executive Leadership Team	Council	August 2020	2020/0181
Trim File: 18/02/01		**To be reviewed:** August 2023		
Document Owner: Manager Leisure & Cultural Services		**Review Frequency:** Every Three Years		

1. Policy Purpose

To provide the framework for achieving the funding and support goals identified in the Mildura Rural City Council Events Strategy 2025.

2. Policy Statement

This policy operates in the context of and should be read in conjunction with the Mildura Rural City Council Grants Policy CP021 and the Events Funding and Support Guidelines.

Mildura Rural City Council is committed to supporting events within the municipality and recognises the value of events to both the economy and community.

The following vision, mission and goals, as identified in the Events Strategy 2025, provide the direction for the funding and support provided to events within the Mildura municipality.

Vision

To be known as a vibrant event destination, famous for events that celebrate our iconic locations on Murray River and vivid ancient landscapes. We will captivate visitor imaginations with events that savour the tastes and culture of one of Australia's most prolific food producing regions.

Mission

To position the Mildura region as a major event destination with a vibrant year round calendar of events that contributes to the economic and social well-being of our community.

Goals

- **Drive overnight visitor expenditure** – Attract external visitation, extend length of stay and increase overnight visitor expenditure.
- **Showcase Mildura** – Build Mildura's destination brand profile through events that align with the region's competitive advantages, attracting significant media profile.
- **Vibrant and sustainable events** – Facilitate vibrant events that captivate visitor imaginations in a diverse year-round calendar.
- **Creative community** – Encourage creativity, community connectedness and civic pride through event participation

3. Funding Streams

All funding subject to assessment of criteria and Council approval

Fund	Description	Economic Benefit	Funding amount	Application Round	Assessment Criteria
Hallmark Events (Tier 1)	May be supported where the event drives overnight visitor expenditure, showcases Mildura, creates a vibrant and sustainable event and encourage community connectedness and pride through participation.	>$3M with minimum 10,000 unique visitors to the region	$300,000	Open all year	• Economic & tourism impact (50%) • Profile of Mildura (10%) • Community impact & benefits (10%) • Event content (10%) • Capacity & capability (20%)
		$2-$2.99M	$37,501 - $50,000	Annual Funding Round open February. Multi-year agreements available subject to conditions as outlined below.	
		$1.51-$1.99M	$25,001 - $37,500		
		$1-$1.5M	$20,001 - $25,000		
Major Events (Tier 2)	May be supported where the event is established and drives overnight visitor expenditure, showcases Mildura, creates a vibrant and sustainable event and encourage community connectedness and pride through participation.	$0.76-$1M	$15,001 $20,000		• Economic & tourism impact (50%) • Profile of Mildura (10%) • Community impact & benefits (10%) • Event content (10%) • Capacity & capability (20%)
		$0.51-$0.75M	$10,001 - $15,000		
		$0.25-$0.5M	$7,501 - $10,000		
		$0.15-$0.249M	$5,001 - $7,500		
Community Events (Tier 3)	Events that generate marketing and media opportunities that builds the profile of the Mildura region and/or attract over 1000 people and are targeted primarily at a local audience but also attract visitation from outside the region	N/A	$3,500-$5,000		• Profile of Mildura (25%) • Participation and Engagement (30%) • Meaningful experiences (15%) • Community Development (20%) • Capacity and capability of applicant (10%)
Community Events (Event Support Grant)	For small events attracting less than 1000 people, a non-competitive grant Is available. The event contributes to making Mildura a great place to live; creates a sense of community by bringing people together; and delivers important messages, information and knowledge.	N/A	$2,500	Annual Funding Round open February	• Participation and Engagement (S/N) • Meaningful experiences (S/N) • Community Development (S/N) *Non-competitive application process

Fund	Description	Economic Benefit	Funding amount	Application Round	Assessment Criteria
Civic Events	Support for community led Australia Day & Christmas Carols events to enhance community spirit and encourage participation across all community.	N/A	As outlined in appendix A	Annual Funding Round open September	• Australia Day or Christmas Carols event held in the Mildura municipality

* Note: Events which have not previously received events funding and support are eligible to apply for funding under the above streams at any time throughout the year by contacting the Events and Projects Unit.

3.1 Business Events

All funding subject to assessment of criteria and Council approval

Fund	Description	Economic Benefit	Funding amount	Application Round	Assessment Criteria
Business Events and Conferences	Business events, including meetings, incentive trips and conferences which provide an opportunity to grow the visitor economy for the Mildura region. The event encourages the engagement with local businesses to deliver the event and stimulate the local economy. There are opportunities for delegates to experience Mildura's highlights and encourages friends and family to accompany on the trip or return in the future.	>$0.76M	$20,000	Funding open all year. Multi-year agreements available, subject to successful delivery of agreed outcomes.	• Attracts overnight visitation to the Mildura Region • Supports local businesses and stimulates local economy • Creates opportunities to market Mildura as a tourist destination
		$0.51-$0.75M	$15,000		
		$0.25-$0.5M	$10,000		
		$0.15-$0.249M	$7,500		
		$0.1-$0.149M	$5,000		
		$0.05-$0.1M	$2,500		

Business Events Funding can be used for purposes where the funds received stay within the Mildura region such as venue hire, catering, local entertainment, transport etc.

3.2 New, once-off, irregular or business events

New, once off, irregular or business events are eligible to apply for funding under the above streams at any time throughout the year by contacting the Events and Projects Unit.

Council reserves the right to enter into a multi-year Hallmark, Major or Business event funding agreement with an event organiser or promoter at the conclusion of a one off event based on a successful acquittal and validation of attendance data without having to enter into the annual funding round.

Council welcomes applications from significant events where the economic benefit exceeds $3M and attracts at least 10,000 visitors to the region and also reserves the right to run an Expression of Interest (EOI) process to attract specific events or opportunities to the region to fulfil the objectives in the Events Strategy 2025. Funding of these events will be at the discretion of Council.

Applications must be submitted at least 3-5 months prior to the event date relative to the scale of the event.

3.3 Multi-Year Funding Agreements (Hallmark, Major Events, Community-Tier 3 and Business Events)

Successful applicants in the Hallmark, Major, Community-Tier 3 and Business Event categories may negotiate a multi-year agreement of three years.

- Opportunities to enter into Multi-Year agreements will only be offered every three years, with the first being offered in the 2021/2022 February funding round.
- Organisations will be required to submit a minimum three year Strategic Plan and Marketing Plan to be eligible for a multi-year agreement.
- First year funding will be based on the original event application, subsequent funding will be assessed from the acquittal report and based on criteria outlined in the funding streams.
- A Memorandum of Understanding for the three years will be entered into with annual funding agreements signed outlining the funding allocation for each year.
- Successful applicants have until 30 June each year to complete their event.
- An evaluation report and acquittal form must be submitted online within 60 days of the completion of the event or by 30 June each year.
- Successful applicants must have no outstanding debts with Council before they can receive any funding throughout the agreement period.
- Outstanding acquittal requirements relating to other Council grants will need to be satisfied before funding will be released.
- Year two and year three payments will only available if all conditions of the funding agreement are met.

4. Events Funding & Support Eligibility Criteria

The following requirements must be met to be eligible for funding:

- Be based within the Mildura municipality or be applying for funding to conduct an event that significantly benefits the Mildura municipality.
- Hallmark (Tier 1) and Major (Tier 2) events - must be a constituted body or legal entity, such as an incorporated association (or auspiced by a constituted body or legal entity).
- Community (Tier 3 and event support grants) must be an incorporated association or entity with not-for-profit status (or auspiced by an incorporated association or entity with not-for-profit status).
- Fundraising and charity events. Where the event is identified as Community (Tier 3 or event support grants) 75% of the funds raised must stay within the Mildura municipality.
- Provide proof (certificate of currency) of public liability insurance cover (minimum $10m or as otherwise agreed) relevant to the activities undertaken and for the duration of the event.

- Provide documentation and evidence to meet the funding category criteria.
- Be a public event, inclusive and accessible to everyone.

The following are not eligible for funding:

- Organisations funded or sponsored for the event through other Mildura Rural City Council programs.
- Organisations with outstanding debts to Council, or who have not previously acquitted a grant to the satisfaction of Council.
- Individuals.
- Political organisations, or events that have a political purpose.
- Religious groups or events unless the event is non-denominational and demonstrates a broader benefit to the community.
- Events that exclude or may offend parts of the community.
- Organisations who have not previously complied with permit or other conditions of Council, or who fail to apply for required permits.
- Event organisers who are registered 'for profit' applying for Community Event funding. However, 'for profit' event organisers may apply for "new, once off or irregular events" and be assessed for equivalent to Community event funding in the first year to assist with startup of the event. Subsequent funding must be based on validated data and meet assessment criteria for Hallmark or Major event funding streams.
- Private events that are not broadly accessible to the local community.
- Prize money, awards or activities associated with prizes or awards (e.g. trophies).
- Fundraising and charity events where less than 75% of funds raised stay within the Mildura municipality, unless the event is identified as Hallmark (Tier 1) or Major (Tier 2).
- Education events including events organised by tertiary institutions, primary or secondary schools or kindergartens.
- Events in conflict with or that accept sponsorship from organisations not aligned to Council's vision, mission and values.
- Capital works projects, facility maintenance or the purchase of capital equipment.
- Insurance or fees associated with risk and governance such as public liability insurance, event insurance or fees payable to a governing body.
- Expos, markets, fetes and circuses.
- Breakfast, luncheon and dinner events and gatherings which are predominately attended by a niche or small cohort of the intended community.
- Sporting, cultural, arts, education, special interest or other gatherings that take place on a regular basis such as monthly or weekly.

5. Events Funding Allocation

Priority of funding will be given to Hallmark (Tier 1), Major (Tier 2) and Business events (approximately 70%) that deliver major economic and tourism outcomes. Community (Tier 3 and event support grant) events will be assessed depending on available remaining funding (approximately 30%).

If applications for the non-competitive Community grant is oversubscribed with eligible applications, a pro-rata system will be followed where funding will be allocated based on the number of applicants divided by the amount of funds available.

6. Council Processes to Administer the Funding Programs

Grant funding is managed according to the grants administration process as outlined below and utilising Council's online grants system. Specific details relating to this process can be found in the Events Funding and Support Guidelines which will be made available for viewing at least 6 weeks prior to the opening of each grant round.

6.1 Advertisement of Program

A transparent process will be used to notify event organisers and the community of the available funding and how to apply via Council's various channels of information distribution which may include print media, Council website, events newsletter, information sessions and social media.

Council reserves the right to run an Expression of Interest (EOI) process to attract specific events or opportunities to the region to fulfil the objectives in the Mildura Rural City Council Events Strategy 2025.

6.2 Application Process

Funding and Support grants is a two-step application process.
Applicants are required to complete a pre-application form designed to ensure their event is eligible under the Event Funding and Support Program and to classify the event into the appropriate funding stream. Where the event is identified as being eligible for Hallmark (Tier 1) or Major (Tier 2) event funding, validated evidence of the events ability to meet the criteria outlined in section 3.0 must be supplied.

If the application is deemed eligible under the Event Funding and Support Program, applicants will be invited to submit a full application, including supporting documents for the funding they are assessed as eligible for.

Organisations who have applied previously will receive an acquittal report outlining the funding stream the event has been classified into. This assessment will be made through validation of outcomes and attendance data from their previous event and will not have to complete the pre-application stage.

6.3 Assessment Process

An assessment panel consisting of at least three Council staff will assess applications against the evaluation criteria. At least one member of the assessment panel will be external to the Events and Projects Unit for applications made as part of the annual grant round. Officers may seek additional information and evidence, conduct interviews with applicants or undertake detailed research and review to gain additional information on likely impact of events.

The assessment panel reserves the right to allocate all or part of the funding requested, and to alter the category of funding applied for before making recommendations to Council. Council also reserves the right to defer or delay grant rounds based on specific circumstances that may impact the successful delivery of a grant round.

6.4 Approval and Notification Process

For applications made within the annual grant round the following will apply:

- Assessments conducted and recommendations will be made by a panel consisting of two Council Officers from the Events and Projects Unit and one Officer from an external department. All recommendations will be presented to Council for approval.

- Following Council approval and adoption of the report, applicants will be notified of the outcome in writing. Where requested, applicants will receive feedback from Council officers about their application.

For applications made outside of the annual grant round the following will apply:

- Funding recommendations of up to $20,000 excluding GST. will be considered by the Events and Projects Unit and presented to General Manager Community for approval. Funding recommendations over $20,000 excluding GST will be sent to Council for consideration.

6.5 Funding Agreement Process

Successful applicants will be required to sign a Funding Agreement outlining the Conditions of Funding including responsibilities, obligations and identified outcomes required of the organisation.

6.7 Monitoring and Reporting Process

Successful applicants will be required to evaluate and assess agreed outcomes as per the Funding Agreement. This could include the provision of information or a progress report in the lead up to the event to allow officers to monitor funded events.

6.8 Acquittal and Evaluation Process

Successful applicants must submit an acquittal report upon the completion of their event with the due date to be specified in the Agreement. The acquittal report must include an evaluation of the event (on agreed measures), evidence to support the outcomes, visitation to the region, and a detailed budget, including copies of receipts showing expenditure in accordance with the approved purpose of the grant. Funded organisations that are required to provide audited financial statements (funding over $15,000) with their acquittal will have specified requirements and timelines detailed in the Agreement.

The evaluation report and acquittal including validation of attendance data will become the basis for the pre-application for funding in the next financial year's annual funding round should an organisation wish to apply. A report will be provided to the organisation detailing the funding stream the event has been categorised into.

Should an acquittal not be received by the due date or additional information be required, funded organisations will receive a written request, and will have 14 days in which to provide the acquittal or additional information. If the acquittal or additional information is still not received, a subsequent request will be made giving the funded organisation an additional 7 days to respond.

Should an acquittal report remain outstanding, lack additional information following this process, or remain unsatisfactory (including if funds are not utilised for the purpose intended in the Funding Agreement), future applications may be impacted. This may include future validation of outcomes and attendance through pre-application or ineligibly for future funding rounds.

6.9 Variation Process

A variation to an Agreement may be requested via the Request for Variation form, which is available from Council's Events & Projects Unit. Variations or extensions to legally binding agreements relating to the funded event shall only be accepted by submission via the online grants system.

Consideration must be given to the effect the variation will have on the agreed outcomes for the event. If the variation is accepted, this will be confirmed in writing by Council. This variation will form part of the Funding Agreement. Appeals relating to the outcome of a variation request will not be considered.

6.10 Unspent Event Grant Reserve

An Unspent Event Grants Reserve will be established to hold grant payments that were budgeted to be paid out in the Annual Budget but remain unallocated and unspent at the end of the financial year. The unspent grant budget allocation may be transferred to the reserve at the end of each financial year. This reserve primarily would be used to help fund large or hallmark events.

Unspent grants would be transferred to the reserve from the following grant budgets:
1. Grants Payable to External Organisations
2. New Initiative Events

7. Definitions

Auspicing	Auspicing means that an organisation with a legal not-for-profit status takes responsibility for ensuring grant funds are used as specified in the grant allocation. Auspicing is commonly undertaken for community organisations or groups that are not yet legally constituted as a not-for-profit entity (Incorporated Association, a Public Company Limited by Guarantee, a Co-operative Society or a Trust).
Economic Impact	New expenditure to the Mildura municipality calculated as the product of the following: • Number of visitors who will travel to the Mildura municipality specifically for the event; • The average length of stay; and • Average daily expenditure for these visitors Where daily expenditure information has not or is unable to be captured or demonstrated by the event organiser, the event organiser may elect to utilise the most recent average spend per night rate for domestic day visitors, domestic overnight visitors or domestic international visitors published by Tourism Research Australia.
Event	A planned public gathering of people in an open space, building or temporary structure, where more people than usual are gathering for an activity, celebration or other occasion. Sporting, cultural, religious or other gatherings of people that occur on a regular basis within each year (e.g. weekly, monthly, bi-monthly) are not considered events.
Grant	Financial and/or in-kind support provided to an event organiser for a specific purpose and for a fixed length of time.
Irregular Events	An event that has not been held within the municipality within the last three years.

Validated Evidence	Validated evidence is valid, verifiable, current and authentic information which substantiates event organiser's assertions in relation to the number of visitors to an event and the average length of stay. Examples of validated evidence includes: • Surveys • Registration lists • Ticket sales reports • Head counts • Gate Counts • Attendance records • Information from accommodation providers

8. Who is responsible for implementing this policy?

Manager Leisure & Cultural Services

9. Legislation and other references

9.1 Legislation

Local Government Act 1989.

9.2 Documents

This Policy is implemented in conjunction with the following documents:

- Mildura Rural City Council Events Strategy 2025
- Mildura Rural City Council Grants Policy – CP021
- Event Funding and Support Guidelines
- Funding Application and Agreements
- Events Planning and Management Guide
- Event Funding Process (internal operating procedures)
- Answering the Acquittal Questions Guide

9.3 Risk Assessment Reference

Risk Category	✓	**Risk Category**	✓
Asset Management		Financial Sustainability	
Committees		Human Resource Management	
Compliance – Legal and Regulatory	✓	Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	
Contract Tendering and Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image & Reputation	✓

Appendix A

Indicative Civic Funding Allocations for Christmas Carols and Australia Day.

Township	Christmas Carols Funding	Australia Day Funding
Mildura	$3,000.00	$500.00
Red Cliffs	$2,000.00	$500.00
Irymple	$1,000.00	$500.00
Merbein	$1,000.00	$500.00
Ouyen	$1,000.00	$500.00
Nangiloc	$500.00	$500.00
Lake Cullulleraine	$0.00	$500.00
Walpeup	$0.00	$500.00
Underbool	$0.00	$500.00
Murrayville	$500.00	$500.00

14.10 EVENTS FUNDING AND SUPPORT RECOVERY FUND

Summary

The purpose of this report is to recommend the establishment of an event recovery fund.

2020/0182

Moved: Cr Mark Eckel
Seconded: Cr Helen Healy

That Council approve the establishment of an event recovery fund for the 2020-2021 financial year with approval of grants up to and including $20,000 (GST exclusive) under General Manager delegation and approval of grants over $20,000 (GST exclusive) at a Council meeting.

CARRIED

14.11 NATIVE VEGETATION PLAN AND INVASIVE PLANTS AND ANIMALS PLAN 2020-2024

This item was withdrawn from Business.

At this point, Cr Simon Clemence, Mayor, adjourned the meeting to facilitate a short break, the time being 6:59pm.

The meeting resumed at 7:01pm.

14.12 RECREATION RESERVE MASTER PLANS 2020

Summary

The purpose of this report is seek Council's adoption of four Recreation Reserve Master Plans 2020-2025.

2020/0183

Moved: **Cr Helen Healy**
Seconded: **Cr Jason Modica**

That Council adopt the following Recreation Reserve Master Plans as presented:

(i) Kenny Park Master Plan 2020-2025;
(ii) Johansen Memorial Reserve Master Plan 2020-2025;
(iii) Quandong Park Master Plan 2020-2025; and
(iv) Nichols Point Recreation Reserve Master Plan 2020-2025.

CARRIED

JULY 2020

Draft Johansen Memorial Reserve Master Plan

Mildura Rural City Council

Table of Contents

1. Introduction 3

2. Johansen Memorial Reserve 5

2.1 Location 5

2.2 The Site 5

2.3 Site User Groups and Key Stakeholders 7

3. Master Plan 8

3.1 Previous Master Plan Objectives and Directions 8

3.2 2009 Master Plan Progress Report 9

4. Future Directions 10

4.1 Development Opportunities 10

5. Master Plan Implementation 11

5.1 Action and Implementation 11

5.2 Priority Actions List 12

6. Appendices 14

Appendix 1 - Consultation and Literature Review 14

1. Introduction

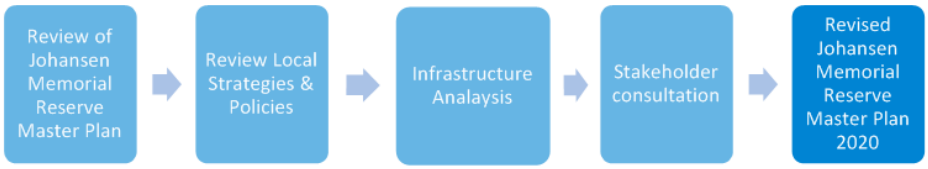
In 2009 Mildura Rural City Council (MRCC) developed master plans for each of its 12 township recreation reserves. The master plans were developed to provide a framework to guide the planning and development of the reserves for 10 years. As the timeframe for each master plan was nearing its end, MRCC commenced a process to systematically review these master plans.

In 2019, MRCC commenced a review of the Johansen Memorial Reserve Master Plan.

The review has given consideration to the existing Master Plan (2009) as well as site conditions and future anticipated needs of the Reserve's user groups.

The revised five year Master Plan will provide guidance for MRCC, in their aim to enhance the Reserve and ensure its facilities continue to benefit key user groups as well as the broader local community.

The following process was completed to ensure the revised Master Plan aligned with MRCC's relevant strategies and policies, and was locally focused.



All uncompleted actions from the 2009 Master Plan that still remain relevant have been incorporated into the 2020 revision and a range of plans, strategies and policies which reference or impact on the future direction of recreation provision in the Millewa have also been considered as part of the process.

Numerous MRCC officers were engaged throughout the review process. A key role of these officers was to assess the technical feasibility of proposed user group actions and also identify any infrastructure upgrades deemed necessary for the future operation of the Reserve.

Development of the revised Master Plan has been largely driven by a Reference Group consisting of representatives from the Reserve's regular user groups. Consideration has been given to the changing needs of these user groups as well as the capacity of all stakeholders to deliver the recommended actions.

A strong focus of the Master Plan review was to ensure that the future direction of the Reserve was based on key elements of sustainable decision making. That is, proposed actions need to be economically viable, technically feasible, environmentally compatible and publicly acceptable.



The development of a clear future direction for Johansen Memorial Reserve along with a program of prioritised works, indicative associated costs and potential contributors is provided in section 5.2.

2. Johansen Memorial Reserve

2.1 Location

Johansen Memorial Reserve is located in Cullulleraine 59 kilometers approximately west of Mildura. Cullulleraine is one of only three (including Meringur and Werrimull) of the eight original towns established in an area known as 'the Millewa'. The lake on which the reserve is located was constructed in 1926 to store water piped from the Murray River and is 40 hectares in size.

2.2 The Site

Johansen Memorial Reserve is approximately 27.3 hectares in size and is located on the southern edge of Lake Cullulleraine. The reserve is crown land (Department of Environment, Land, Water and Planning) with Council the designated committee of management. Tenant groups use the park under a lease agreement with council.

Figure 1 – Aerial image of Johansen Memorial Reserve



Facilities and Structures

Facilities and Structures on the site include:

- 2 sports fields that caters for football
- Community Complex building
- Play equipment
- Netball court
- Tennis courts
- Community Resource Centre (old tennis clubrooms)
- Toilet Blocks

2.3 Site User Groups and Key Stakeholders

There are currently two regular user groups based at the Johansen Memorial Reserve and two Community groups with an interest in the future development of the reserve.

These are:

- Werrimull Football Netball Club
- Meringur Football Netball Club
- Millewa Community Complex
- Millewa Carwarp Landcare

The number of user groups has decreased since the 2009 Master Plan was developed, however female participation has increased significantly. Each of the user groups was given an opportunity to nominate a representative for the reference group, four user groups provided representation (refer to Appendix 1 for a list of representatives).

MRCC is responsible for the majority of maintenance tasks at the Reserve with Facility Services and Parks & Gardens both playing significant roles in ensuring the Reserve's ongoing operation.

3. Master Plan

3.1 Previous Master Plan Objectives and Directions

In 2009, MRCC commissioned the development of a Master Plan for the Johansen Memorial Reserve. The following section provides a summary of the key issues and needs identified in the 2009 Johansen Memorial Reserve Master Plan.

- Environmental management and upgrade including management of erosion / regeneration of natural areas, preservation of trees and re-vegetation (dependent on water availability)
- Upgrading of oval 1
- Beautification of the main entrance including relocation of the outdoor works depot
- Management of traffic including caravan traffic (parking)
- Upgrading of the play ground on the foreshore
- Upgrading of the entrances to the trail and sections of the trail
- Signage.

3.2 2009 Master Plan Progress Report

A review of the status of actions from the 2009 Johansen Reserve Master Plan highlighted that a large number of actions remain incomplete. However, it should be noted that recent changes in usage and subsequent user group development priorities has meant that these may no longer be applicable.

While the 2009 Masterplan included the entire Reserve this review has limited the plan to the shared recreation facilities. A Masterplan is developed to support the development of a shared usage reserve through collaborative efforts.

It is recognized that there are other recreation groups based at Lake Cullulleraine, but as their facilities are single use and separate from the sporting reserve this plan will address the shared space. Organisations operating on a single use facilities across MRCC are encouraged and supported to undertake organisational and facility planning.

4. Future Directions

4.1 Development Opportunities

A number of site development opportunities were identified throughout the consultation process with user groups and Council officers. The following opportunities received strong support and therefore have been identified as Priority 1.

- Upgrade the Community Complex facilities to support ongoing community and sporting club use
  1. Power
  2. Canteens/ kitchen
  3. Change rooms - existing and additional female friendly
  4. Toilets
- Upgrade and refurbishment of public toilets across the reserve
- Construction of additional netball court and associated infrastructure
- Installation of shade over the playground
- New Coaches Box on Oval No 1
- New timekeepers box on Oval No 1
- New Scoreboard on Oval No 1
- Renovate the kitchen at the Millewa Resource Centre Building.

5. Master Plan Implementation

5.1 Action and Implementation

The revised Master Plan for Johansen Memorial Reserve has been developed to provide actions that are practical and realistic. Many actions will require further stakeholder consultation through their detailed design and implementation phases.

The priority actions of the Master Plan have been established based on the following criteria:

Priority 1 - High level demand by clubs, safety and regulatory compliance
Priority 2 - Medium level demand by clubs, necessary repairs to maintain operations
Priority 3 - Upgrades / refurbishments / exclusive requests

The implementation of the Master plan is reliant upon the capacity of a range of stakeholders to actively attract and negotiate funding. To this end, it is important to appreciate that implementation of the Master Plan is not the sole responsibility of one stakeholder. Rather, its success is dependent upon a range of partners to come together and work towards mutual goals.

The action list in Section 5.2 identifies the range of partners that are involved throughout the implementation of the works program. Funding contribution recommendations have been made on the basis of:

- Which partner/s will receive direct benefit from the works
- The assumed capacity of partners to contribute to works
- The understanding that Council, together with the user groups, has a responsibility to preserve asset integrity, and respond to works that would otherwise contribute to asset deterioration and compromise the functionality of the asset.

Finally, recommended contributions have not taken into account the expected in kind contributions. It is anticipated that in kind contribution which directly reduces the capital cost of work is a fair and legitimate avenue for all clubs to contribute to works. However, it should be noted that Council discretion will be used in assessing and/or approving any proposed in kind.

In some cases, identified projects may also be eligible for funding from Council's grants or State and Commonwealth Government funding programs. In the Priority Action List below, potential funding partners are identified. For a number of these projects, there will a requirement for user groups to contribute financially. The values of contribution will be confirmed through the development process of each project and will be subject to external funding streams available at the time.

5.2 Priority Actions List

Ref	Task	Priority	Indicative Cost	Potential Funding Partners	Comments
	Upgrade the Community Complex facilities to support ongoing community and sporting club use.				
1	1. Power 2. Canteens/ kitchen 3. Change rooms - existing and additional female friendly. 4. Toilets	Priority 1	$500,000	Clubs, Council, Federal Gov't	
2	Upgrade and refurbishment of public toilets across the reserve.	Priority 1	$50,000	Council	
3	Construction of additional netball court and associated infrastructure.	Priority 1	$250,000	Clubs, Council, State, Federal Gov't	
4	Installation of shade over the playground	Priority 1	$50,000	Clubs, Council	
5	New Coaches Box on Oval no 1	Priority 1	$20,000	Club, Council,	
6	New timekeepers box on Oval no 1	Priority 1	$20,000	Clubs, Council,	
7	New Scoreboard on Oval No 1	Priority 1	$20,000	Clubs, Council	
8	Examine options for additional usage or rationalisation of ovals to address underutilisation.	Priority 2	Nil	Clubs, Council	
9	Renovate the kitchen at the Millewa Resource Centre Building	Priority 1	$30,000	Clubs, Council, Federal Gov't	

10	Extend the Millewa Resource Centre Building	Priority 3	$100,000	MLC	
11	Develop plans for the beautification of the entrance including new signage that highlights park attractions.	Priority 3	$5,000	Clubs, Council	

Note: *Costs for identified works are indicative and are based on 2020 prices and may be subject to change at time of project commencement.*

Indicative costs listed as TBC are due to the exact scope of those action items being unknown at this stage.

6. Appendices

Appendix 1 - Consultation and Literature Review

A – 1.1 Stakeholder Consultation List

A list of stakeholders consulted in the development of the Kenny Park Reserve Master Plan is provided below:

- Jamie Mullin – Manager Leisure & Cultural Services
- Thomas Stevenson – Recreation Development Coordinator
- Dawn Johnston – Recreation Support Officer
- Andrew Lucchesi – Recreation Officer
- Sue O'Brien – Recreation Officer
- Alana Nolen – Environmental Health Coordinator
- Anne Ross – Community Development Coordinator
- Bonnie Pettett – Environmental Sustainability Coordinator
- Charmaine Calis – Governance & Risk Coordinator
- Dean Umback – Parks & Gardens Coordinator
- Grant Follett – Parks Team Leader - Urban
- Greg Sutton – Infrastructure Works Coordinator
- Jason Kane – Facility Services Coordinator
- Kylie Sergi – Strategic Asset Systems Coordinator
- Karen Milner – Acting Strategic Asset Systems Coordinator
- Lindy Pain – Parks & Gardens Team Leader – Rural
- Michael Vaughan – Infrastructure Services Coordinator
- Nardia Baker – Acting Environmental Sustainability Coordinator
- Parthee Gana – Engineering Coordinator
- Sharyn Arnold – Building Projects Team Leader
- Jody Richardson – Service Planning Coordinator
- Kealey Lush – Property Officer
- Nicole Jamieson – Property Management Support Officer
- Peter Mangan – Meringur Football Netball Club
- Judy Stewart – Millewa Community Complex
- Maureen Croft – Millewa Community Complex
- Pip Harmer – Meringur Football Netball Club
- Matt Kelly – Werrimull Football Netball Club
- Ron Hards – Meringur Football Netball Club
- Annette Lambert – Millewa Carwarp Landcare Group
- James O'Day – Millewa Community Complex

A – 1.2 Literature Review

- Johansen Reserve Master Plan 2009-2019
- Mildura Recreation Assessment 2013
- Recreation Strategy 2008
- Public Open Space Strategy 2004

Draft Johansen Memorial Reserve Master Plan July 2020



JULY 2020

Draft Kenny Park Reserve Master Plan

Mildura Rural City Council

Table of Contents

1. Introduction 3

2. Kenny Park Reserve 5

2.1 Location 5

2.2 The Site 5

2.3 Site User Groups and Key Stakeholders 7

3. Master Plan 8

3.1 Previous Master Plan Objectives and Directions 8

3.2 2009 Master Plan Progress Report 9

4. Future Directions 10

4.1 Development Opportunities 10

5. Master Plan Implementation 11

5.1 Action and Implementation 11

5.2 Priority Actions List 12

6. Appendices 14

Appendix 1 - Consultation and Literature Review 14

1. Introduction

In 2009 Mildura Rural City Council (MRCC) developed master plans for each of its 12 township recreation reserves. The master plans were developed to provide a framework to guide the planning and development of the reserves for 10 years. As the timeframe for each master plan was nearing its end, MRCC commenced a process to systematically review these master plans.

In 2019, MRCC commenced a review of the Kenny Park Reserve Master Plan.

The review has given consideration to the existing Master Plan (2009) as well as site conditions and future anticipated needs of the Reserve's user groups.

The revised five year Master Plan will provide guidance for MRCC, in their aim to enhance the Reserve and ensure its facilities continue to benefit key user groups as well as the broader local community.

The following process was completed to ensure the revised Master Plan aligned with MRCC's relevant strategies and policies, and was locally focused.



All uncompleted actions from the 2009 Master Plan that still remain relevant have been incorporated into the 2020 revision and a range of plans, strategies and policies which reference or impact on the future direction of recreation provision in Merbein have also been considered as part of the process.

Numerous MRCC officers were engaged throughout the review process. A key role of these officers was to assess the technical feasibility of proposed user group actions and also identify any infrastructure upgrades deemed necessary for the future operation of the Reserve.

Development of the revised Master Plan has been largely driven by a Reference Group consisting of representatives from the Reserve's regular user groups. Consideration has been given to the changing needs of these user groups as well as the capacity of all stakeholders to deliver the recommended actions.

A strong focus of the Master Plan review was to ensure that the future direction of the Reserve was based on key elements of sustainable decision making. That is, proposed actions need to be economically viable, technically feasible, environmentally compatible and publicly acceptable.



The development of a clear future direction for Kenny Park Reserve along with a program of prioritised works, indicative associated costs and potential contributors is provided in section 5.2.

2. Kenny Park Reserve

2.1 Location

Kenny Park is located on the north-west fringe of the town of Merbein which is approximately 18 kilometers north-west of Mildura.

2.2 The Site

Kenny Park Reserve is approximately 5.7 hectares in size. Kenny Park is crown land (Department of Environment, Land, Water and Planning) with Council the designated committee of management. Tenant groups use the park under a lease or service agreement with Council.

Figure 1 – Aerial image of Kenny Park Reserve



Facilities and Structures

Facilities and Structures on the site include:

- Football Club Social Facility
- Change rooms, kiosk and public toilets
- 2 sports fields that cater for football, cricket and soccer
- 2 Netball Courts
- 2 Bowling Greens
- 8 Tennis courts
- A small playground
- A Rotunda and community celebrations area
- Picnic and BBQ facilities
- A large open space / events area.

2.3 Site User Groups and Key Stakeholders

There are currently 7 regular user groups based at the Kenny Park Reserve and 2 Community groups with an interest in the future development of the reserve.

These are:

- Merbein Football Netball Club
- Merbein South Cricket Club
- Meringur Football Netball Club
- Merbein Bowls Club
- Kenny Park Tennis Club
- Mildura City Soccer Club
- Merbein Rodeo Inc.
- Merbein Rotary Club
- Merbein Development Group (community planning group).

The number of user groups has remained relatively stable since the 2009 Master Plan was developed. Each were given an opportunity to nominate a representative for the reference group, six user groups provided representation (refer to Appendix 1 for a list of representatives).

MRCC is responsible for the majority of maintenance tasks at the Reserve with Facility Services and Parks & Gardens both playing significant roles in ensuring the Reserve's ongoing operation. Minor maintenance such as cricket wicket preparation is carried out by the cricket clubs.

3. Master Plan

3.1 Previous Master Plan Objectives and Directions

In 2009, MRCC commissioned the development of a Master Plan for the Kenny Park Reserve. The following section provides a summary of the key issues and needs identified in the 2009 Kenny Park Reserve Master Plan.

- Realigning part of the internal road network to reduce the conflict between pedestrians and vehicles and improve user safety
- Upgrading / realigning sports ovals
- Consolidation and upgrading of the football / netball pavilion to include change rooms (football and netball) and public toilets
- Completion of swimming pool works
- Relocation and upgrading of the playground
- Provision of water to the rotunda area
- Provision of new netball courts
- Improved natural environment with additional vegetation and tree plantings & measures to protect established trees
- Enhancing the open space / event area
- Enhancing park entries and street parking.

3.2 2009 Master Plan Progress Report

The following list provides a summary of key developments that have been completed at Kenny Park Reserve since the development of the 2009 Master Plan:

- Relocation and upgrading of the playground
- Provision of water to the rotunda area
- Provision of new netball courts
- Improved natural environment with additional vegetation and tree plantings & measures to protect established trees
- Construction of change rooms (football and netball) and public toilets.

A review of the status of actions from the 2009 Kenny Park Reserve Master Plan highlighted that a large number of actions remain incomplete. However, it should be noted that recent changes in usage and subsequent user group development priorities has meant that these may no longer be applicable.

4. Future Directions

4.1 Development Opportunities

A number of site development opportunities were identified throughout the consultation process with user groups and Council officers. The following opportunities received strong support and therefore have been identified as Priority 1.

- The construction of a shared storage facility in an agreed location on the reserve.
- Explore the need for a power upgrade across the reserve to support a number of priorities that rely on additional power being available.
- Investigate the implications of installing a turf wicket on Oval 2 in consultation with all users.
- Sports lighting to the ovals (to cricket, soccer and AFL standard) – Stage 1: Prepare design plans and specifications.
- Sports lighting to the ovals (to cricket, soccer and AFL standard) – Stage 2: Installation of lighting.
- Prepare a traffic management plan across the reserve that considers the re development of entry and road from the Yelta entrance to address issues of 2 way traffic on a one car width road and the location of additional car parking areas.
- Upgrade to surface of bowls facility.

5. Master Plan Implementation

5.1 Action and Implementation

The revised Master Plan for Kenny Park Reserve has been developed to provide actions that are practical and realistic. Many actions will require further stakeholder consultation through their detailed design and implementation phases.

The priority actions of the Master Plan have been established based on the following criteria:

Priority 1 - High level demand by clubs, safety and regulatory compliance
Priority 2 - Medium level demand by clubs, necessary repairs to maintain operations
Priority 3 - Upgrades / refurbishments / exclusive requests

The implementation of the Master plan is reliant upon the capacity of a range of stakeholders to actively attract and negotiate funding. To this end, it is important to appreciate that implementation of the Master Plan is not the sole responsibility of one stakeholder. Rather, its success is dependent upon a range of partners to come together and work towards mutual goals.

The action list in Section 5.2 identifies the range of partners that are involved throughout the implementation of the works program. Funding contribution recommendations have been made on the basis of:

- Which partner/s will receive direct benefit from the works
- The assumed capacity of partners to contribute to works
- The understanding that Council, together with the user groups, has a responsibility to preserve asset integrity, and respond to works that would otherwise contribute to asset deterioration and compromise the functionality of the asset.

Finally, recommended contributions have not taken into account the expected in kind contributions. It is anticipated that in kind contribution which directly reduces the capital cost of work is a fair and legitimate avenue for all clubs to contribute to works. However, it should be noted that Council discretion will be used in assessing and/or approving any proposed in kind.

In some cases, identified projects may also be eligible for funding from Council's grants or State and Commonwealth Government funding programs. In the Priority Action List below, potential funding partners are identified. For a number of these projects, there will a requirement for user groups to contribute financially. The values of contribution will be confirmed through the development process of each project and will be subject to external funding streams available at the time.

5.2 Priority Actions List

Ref	Task	Priority	Indicative Cost	Potential Funding Partners	Comments
1	The construction of a shared storage facility in an agreed location on the reserve.	Priority 1	$40,000	Clubs, Council	
2	Explore the need for a power upgrade across the reserve to support a number of priorities that rely on additional power being available.	Priority 1	$10,000	Council	
3	The development of a traffic management plan across the reserve that considers the re development of entry and road from the Yelta entrance to address issues of 2 way traffic on a one car width road and the location of additional car parking areas.	Priority 1	$5,000	Clubs, Council	
4	Investigate the implications of installing a turf wicket on Oval 2 in consultation with all users.	Priority 1	NIL	Clubs, Council	
5	Upgrade the surface of bowls facility.	Priority 1	$150,000	Club, Council, State Gov't	
6	Sports Lighting to the Oval 1 (to cricket, AFL match standard) - Stage 1: Prepare design plans and specifications	Priority 1	$16,000	Clubs, Council,	
7	Sports Lighting to the Oval 2 (to Football (Soccer) training standard) - Stage 1: Prepare design plans and specifications	Priority 1	$16,000	Clubs, Council	
8	Sports Lighting to the Oval 1 (to cricket, AFL match standard) - Stage 2: Installation of lighting	Priority 1	$450,000	Clubs, Council, CA, State Gov't	
9	Sports Lighting to the Oval 2 (to Football (Soccer) training standard) - Stage 2: Installation of lighting	Priority 1	$450,000	Clubs, Council, FFV, State Gov't	
10	Replace Turf Wicket on Oval No 1	Priority 2	$20,000	Clubs, Council, CV	
11	Review and replace signage across the reserve to ensure consistency.	Priority 2	$5,000	Clubs, Council	
12	Rationalise tennis courts and upgrade facility to meet current standards and usage requirements.	Priority 2	$350,000	Clubs, Council, TA, State Gov't	
13	Investigate the feasibility and options for a new shared use social facility at the reserve.	Priority 2	$15,000	Clubs, Council	

14	Install 3 phase power hubs across the reserve to cater for public events.	Priority 2	$30,000	Council		
15	Document a plan for the development of the Merbein Rodeo site as an event precinct.	Priority 2	$15,000	Clubs, Council		
16	Upgrade of the toilets to make fully accessible in the Merbein Bowls Club building.	Priority 2	$50,000	Club, Council, State Gov't		

Note: *Costs for identified works are indicative only and are based on 2020 prices and may be subject to change at time of project commencement.*

Indicative costs listed as TBC (to be confirmed) are due to the exact scope of those action items being unknown at this stage.

6. Appendices

Appendix 1 - Consultation and Literature Review

A – 1.1 Stakeholder Consultation List

A list of stakeholders consulted in the development of the Kenny Park Reserve Master Plan is provided below:

- Jamey Mullen – Manager Leisure & Cultural Services
- Thomas Stevenson – Recreation Development Coordinator
- Dawn Johnston – Recreation Support Officer
- Andrew Lucchesi – Recreation Officer
- Sue O'Brien – Recreation Officer
- Alana Nolen – Environmental Health Coordinator
- Anne Ross – Community Development Coordinator
- Bonnie Pettett – Environmental Sustainability Coordinator
- Charmaine Calis – Governance & Risk Coordinator
- Dean Umback – Parks & Gardens Coordinator
- Grant Follett – Parks Team Leader - Urban
- Greg Sutton – Infrastructure Works Coordinator
- Jason Kane – Facility Services Coordinator
- Kylie Sergi – Strategic Asset Systems Coordinator
- Karen Milner – Acting Strategic Asset Systems Coordinator
- Lindy Pain – Parks & Gardens Team Leader – Rural
- Michael Vaughan – Infrastructure Services Coordinator
- Nardia Baker – Acting Environmental Sustainability Coordinator
- Parthee Gana – Engineering Coordinator
- Sharyn Arnold – Building Projects Team Leader
- Jody Richardson – Service Planning Coordinator
- Kealey Lush – Property Officer
- Nicole Jamieson – Property Management Support Officer
- Toney Hurley – Merbein Football Netball Club
- Peter Mangan – Meringur Football Netball Club
- Marianne Glover – Merbein Development Association
- Brian Munro – Rotary Merbein
- Max Long – Merbein Bowling Club
- Ian Landsdown – Merbein Community Rodeo
- Marlon Fraser – Merbein South Cricket Club
- Aaron Walder – Merbein South Cricket Club
- Joe Wright – Rotary Merbein
- Vince Burgoyne – Mildura City Soccer Club
- Stephen Bennett – Kenny Park Tennis Club

A – 1.2 Literature Review

- Kenny Park Reserve Master Plan 2009-2019
- Mildura Recreation Assessment 2013
- Recreation Strategy 2008
- Public Open Space Strategy 2004

Draft Kenny Park Reserve Master Plan July 2020



JULY 2020

Nichols Point Recreation Reserve Master Plan

Mildura Rural City Council

Table of Contents

1. Introduction 3

2. Nichols Point Recreation Reserve 5

2.1 Location 5

2.2 The Site 5

2.3 Site User Groups and Key Stakeholders 7

3. Master Plan 8

3.1 Previous Master Plan Objectives and Directions 8

3.2 2009 Master Plan Progress Report 10

4. Future Directions 11

4.1 Development Opportunities 11

5. Master Plan Implementation 12

5.1 Action and Implementation 12

5.2 Priority Actions List 13

6. Appendices 15

Appendix 1 - Consultation and Literature Review 15

Appendix 2 – Priority 1 Actions 16

1. Introduction

In 2009 Mildura Rural City Council (MRCC) developed master plans for each of its 12 township recreation reserves. The master plans were developed to provide a framework to guide the planning and development of the reserves for 10 years. As the timeframe for each master plan was nearing its end, MRCC commenced a process to systematically review these master plans.

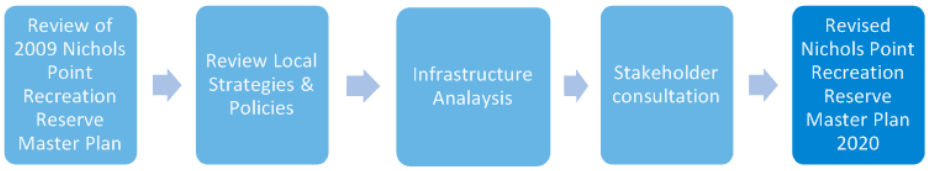
In 2019, MRCC commenced a review of the Nichols Point Recreation Reserve Master Plan.

The review has given consideration to the existing Master Plan (2009) as well as site conditions and future anticipated needs of the Reserve's user groups.

The revised five year Master Plan will provide guidance for MRCC, in their aim to enhance the Reserve and ensure its facilities continue to benefit key user groups as well as the broader local community.

The review did not include the former school grounds located adjacent to the reserve. Consultation with Council's Community Development unit confirmed that the former school ground is to be utilised as a community facility as opposed to a recreation based facility. Council's Community Development unit is consulting with the Nichols Point community regarding the future development of the former school grounds.

The following process was completed to ensure the revised Master Plan aligned with MRCC's relevant strategies and policies, and was locally focused.



All uncompleted actions from the 2009 Master Plan that still remain relevant have been incorporated into the 2020 revision and a range of plans, strategies and policies which reference or impact on the future direction of recreation provision in Nichols Point have also been considered as part of the process.

Numerous MRCC officers were engaged throughout the review process. A key role of these officers was to assess the technical feasibility of proposed user group actions and also identify any infrastructure upgrades deemed necessary for the future operation of the Reserve.

Development of the revised Master Plan has been largely driven by a Reference Group consisting of representatives from the Reserve's regular user groups. Consideration has been given to the changing needs of these user groups as well as the capacity of all stakeholders to deliver the recommended actions.

A strong focus of the Master Plan review was to ensure that the future direction of the Reserve was based on key elements of sustainable decision making. That is, proposed actions need to be economically viable, technically feasible, environmentally compatible and publicly acceptable.



The development of a clear future direction for Nichols Point Recreation Reserve along with a program of prioritised works, indicative associated costs and potential contributors is provided in section 5.2.

2. Nichols Point Recreation Reserve

2.1 Location

Located off Fifth Street, Nichols Point Recreation Reserve is located in Nichols Point approximately five kilometres south-east of Mildura.

2.2 The Site

Nichols Point Recreation Reserve is approximately 2.8 hectares in size owned by Council freehold.

Figure 1 – Aerial image of Nichols Point Recreation Reserve



Facilities and Structures

Facilities and Structures on the site include:

- One sports fields that cater for cricket, rugby and soccer (training only)
- A four pitch cricket net facility
- One pavilion and various sheds / structures
- The Nichols Point Hall.

2.3 Site User Groups and Key Stakeholders

There are currently 7 regular user groups based at the Nichols Point Recreation Reserve.

These are:

- Nichols Point Cricket Club
- Nichols Point Soccer Club
- Sunraysia Rugby League
- Nichols Point Primary School
- Nichols Point Incorporated (community group)
- Sunraysia Cricket Association
- Football Federation Sunraysia (soccer).

The number of user groups has remained relatively stable since the 2009 Master Plan was developed. Each were given an opportunity to nominate a representative for the ref group, 6 user groups provided representation (refer to Appendix 1 for a list of representatives).

MRCC is responsible for the majority of maintenance tasks at the Reserve with Facility Services and Parks & Gardens both playing significant roles in ensuring the Reserve's ongoing operation. Minor maintenance such as cricket wicket preparation is carried out by the cricket clubs.

3. Master Plan

3.1 Previous Master Plan Objectives and Directions

In 2009, MRCC commissioned the development of a Master Plan for Nichols Point Recreation Reserve. The following section provides a summary of the key issues and needs identified in the 2009 Nichols Point Recreation Reserve Master Plan.

Pavilion & Pedestrian Precinct

- Removal of tennis court fencing and infrastructure
- Demolition of old toilet blocks
- Demolition of old tennis club building
- Design and feasibility study of multi-use clubrooms / change rooms
- Pavilion development – Construction of club room / kiosk / store room / change rooms / toilets / verandah
- Demolition of old kiosk
- Provision / formalising of sealed car parking between the new club rooms and Fifth Street
- Relocating of north-west entry further along Fifth Street
- Sealing of south entrance
- Installation of a playground in the vicinity of the existing cricket shed
- Seating and tables
- Security lighting – car park.

Oval Precinct

- Upgrading / relocation of cricket nets
- Upgrading of playing surface
- Addition of 2 light towers along north-west boundary
- Provision of perimeter seating
- Replacement of perimeter fencing
- Secure access to oval
- Re-shaping of oval along north-west boundary
- Relocation of existing light towers in line with re-shaping oval
- Upgrade & extend the irrigation system
- Vegetation (shade) plantings around oval perimeter.

Public Hall

- Energy assessment of hall to determine appropriate heating / cooling system / insulation works
- Services assessment – plumbing, electricity
- Structural assessment – structural integrity
- Installation of heating and cooling – allocation only
- Upgrade of toilets

- Provision of disabled car parking
- Painting of hall – internal
- Reinstatement of kitchen
- Landscape softening along north-west side of the hall and to highlight memorial cairn.

Other Items

- Increased vegetation plantings & informal landscaping along reserve boundary with Fifth Street
- Extend vegetation plantings along Fifth Street
- Formalising of parking along Fifth Street
- Directional signage at entrance
- Directional signage on highway.

3.2 2009 Master Plan Progress Report

The following list provides a summary of key developments that have been completed at Nichols Point Recreation Reserve since the development of the 2009 Master Plan:

- Removal of tennis court fencing and infrastructure
- Demolition of old toilet block
- Design of multi-use clubrooms / change rooms
- Closing of existing north-west entry
- Sealing of south entry
- Upgrading / relocating of cricket nets
- Provision of perimeter seating
- Replacement of perimeter fencing
- Secure access to oval.

A review of the status of actions from the 2009 Nichols Point Recreation Reserve Master Plan highlighted that a large number of actions remain incomplete. However, it should be noted that recent changes in usage and subsequent user group development priorities has meant that these may no longer be applicable.

4. Future Directions

4.1 Development Opportunities

A number of site development opportunities were identified throughout the consultation process with user groups and Council officers. The following opportunities received strong support and therefore have been identified as Priority 1.

- Sports Pavilion (including change rooms, umpire change rooms, social space, kitchen and kiosk, storage, public toilets) – Stage 1: Prepare construction plans and specifications
- Sports Pavilion (including change rooms, umpire change rooms, social space, kitchen and kiosk, storage, public toilets) – Stage 2: Construction of sports pavilion (includes demolition of former tennis clubrooms, public toilet and kiosk)
- Reconfigure the shape of the ground to meet all sports needs
- Sports lighting to the oval (to cricket, soccer and rugby match standard) – Stage 1: Prepare design plans and specifications
- Sports lighting to the oval (to cricket, soccer and rugby match standard) – Stage 2: Installation of lighting
- Prepare traffic management plan to ensure safe passage of vehicles and pedestrians. Include the creation of pedestrian precinct.

5. Master Plan Implementation

5.1 Action and Implementation

The revised Master Plan for Nichols Point Recreation Reserve has been developed to provide actions that are practical and realistic. Many actions will require further stakeholder consultation through their detailed design and implementation phases.

The priority actions of the Master Plan have been established based on the following criteria:

Priority 1 - High level demand by clubs, safety and regulatory compliance
Priority 2 - Medium level demand by clubs, necessary repairs to maintain operations
Priority 3 - Upgrades / refurbishments / exclusive requests

The implementation of the Master plan is reliant upon the capacity of a range of stakeholders to actively attract and negotiate funding. To this end, it is important to appreciate that implementation of the Master Plan is not the sole responsibility of one stakeholder. Rather, its success is dependent upon a range of partners to come together and work towards mutual goals.

The action list in Section 5.2 identifies the range of partners that are involved throughout the implementation of the works program. Funding contribution recommendations have been made on the basis of:

- Which partner/s will receive direct benefit from the works
- The assumed capacity of partners to contribute to works
- The understanding that Council, together with the user groups, has a responsibility to preserve asset integrity, and respond to works that would otherwise contribute to asset deterioration and compromise the functionality of the asset.

Finally, recommended contributions have not taken into account the expected in kind contributions. It is anticipated that in kind contribution which directly reduces the capital cost of work is a fair and legitimate avenue for all clubs to contribute to works. However, it should be noted that Council discretion will be used in assessing and/or approving any proposed in kind.

In some cases, identified projects may also be eligible for funding from Council's grants or State and Commonwealth Government funding programs. In the Priority Action List below, potential funding partners are identified. For a number of these projects, there will a requirement for user groups to contribute financially. The values of contribution will be confirmed through the development process of each project and will be subject to external funding streams available at the time.

5.2 Priority Actions List

Ref	Task	Priority	Indicative Cost	Potential Funding Partners	Comments
1	Sports Pavilion (Including change rooms, umpire change rooms, social space, kitchen and kiosk, storage, public toilets) - Stage 1: Prepare construction plans and specifications	Priority 1	$10,000	Clubs, NRL, Council	Multi-use facility – soccer and rugby in winter, cricket in summer
2	Sports Pavilion (Including change rooms, umpire change rooms, social space, kitchen and kiosk, storage, public toilets) - Stage 2: Construction of sports pavilion (includes demolition of former tennis clubrooms, public toilet and old kiosk)	Priority 1	TBC	Clubs, NRL, SRL, CA, FV, Council, State Gov't	Multi-use facility – soccer and rugby in winter, cricket in summer
3	Reconfigure the shape of the ground to meet all sports needs	Priority 1	TBC	Clubs, NRL, Council	
4	Sports Lighting to the oval (to cricket, soccer and rugby match standard) - Stage 1: Prepare design plans and specifications	Priority 1	$5,000	Clubs, NRL, Council	
5	Sports Lighting to the oval (to cricket, soccer and rugby match standard) - Stage 2: Installation of lighting	Priority 1	$350,000	Clubs, NRL, SRL, CA, FV, Council, State Gov't	
6	Prepare traffic management plan to ensure safe passage of vehicles and pedestrians. Include the creation of pedestrian precinct	Priority 1	$10,000	Council	
7	Seal the internal road	Priority 2	TBC	Council	
8	Provision of an additional Turf Pitch	Priority 2	$20,000	NPCC, Council	
9	Upgrade of the Cricket Net Facility - Stage 1: Undertake a feasibility/needs assessment	Priority 2	$5,000	NPCC, Council	
10	Upgrade of Cricket Net Facility - Stage 2: Prepare construction plans and specifications	Priority 2	$5,000	Club, Council	
11	Upgrade of Cricket Net Facility - Stage 3: Works to upgrade the cricket net facility	Priority 2	$40,000	NPCC, CA, Council	
12	Provision of public BBQ - Under shade structure	Priority 3	TBC	Council	Location to be confirmed
13	Prepare a storm water drainage plan for the reserve	Priority 2	$5,000	Council	

14	Investigate the conversion of the irrigation channel into a pipeline	Priority 2	$0	Council, LMW	
15	Directional signage on highway	Priority 3	TBC	Council	

Note: *Indicative costs for identified works are based on 2019 prices and may be subject to increase at time of project commencement. Indicative costs listed as TBC (to be confirmed) are due to the exact scope of those action items being unknown at this stage.*

6. Appendices

Appendix 1 - Consultation and Literature Review

A – 1.1 Stakeholder Consultation List

A list of stakeholders consulted in the development of the Nichols Point Recreation Reserve Master Plan is provided below:

- Jamey Mullen – Manager Leisure & Cultural Services
- Thomas Stevenson – Recreation Development Coordinator
- Dawn Johnston – Recreation Support Officer
- Andrew Lucchesi – Recreation Officer
- Sue O'Brien – Recreation Officer
- Alana Nolen – Environmental Health Coordinator
- Anne Ross – Community Development Coordinator
- Bonnie Pettett – Environmental Sustainability Coordinator
- Charmaine Calis – Governance & Risk Coordinator
- Dean Umback – Parks & Gardens Coordinator
- Grant Follett – Parks Team Leader - Urban
- Greg Sutton – Infrastructure Works Coordinator
- Jason Kane – Facility Services Coordinator
- Kylie Sergi – Strategic Asset Systems Coordinator
- Karen Milner – Acting Strategic Asset Systems Coordinator
- Lindy Pain – Parks & Gardens Team Leader – Rural
- Michael Vaughan – Infrastructure Services Coordinator
- Nardia Baker – Acting Environmental Sustainability Coordinator
- Parthee Gana – Engineering Coordinator
- Sharyn Arnold – Building Projects Team Leader
- Jody Richardson – Service Planning Coordinator
- Kealey Lush – Property Officer
- Nicole Jamieson – Property Management Support Officer
- Susan Watts – Football Federation Sunraysia
- Travers Zanker – Nichols Point Cricket Club
- Evette Turaln – Nichols Point Incorporated
- Danuel Holy – Nichols Point Primary School
- Roxanne Jones – Nichols Point Soccer Club
- Akesa Kei/Brent Silva – Sunraysia Rugby League

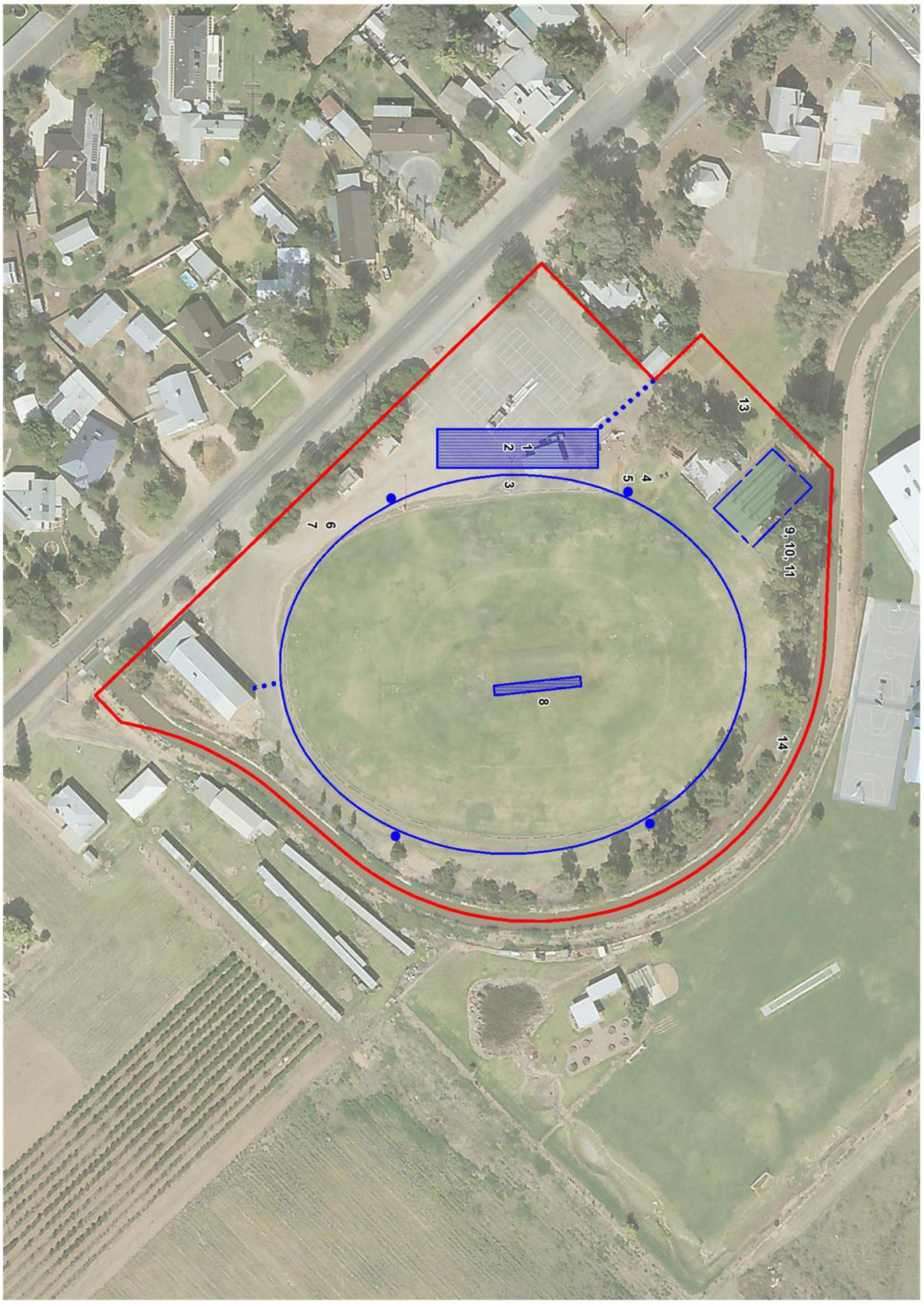
A – 1.2 Literature Review

- Nichols Point Recreation Reserve Master Plan 2009-2019
- Mildura Recreation Assessment 2013
- Recreation Strategy 2008
- Public Open Space Strategy 2004

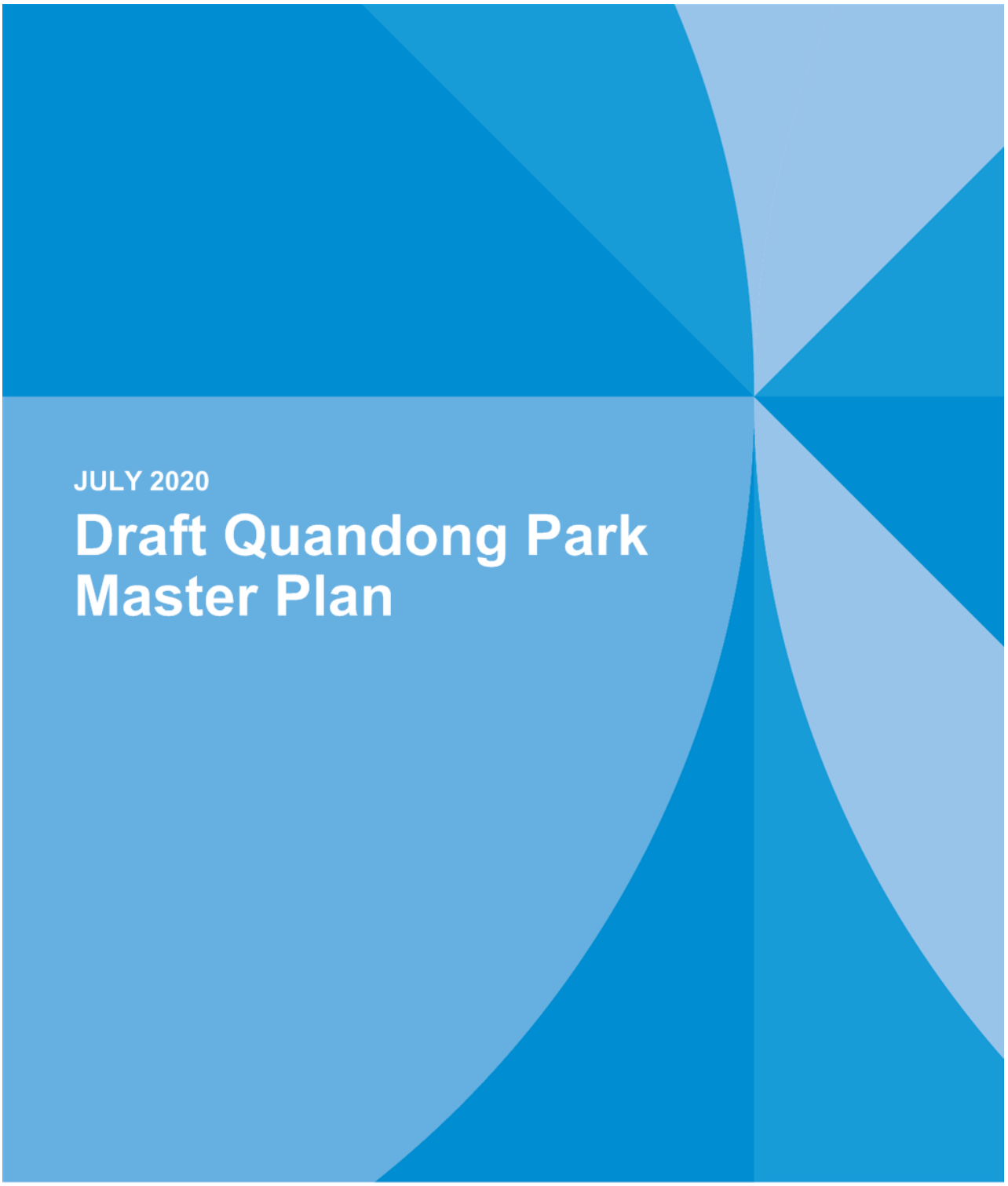
Appendix 2 – Priority 1 Actions

Sports Pavilion (including change rooms, umpire change rooms, social space, kitchen and kiosk, storage, public toilets) – Stage 1: Prepare construction plans and specifications	Priority 1
Sports Pavilion (including change rooms, umpire change rooms, social space, kitchen and kiosk, storage, public toilets) – Stage 2: Construction of sports pavilion (includes demolition of former tennis clubrooms, public toilet and kiosk)	Priority 1
Reconfigure the shape of the ground to meet all sports needs	Priority 1
Sports lighting to the oval (to cricket, soccer and rugby match standard) – Stage 1: Prepare design plans and specifications	Priority 1
Sports lighting to the oval (to cricket, soccer and rugby match standard) – Stage 2: Installation of lighting	Priority 1
Prepare traffic management plan to ensure safe passage of vehicles and pedestrians. Include the creation of pedestrian precinct	Priority 1

Nichols Point Recreation Reserve Master Plan July 2020



17



Mildura Rural City Council

Table of Contents

1. Introduction 3

2. Quandong Park 5

2.1 Location 5

2.2 The Site 5

2.3 Site User Groups and Key Stakeholders 7

3. Master Plan 8

3.1 Previous Master Plan Objectives and Directions 8

3.2 2009 Master Plan Progress Report 11

4. Future Directions 12

4.1 Development Opportunities 12

5. Master Plan Implementation 13

5.1 Action and Implementation 13

5.2 Priority Actions List 14

6. Appendices 18

Appendix 1 - Consultation and Literature Review 18

Appendix 2 – High Priority Actions 19

1. Introduction

In 2009 Mildura Rural City Council (MRCC) developed master plans for each of its 12 township recreation reserves. The master plans were developed to provide a framework to guide the planning and development of the reserves for 10 years. As the timeframe for each master plan was nearing its end, MRCC commenced a process to systematically review these master plans.

In 2019, MRCC commenced a review of the Quandong Park Master Plan.

The review has given consideration to the existing Master Plan (2009) as well as site conditions and future anticipated needs of the Reserve's user groups.

The revised five year Master Plan will provide guidance for MRCC, in their aim to enhance the Reserve and ensure its facilities continue to benefit key user groups as well as the broader local community.

The following process was completed to ensure the revised Master Plan aligned with MRCC's relevant strategies and policies, and was locally focused.



All uncompleted actions from the 2009 Master Plan that still remain relevant have been incorporated into the 2020 revision and a range of plans, strategies and policies which reference or impact on the future direction of recreation provision in Red Cliffs have also been considered as part of the process.

Numerous MRCC officers were engaged throughout the review process. A key role of these officers was to assess the technical feasibility of proposed user group actions and also identify any infrastructure upgrades deemed necessary for the future operation of the Reserve.

Development of the revised Master Plan has been largely driven by a Reference Group consisting of representatives from the Reserve's regular user groups. Consideration has been given to the changing needs of these user groups as well as the capacity of all stakeholders to deliver the recommended actions.

A strong focus of the Master Plan review was to ensure that the future direction of the Reserve was based on key elements of sustainable decision making. That is, proposed actions need to be economically viable, technically feasible, environmentally compatible and publicly acceptable.



The development of a clear future direction for Quandong Park along with a program of prioritised works, indicative associated costs and potential contributors is provided in section 5.2.

2. Quandong Park

2.1 Location

Located off the Calder Highway and Erskine Avenue, Quandong Park is located in Red Cliffs 16 kilometres south of Mildura.

2.2 The Site

Quandong Park is approximately 26 hectares in size owned by Council freehold.

Figure 1 – Aerial image of Quandong Park



Facilities and Structures

Facilities and Structures on the site include:

- Five sports fields that cater for football and cricket
- Nineteen tennis courts (Fifteen grass, four synthetic grass)
- Two croquet greens
- Two plexi-pave concrete netball courts
- One asphalt netball court
- Two cricket training net facilities
- Eight club room facilities
- Three change room facilities
- Eight storage shed/buildings/kiosk
- CFA training track
- Public toilets
- A skate park
- Two playgrounds

2.3 Site User Groups and Key Stakeholders

There are currently 15 regular user groups based at Quandong Park.

These include:

- Fire Brigade Cricket Club
- Millewa Cricket Club
- Nangiloc and District Football Netball Club (training)
- Nursery Ridge Cricket Club
- Red Cliffs Cricket Association
- Red Cliffs Cricket Club
- Red Cliffs Croquet Club
- Red Cliffs District Kennel Club
- Red Cliffs Football Netball Club
- Red Cliffs Lawn Tennis Club
- Red Cliffs Secondary College
- Red Cliffs Urban Fire Brigade
- South West Cricket Club
- Sunraysia Cricket Association
- Sunraysia Football Netball League

The number of user groups has remained relatively stable since the 2009 Master Plan was developed. Each were given an opportunity to nominate a representative for the ref group, 11 user groups provided representation (refer to Appendix 1 for a list of representatives).

MRCC is responsible for the majority of maintenance tasks at the Reserve with Facility Services and Parks & Gardens both playing significant roles in ensuring the Reserve's ongoing operation. Minor maintenance such as cricket wicket preparation is carried out by the cricket clubs.

3. Master Plan

3.1 Previous Master Plan Objectives and Directions

In 2009, MRCC commissioned the development of a Master Plan for Quandong Park. The following section provides a summary of the key issues and needs identified in the 2009 Quandong Park Master Plan.

Erskine Avenue and Park Entry Precinct

- Park signage on highway
- Widen transition into / out of Erskine Avenue at junction with Calder Highway
- Tree / vegetation treatment along Erskine Avenue
- Removal of old tennis courts (crusher dust / hard surface) at corner of Erskine Avenue and Calder Highway
- Entry enhancement works.

Ovals 1 & 2 (including new recreation and skate park precinct)

- Development of multi-purpose open space and family recreation area to the south of oval 1 including the installation of a skate park, playground, picnic area and shade structure
- Sealing of the car park between the skate park and the tennis facilities
- Strengthen tree and vegetation plantings.

Tennis & Croquet Precinct

- Construction of four new synthetic grass courts to the west of the existing courts
- Upgrading of watering system on grass courts
- Construct a centrally located / updated toilet facility to service activities in the west precinct of the reserve – skate and dog club facilities
- Addition of four toilets at croquet club rooms
- Formalising and sealing of car park between croquet greens.

New Netball Precinct

- Re-routing and sealing primary road to the south
- Construct eight plexi-pave netball courts with lighting
- Install protective netting / fencing around new courts
- Demolish existing netball change room and temporary amenities facility
- Construction of new netball amenities block and shelter
- Remove existing netball / basketball court and revegetate
- Tree / vegetation plantings in new vegetation zone.

Oval 3 Precinct

- Demolish existing home and away change rooms and gym
- Replace with one building to accommodate home and away teams and gym
- Upgrade / renovate oval surface

- Seal road to the west of the club rooms and around north perimeter of oval
- Upgrade cricket nets to the north of oval 3
- Demolish old red brick building
- Upgrade scoreboard
- Demolish old toilet blocks on the east side of oval (near scoreboard)
- Bollards and landscaping at the bottom of the spectator mound to prevent vehicle access to the mound, other than for special event days
- Strengthen tree / vegetation plantings at base of spectator mound.

New Pedestrian Only Precinct

- Construct new toilet block
- Bollards and landscape treatment to create a pedestrian only zone between ovals 3 & 4
- Strengthen tree / vegetation planting
- Upgrading of playground
- Installation of tables, seating and shelter.

Oval 4 Precinct

- Replace perimeter fencing with bollards and perimeter seating
- Remove baseball infrastructure
- Upgrade / renovate oval surface
- Permanently close all vehicle access gates along the east boundary with the school. Provision for pedestrian gate
- Install training lights at north end of the oval
- Remove Athol Pines from along north boundary of reserve and replace with more appropriate species
- Creation of loop trail around oval 4 and pedestrian precinct to link with trail in south-west corner.

Oval 5 Precinct

- Pavilion redevelopment including construction of change rooms, toilets / showers, kitchen / kitchenette, multi-purpose room, administration room and store room
- Extension of pedestrian / recreation zone to area between ovals 4 & 5 – bollard and landscape treatment
- Vegetation / tree planting in pedestrian / recreation zone
- Installation of seating and tables
- Realignment / extension of oval to north and south
- Extension of irrigation system
- Oval boundary fencing and seating
- Provision for informal car parking around west and south boundaries of oval.

South-East Corner & South Boundary Precinct

- Remove vehicle access gate in south-east corner of boundary fence and install pedestrian access only
- Strengthen vegetation plantings in south-east corner
- Construct access road for council / service vehicles along east and south boundaries of oval 5
- Construct loop pathways through south-east corner to link with existing trail along south boundary fence
- Strengthen tree / vegetation planting between boundary and oval 5.

Other Items

- Seal apron entrance on the north Calder Highway entrance
- Signage – along highway
- Signage – internal signage
- Progressive removal of Athol Pines.

3.2 2009 Master Plan Progress Report

The following list provides a summary of key developments that have been completed at Quandong Park since the development of the 2009 Master Plan:

- Construction of skate park
- Construction of four synthetic grass tennis courts
- Car parking between skate park and tennis courts
- Construction of two plexi-pave netball courts including lighting
- Construction of netball change room facility
- Installation of electronic scoreboard
- Vegetation plantings.

A review of the status of actions from the 2009 Quandong Park Master Plan highlighted that a large number of actions remain incomplete. However, it should be noted that recent changes in user group development priorities has meant that these may no longer be applicable.

4. Future Directions

4.1 Development Opportunities

A number of site development opportunities were identified throughout the consultation process with user groups and Council officers. The following opportunities received strong support and therefore have been identified as high priority.

- Red Cliffs District Kennel Club and Millewa Cricket Club Facility Upgrade
- Cricket Net Upgrade
- Extension to the facility leased by the Red Cliffs Football Netball Club
- Upgrade the turf wicket irrigation systems at ovals 3, 4 and 5
- Construction of shared facility between ovals 3, 4 and 5.

5. Master Plan Implementation

5.1 Action and Implementation

The revised Master Plan for Quandong Park has been developed to provide actions that are practical and realistic. Many actions will require further stakeholder consultation through their detailed design and implementation phases.

The priority actions of the Master Plan have been established based on the following criteria:

Priority 1 - High level demand by clubs, safety and regulatory compliance.
Priority 2 - Medium level demand by clubs, necessary repairs to maintain operations.
Priority 3 - Upgrades / refurbishments / exclusive requests.

The implementation of the Master plan is reliant upon the capacity of a range of stakeholders to actively attract and negotiate funding. To this end, it is important to appreciate that implementation of the Master Plan is not the sole responsibility of one stakeholder. Rather, its success is dependent upon a range of partners to come together and work towards mutual goals.

The action list in Section 5.2 identifies the range of partners that are involved throughout the implementation of the works program. Funding contribution recommendations have been made on the basis of:

- Which partner/s will receive direct benefit from the works
- The assumed capacity of partners to contribute to works
- The understanding that Council, together with the user groups, has a responsibility to preserve asset integrity, and respond to works that would otherwise contribute to asset deterioration and compromise the functionality of the asset.

Finally, recommended contributions have not taken into account the expected in kind contributions. It is anticipated that in kind contribution which directly reduces the capital cost of work is a fair and legitimate avenue for all clubs to contribute to works. However, it should be noted that Council discretion will be used in assessing and/or approving any proposed in kind.

In some cases, identified projects may also be eligible for funding from Council's grants or State and Commonwealth Government funding programs. In the Priority Action List below, potential funding partners are identified. For a number of these projects, there will a requirement for user groups to contribute financially. The values of contribution will be confirmed through the development process of each project and will be subject to external funding streams available at the time.

5.2 Priority Actions List

Ref	Task	Priority	Indicative Cost	Potential Funding Partners	Comments
Oval 1					
1	Upgrade the width of the center wicket to Cricket Victoria standards	Priority 2	$7,500	Clubs, Council	
Oval 2					
2	Facility Upgrade - Stage 1: Investigate the feasibility of extending the existing facility to service the needs of the Red Cliffs & District Kennel Club, and the Millewa Cricket Club	Priority 1	$5,000	Clubs, RCCA, Council	
3	Facility Upgrade - Stage 2: Develop Design Plans for the upgrade of the existing facility to service the needs of the Red Cliffs & District Kennel Club, and the Millewa Cricket Club	Priority 1	$10,000	Clubs, RCAA, Council	
4	Facility Upgrade - Stage 3: Construction of facility upgrade as per design plans	Priority 1	TBC	Clubs, RCCA, Council, State Gov't	
5	Install picket fence around boundary of oval	Priority 2	$195/m	Club, Council	Indicative cost is a per meter rate for the supply and installation of 900mm high powder coated steel picket fencing
Oval 3					
6	Construction of proposed cricket training nets for joint use of 5 clubs - include provision of storage sheds behind the nets to enable the clubs to store training equipment.	Priority 1	$250,000	Clubs, RCCA, Council, SSA, State Gov't	
7	Construction of additional three pitch cricket training nets when existing nets located at Oval 4 have reached end of life	Priority 2	$75,000	Clubs, RCCA, Council, SSA, State Gov't	
8	Install provision (power and water) for food vendor caravans in every pocket of Oval 3	Priority 3	TBC	SFNL, Council	
9	Facility Development - Stage 1: Prepare construction plans for the extension of the Red Cliffs Football Netball Club clubrooms. Extension to incorporate change rooms for football and cricket, umpire change rooms, storage for football and cricket, public toilets and other required facilities as directed by the relevant state sporting bodies facility guidelines	Priority 1	$10,000	Clubs, SFNL, RCCA, Council	Multi-use facility – football in winter, cricket in summer
10	Facility Development - Stage 2: Construction of the extension to the RCFNC club rooms - includes the demolition of the existing public toilets in this area	Priority 1	TBC	Clubs, SFNL, RCCA, Council, SSA, State Gov't	Multi-use facility – football in winter, cricket in summer
11	Lighting upgrade - Stage 1: Prepare lighting specification to provide AFL match standard lighting, and Cricket Victoria match standard lighting to the oval	Priority 2	$5,000	Clubs, Council	Incorporate LED lighting

12	Lighting upgrade - Stage 2: Installation of lighting upgrade as specified	Priority 2	$350,000	Clubs, SFNL, RCCA, Council, SSA, State Gov't	
13	Enhance spectator viewing on "the hill" with installation of a roof and weather proof section at the very top hill against the exiting fence	Priority 2	TBC	Club, Council	Verandah and concrete terracing to be constructed north of the can shed approx. 3m out from the fence
14	Relocate the coaches boxes and provide an interchange box	Priority 2	$12,000	Club, Council	
Oval 4					
15	Installation of a watering system around the net area west of the FBCC clubrooms	Priority 1	$5,000	Club	
16	Extension of outdoor seating area to the south and west of the FBCC clubrooms including BBQ, outdoor shelter and seating	Priority 2	TBC	Club, Council	
17	Inclusion of more aluminum seating to be placed along the eastern and western sides of the oval	Priority 2	$650/seat	Club, SFNL, Council	Indicative cost is for the supply and installation of one 6m long seat
18	Provision of coaches boxes	Priority 2	$15,000	Club, Council	
19	Investigate the demolition and removal of existing baseball shed	Priority 2	TBC	Council	Dependent upon condition assessment and alternate use
Oval 5					
20	Upgrade to porch/decking at front of current onion patch facilities, with a disabled ramp on western side of the building & shade coverings on eastern side for spectators	Priority 1	TBC	Club, RCCA, Council	
21	Upgrade the NRCC rooms to include kitchen with bar, function areas showers, toilets, verandah at front and side	Priority 2	TBC	Club, RCCA, Council	Dependent upon final outcome of proposed football/cricket change room facility (refer Items 22, 23 & 24) and whether that facility includes a social space with kitchen and bar facilities. Also subject to a condition assessment of the existing club rooms.
Ovals 3, 4 & 5					
22	Upgrade the irrigation systems on Ovals 3, 4 & 5 to enable independent watering of turf wickets	Priority 1	$20,000	RCCA, Council	
23	Facility Development - Stage 1: Investigate opportunities to provide a shared social space in the proposed sports facility	Priority 1	$0	Clubs, RCCA, Council	
24	Facility Development - Stage 2: Prepare construction plans and specifications for the construction of a sports facility. Facility to incorporate change rooms for football and cricket, umpire change rooms, storage for football and cricket, an office for the RCCA, public toilets and other required facilities as directed by the relevant state sporting bodies facility guidelines.	Priority 1	$10,000	Clubs, RCCA, SFNL, Council	Multi-use facility – football in winter, cricket in summer

	The provision of a shared social space with kitchen, kiosk and bar facilities will be determined prior to the preparation of construction plans.					
25	Facility Development - Stage 3: Construction of the sports facility - includes the demolition of existing public toilets in this location	Priority 1	TBC	Clubs, SFNL, RCCA, Council, SSA, State Gov't		Multi-use facility – football in winter, cricket in summer
Croquet Precinct						
26	Flood Lighting – Stage 1: Prepare lighting specifications to conform to the lighting requirements as specified in Croquet Victoria's Croquet Facility Guide	Priority 1	$5,000	Club, Council		
27	Flood Lighting – Stage 2: Installation of lighting as specified	Priority 1	$80,000	Club, Council, State Gov't		
28	Retractable shade cloth over two courts	Priority 1	TBC	Club, Council, State Gov't		
Netball Precinct						
29	Investigate the feasibility and demand for the provision of additional netball courts	Priority 2	$0	Club, SFNL, Council		
30	Install netball benches, scorer and time keeper covered seating	Priority 1	$25,000	Club, Council		
31	Netball Facilities Development - Stage 1: Prepare construction plans for the extension of the existing change room facility to incorporate umpire change, storage and shelter for viewing	Priority 2	$10,000	Club, SFNL, Council		
32	Netball Facilities Development - Stage 2: Construct the extension of the existing change room facility to incorporate umpire change, storage and shelter for viewing	Priority 2	TBC	Club, SFNL, Council, State Gov't		
33	Playground near Netball Precinct	Priority 3	$75,000	Club, Council		To be included in the development of the traffic management plan and development of a pedestrian precinct
34	Installation of seating around netball courts	Priority 3	$10,000	Club, Council		
Other Items						
35	Develop a traffic management plan for the park, including pedestrian precinct, and formal car parking taking into account the proposed development priorities	Priority 1	$5,000	Council		
36	Undertake condition inspections of all buildings	Priority 1	TBC	Council		
37	Review irrigated surfaces with the intention of reducing water use. Investigate converting some currently irrigated areas to native vegetation, mulched gardens, stone surfaces or other.	Priority 2	$0	Council		

38	Installation of a basketball ring area	Priority 2	TBC	Council	At the old netball / basketball court
39	Emergency services vehicle signage	Priority 1	$15,000	Council	

Note: *Costs for identified works are indicative only and are based on 2019 prices and will likely be subject to change at time of project commencement.*

Indicative costs listed as TBC (to be confirmed) are due to the exact scope of those action items being unknown at this stage.

6. Appendices

Appendix 1 - Consultation and Literature Review

A – 1.1 Stakeholder Consultation List

A list of stakeholders consulted in the development of the Quandong Park Master Plan is provided below:

- Jamey Mullen – Manager Leisure & Cultural Services
- Thomas Stevenson – Recreation Development Coordinator
- Dawn Johnston – Recreation Support Officer
- Andrew Lucchesi – Recreation Officer
- Sue O'Brien – Recreation Officer
- Alana Nolen – Environmental Health Coordinator
- Anne Ross – Community Development Coordinator
- Bonnie Pettett – Environmental Sustainability Coordinator
- Charmaine Calis – Governance & Risk Coordinator
- Dean Umback – Parks & Gardens Coordinator
- Grant Follett – Parks Team Leader - Urban
- Greg Sutton – Infrastructure Works Coordinator
- Jason Kane – Facility Services Coordinator
- Kylie Sergi – Strategic Asset Systems Coordinator
- Karen Milner – Acting Strategic Asset Systems Coordinator
- Lindy Pain – Parks & Gardens Team Leader – Rural
- Michael Vaughan – Infrastructure Services Coordinator
- Nardia Baker – Acting Environmental Sustainability Coordinator
- Parthee Gana – Engineering Coordinator
- Sharyn Arnold – Building Projects Team Leader
- Jody Richardson – Service Planning Coordinator
- Kealey Lush – Property Officer
- Nicole Jamieson – Property Management Support Officer
- Shane Fielding – Fire Brigade Cricket Club
- James Walker/Peter Kelly – Millewa Cricket Club
- Nicole Newey – South West Cricket Club
- Geoff Christensen – Red Cliffs Cricket Association
- Phil Hensman – Red Cliffs Croquet Club
- Desley Orr Reid – Red Cliffs District Kennel Club
- Brendan McGillivray/Paul Matheson – Sunraysia Football Netball League
- Dean Connolly/Craig Thornton – Red Cliffs Football Netball Club
- Gavin Lynch – Red Cliffs Lawn Tennis Club
- Nathan Riordan – Red Cliffs Secondary College
- Mathew Maher – Red Cliffs Urban Fire Brigade

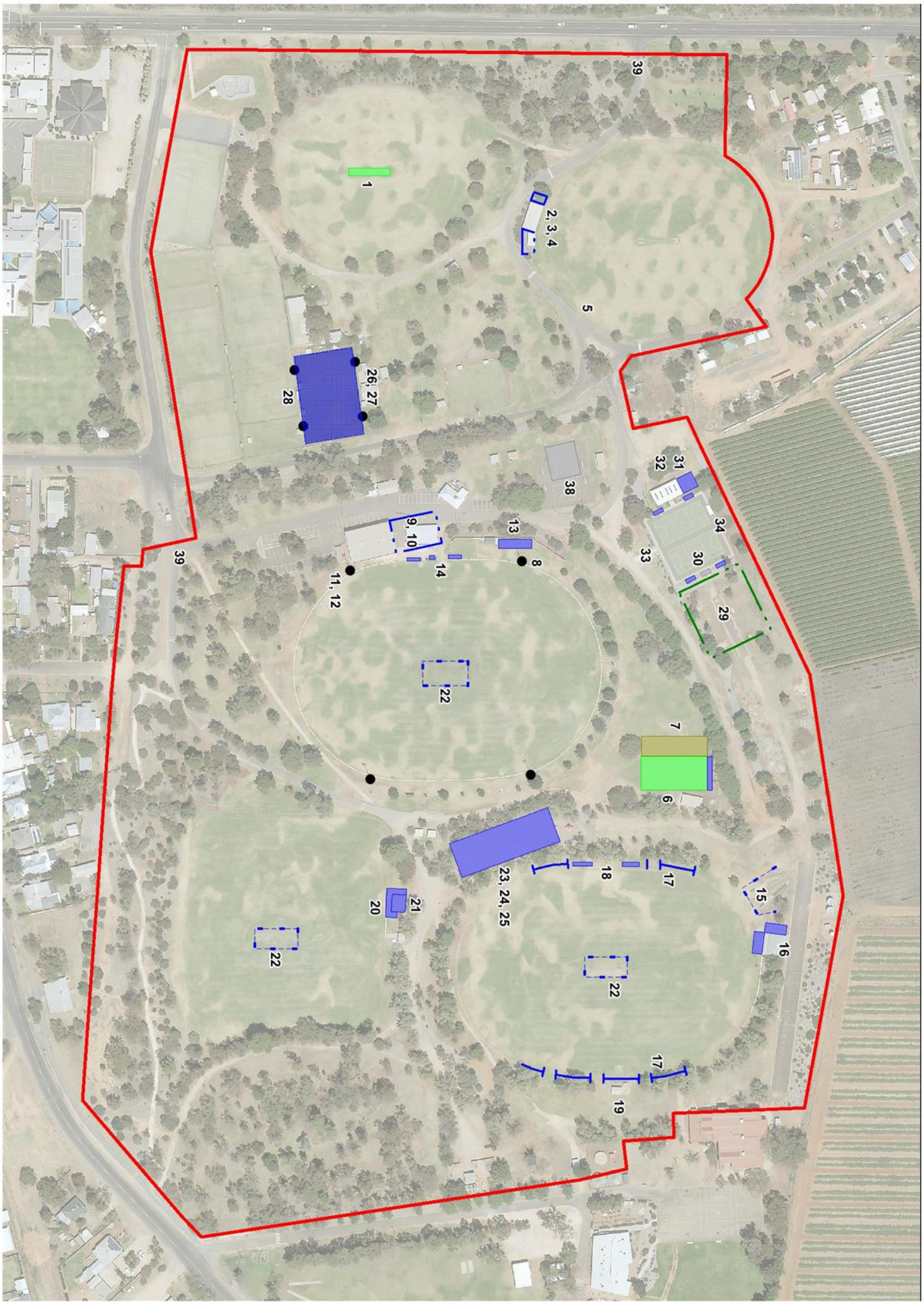
A – 1.2 Literature Review

- Quandong Park Master Plan 2009-2019
- Mildura Recreation Assessment 2013
- Recreation Strategy 2008
- Public Open Space Strategy 2004

Appendix 2 – High Priority Actions

Red Cliffs District Kennel Club and Millewa Cricket Club Facility Upgrade	Priority 1
Cricket Net Upgrade	Priority 1
Extension to the facility leased by the Red Cliffs Football Netball Club	Priority 1
Installation of an irrigation system around the cricket nets at oval 4	Priority 1
Upgrade the facility leased by Nursery Ridge Cricket Club	Priority 1
Upgrade the turf wicket irrigation systems at ovals 3, 4 and 5	Priority 1
Construction of a shared change facility between ovals 3, 4 and 5	Priority 1
Installation of flood lighting at the croquet precinct	Priority 1
Installation of a retractable shade shelter at the croquet precinct	Priority 1
Installation of netball benches, scorer and time keeper covered seating at the netball precinct	Priority 1
Develop a traffic management plan for the park	Priority 1
Undertake a condition inspection of all buildings	Priority 1
Installation of emergency vehicle signage	Priority 1

Draft Quandong Park Master Plan July 2020



14.13 YOUTH ENGAGEMENT STRATEGY 2020-2023

Summary

The purpose of this report is to present the Youth Engagement Strategy 2020-2023 for formal adoption.

2020/0184

Moved: **Cr Min Poole**
Seconded: **Cr Helen Healy**

That Council adopt the Youth Engagement Strategy 2020-2023 as presented.

CARRIED

2020 – 2023

Youth Engagement Strategy

Engagement Collaboration Awareness



Mildura Rural City Council

Acknowledgement to Country

Mildura Rural City Council acknowledges the traditional custodians of the land which now comprise the Mildura Rural City municipality. We pay our respects to Elders past and present, and celebrate and respect their continuing culture and acknowledge the memories of their ancestors.

Acknowledgement of Diversity

We acknowledge our programs and community events will be respectful, accessible and inclusive of:
Aboriginal and Torres Strait Islander youth
Culturally diverse and newly arrived young people
Young people with disabilities
Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex + young people

Mayor's Message

It is with great pleasure that I present Council's three year strategy to identify partnerships, programs, activities and actions to enhance the lives of young people living in the Mildura Local Government Area.

I wish to acknowledge all the young people who contributed to this strategy through participation in forums, or by completing surveys.

I also wish to acknowledge the contributions made by representatives of various youth services and organisations in the municipality who met with our team and offered their valuable insights.

Through the information obtained from discussions with young people and service providers, and extensive background research, we now have a clear direction to follow over the next three years towards making a positive impact in the lives of young people.
However, we cannot implement all of these actions by ourselves. It is important that we work in partnership with young people, families, education and service providers, sport and recreation groups, and community interest groups to collectively make a difference.

Mildura Rural City Council looks forward to implementing this strategy and ensuring that young people have access to opportunities, facilities and services that they need to grow, develop, feel connected and empowered, and to enjoy life.



Contents

What Youth Engagement Services Do 4
What Other Youth Services Do 4
Introduction 5
Youth Strategy Review Findings 5
Youth Social Indicators 7
Challenges Young People Are Facing 8
Youth Voice 9
Consultation Questions 9
What Youth Said 10
What Youth Want Council To Do For Them 15
Youth Strategy Development 15
Council's Plan and the Youth Engagement Strategy 16
Youth Engagement Strategy 2020 – 2023 17
Youth Action Plan 2020 – 2023 18
Monitoring, Evaluation and Learning Framework 21
Youth Policies 22
References 24

What Youth Engagement Services Do

Mildura Rural City Council's Youth Engagement Services provides the following services:

- Leadership programs
- YMCA Youth Parliament program
- School Holiday programs
- Youth development programs and activities
- FReeZA events
- Victorian Youth Week events
- Council Youth Awards
- FLO Connect and Navigator case management to re-engage secondary school students
- In-kind partnership between MRCC and headspace
- School Focussed Youth Service programs
- Coordination of the local Youth Service Providers Network
- Coordination of the School's Wellbeing Network

What Other Youth Services Do

To achieve better outcomes for young people, it is important that there is collaborative effort between the organisations, service providers and community members that cater for them.

This includes:
Schools, training and tertiary providers, Victoria Police, sport clubs, health and wellbeing services, housing, community-based organisations, government departments and families. These are working locally with young people in the areas of:

- Accommodation
- Education
- Cultural identity
- Advocacy
- Entertainment
- Leadership
- Capacity building
- Health - general
- Health - mental
- Health-sexual
- Health-drugs and alcohol
- Counselling support
- Case management
- Mentoring
- Training and employment
- Transport
- Disability support
- Legal support



Introduction

Why Have a Youth Strategy

The Mildura Rural City Council's Youth Strategy provides a clear, strategic platform for action for the next three years. The strategy will guide Council's work and direct resources toward priorities that will support the development and wellbeing of Mildura's young people.

The Strategy seeks to define Council's role in working for and alongside young people in Mildura LGA, ensure local actions are evidence-based, and align local efforts and resources to improve opportunities so that youth are supported to learn, be safe, belong, work and contribute.

Scope

The Youth Strategy:

- Covers young people aged 12 to 25 who work, live, learn and play in the Mildura LGA
- Is a whole-of-Council strategic document
- Does not cover organisations or groups outside of Council. It does, however, seek to guide Council's work with these groups to develop collaborative partnerships for better youth outcomes

Action Plan

The Strategy will be supported by an annual action plan that will set key actions for implementation against priority areas, including measures to track progress against outcomes.
Reflective practice will be undertaken to continually review and track progress. This will allow initiatives to be responsive, targeted, adaptive and more effective, while maintaining strategic long-term direction.

Youth Strategy Review Findings

An external review of the previous Youth Engagement Strategy provided 18 recommendations for planning moving forward.

Together these formed three key focus areas for the Action Plan:

1. Youth Engagement and Voice
2. Collaboration between Local Government and Youth Services for better youth outcomes
3. Awareness raising about youth to better involve them in Council decision-making, and raising awareness across community of the work of Council's Youth Engagement Services



Focus Area	Review Recommendations
Youth Engagement and Voice	Empower young people and build their capacity and skills to lead advocacy efforts.
	Strengthen/build mechanisms to consider/involve the voice of young people.
	Target programs/offer enhanced support to engage more young people from diverse, cultural and socio-economic backgrounds.
	Expand opportunities for youth leadership development with a focus on youth from a diverse range of cultural, socio-economic and academic backgrounds.
	Strengthen the engagement of young people aged 18+, especially during the transition years after secondary school.
	Strengthen the focus on early intervention and prevention for young people.
	Explore opportunities to provide access to low cost/no cost sport, recreation and social activities.
Collaboration	Develop a strategic approach for youth employment including greater access to a wider range of work experience and volunteering activities and links to economic development.
	Strengthen Council's partnership capability across the youth services sector.
	Develop a shared focus and key messages for advocacy across the youth sector.
	Seek resources to create and maintain an online youth services/support directory.
	Explore youth social enterprise opportunities.
Awareness (Council)	Embed the Youth Charter into Council employee induction processes and ensure the Youth Charter is visible in all Council buildings.
	Build the capacity of Council units to involve young people in the work that they do.
	Continue to support Councillors and Executive Management to understand youth needs and issues so they can advocate/lobby for youth needs at a higher level.
Awareness (Community)	Write a youth friendly summary for the 2019-2022 Mildura Council Youth Strategy and broadly promote the document to young people, services and community.
	Continue to raise community awareness about the importance of education.
	Promote the achievements of Council's Youth Engagement Services.

Youth Social Indicators

Indicator Type	Measures
How Many Youth	10-24 years 10,042 637 Aboriginal & Torres Strait Islander 10-14 years 3371 15-19 years 3518 20-24 years 3153
Youth Disability	3.4% need assistance with core activities. Higher than the Victorian rate.
Youth Mental Health	Nearly 1 in 5 showed high levels of psychological distress (depressive symptoms).
School Absence	32 average number of days absent per full-time equivalent (FTE) Year 9 student enrolled in government schools. Victoria's average is 22 days.
Youth 17- 24 Engaged in Education, Training & Employment	Fully Engaged 57.1% Mildura 71.8% Victoria Partially engaged 15.3% Mildura 11% Victoria Not Engaged 16.2% Mildura 10% Victoria Not Stated 8.6% Mildura 5.8% Victoria
Education Completion at 19 Years	88% have completed Year 12. Equal to the rate for Victoria.
Youth Unemployment	7.2% of young people aged 16 to 24 receive an unemployment benefit. Nearly three times the rate for Victoria.
Youth Physical Activity	1 in 5 do the recommended amount of physical activity every day. Lower than the rate for Victoria.
Youth Diet	1 in 5 eat the minimum daily recommended serves of fruit and vegetables. Higher than the rate for Victoria.
Young People & Alcohol	70% have drunk alcohol (more than a few sips). Higher than the rate for Victoria.
Young People & Drugs	1 in 5 have smoked marijuana or taken other illegal drugs. Higher than the rate for Victoria.
Youth & Crime	290 offenders in Mildura were classed as a young person aged between 0-17. Twice the rate for Victoria.
Pregnancy Under 19	20 pregnancies per 1000 females under the age of 19. More than twice the rate for Victoria.
Youth & Family Security	1 in 2 students are from families whose occupation category is Unskilled/Semi-Skilled or Unemployed (greater than 12 months).
Young People & Family Violence	Mildura ranks 2nd for family violence incidents per 100,000 population in Victoria.

Challenges Young People Are Facing

Changing job markets
There are fewer full-time employment opportunities for school leavers.

It is harder to get an entry-level job with no experience.

Unskilled or semi-skilled jobs being replaced by machines, robots or computer.

Many young people are employed as casuals (in a limited range of occupations, such as in the fast food industry).

Digital technology
Digital technology enables young people to access a lot of information and entertainment and to stay connected with their family and friends around the clock.

Digital technology has changed the way that many young people meet and interact with others (such as gaming, dating apps, social media and online streaming services).

Overuse of technology is leading to poor social skills, disconnection, mental and physical health.

Other negative aspects of digital technology for young people include loss or confusion of identity, sexting, cyber-bullying, online gambling, texting while driving, hearing loss from headphone usage, reduction in inter-personal skills, an addiction to electronic devices, and easy access to pornography.

Loneliness and social isolation
One in six young people in Australia aged 12-17 reported feeling or having felt a very high intensity of loneliness. (2019 VicHealth Youth Australian Loneliness Survey)

Loneliness is becoming a serious public health problem for young people. Those who are lonely have worse physical and mental health, and are more likely to be depressed.

Mental health
Poor mental health and wellbeing is one of the significant health concerns of the 21st Century. Mental health was listed as the top issue by 43% of youth surveyed by Mission Australia in 2018.

Various support services such as headspace, Kids Helpline and Beyond Blue all have a major focus on improving mental health.

Changing family structures and family connection
Family stability is affected by increasing trauma including family violence, complex family issues such as drugs and alcohol, mental health and abuse.

Family dynamics are changing, including single partner or one-parent families and same-sex parents.

There is a decrease in available family time due to work and other commitments.

Entrenched generational poverty and unemployment can decrease aspirations.

Youth Voice

How We Consulted Youth
We built an Engagement Plan to try to reach across the diversity of youth in our community.

250+ youth were surveyed to inform the Action Plan and how it may be implemented. Youth were surveyed either one-on-one by Youth Engagement Services staff, or through an online survey. 253 responses were received and analyzed to help respond to the review recommendations, and to inform the Action Plan moving forward.

A sample of Social Indicators for youth were drawn from the State of Mildura 2018 Report to illustrate youth needs.

The Action Plan was workshopped by the Youth Engagement Services Team over a number of meetings.

The Youth Services Network and Local Drug and Alcohol Action teams also had the opportunity for early input.

Consultation Questions

Where do youth like to go?

What do they like the most about where they live?

What kinds of programs and activities appeal to young people?

What are barriers to participation?

How do young people find out about what is happening in their community?

What would they change if they could?

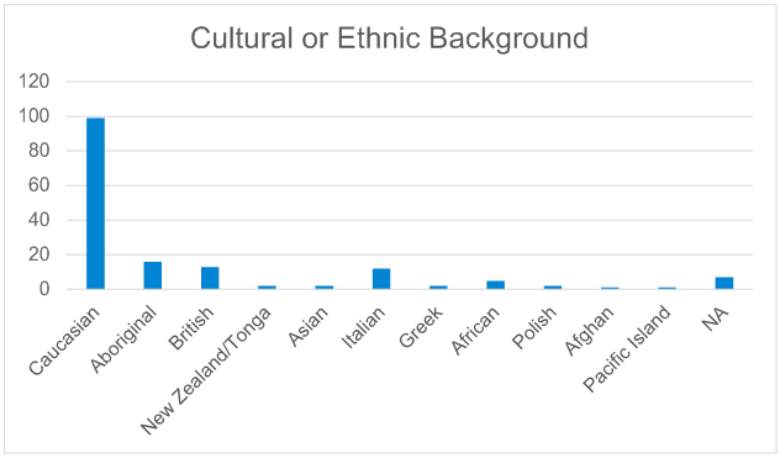
What are the biggest issues young people are facing in our community?

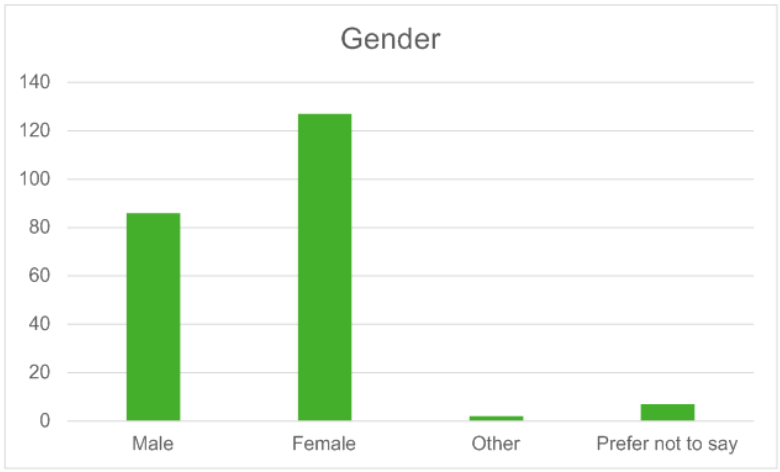
What would help to address these?



What Youth Said

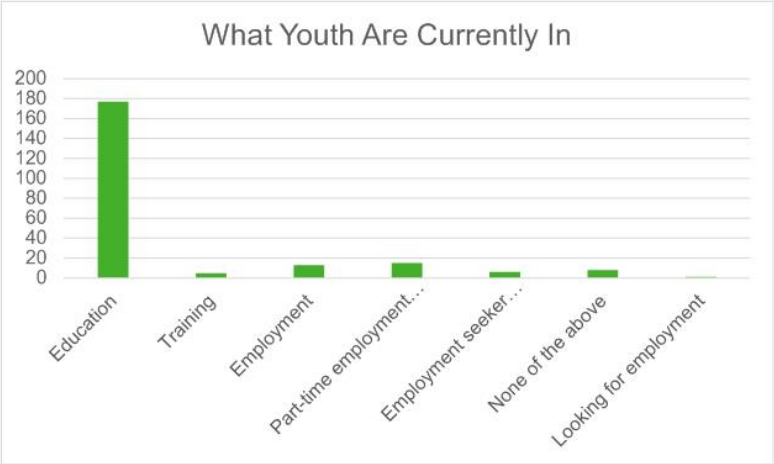
The demographics of the youth who responded to the survey are shown below:-

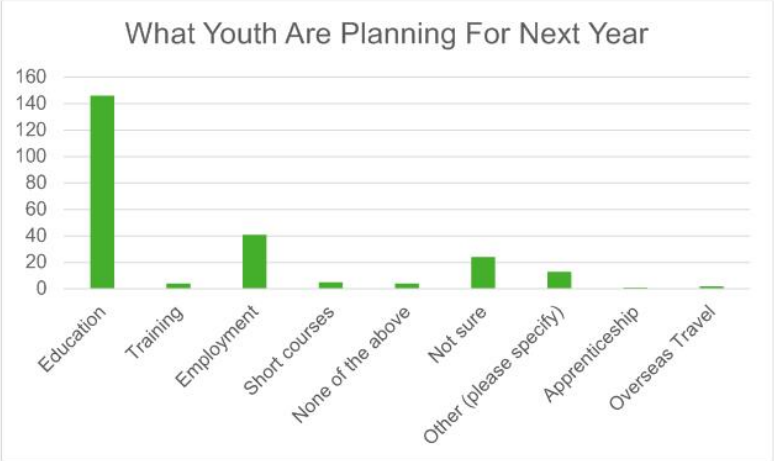




222 answered and 31 skipped this question

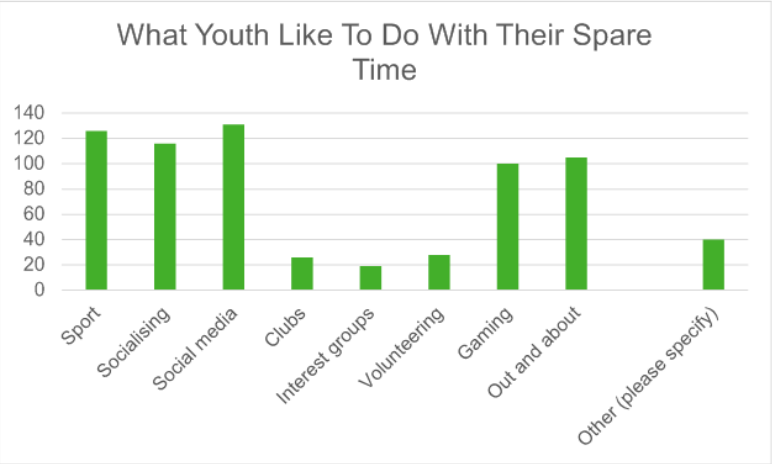
10


What Youth Are Currently In
200
180
160
140
120
100
80
60
40
20
0
Education
Training
Employment
Part-time employment...
Employment seeker...
None of the above
Looking for employment

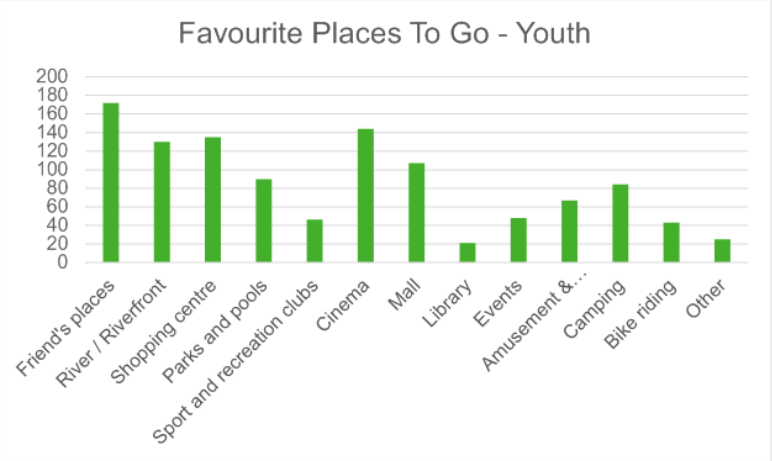

What Youth Are Planning For Next Year
160
140
120
100
80
60
40
20
0
Education
Training
Employment
Short courses
None of the above
Not sure
Other (please specify)
Apprenticeship
Overseas Travel



11



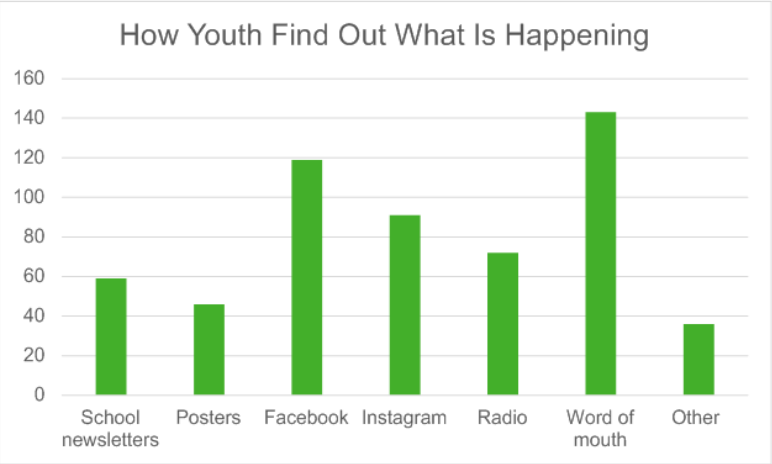
Other includes: Instruments/Music, Drums Watching movies, buying "vbucks" on my mum's credit card, Hobbies such as Drawing, Art, Animating, Drawing, Gardening and Reading, Photography and Videography, Dance, Origami, Crochet, Coding, Listening to Testimonies
Scootering, going outside, kicking the footy, playing with my older and younger brother and having friends over, Scouting, Fishing, riding dirt bikes, ringing my friends and playing with my dog, go for walks and shoot bow and arrows, Eating, Sleeping, Spending time with family



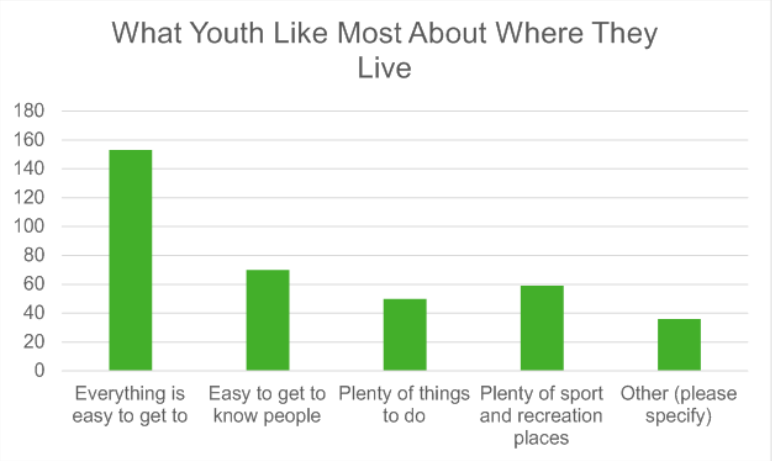
Other includes: salty springs, scooter riding, making forts, home playing games together
Church, cooking, Restaurants/cafes/bars, National park hiking, Drive-thru café,
Not really anywhere, every place is boring or costs money - things should be free.



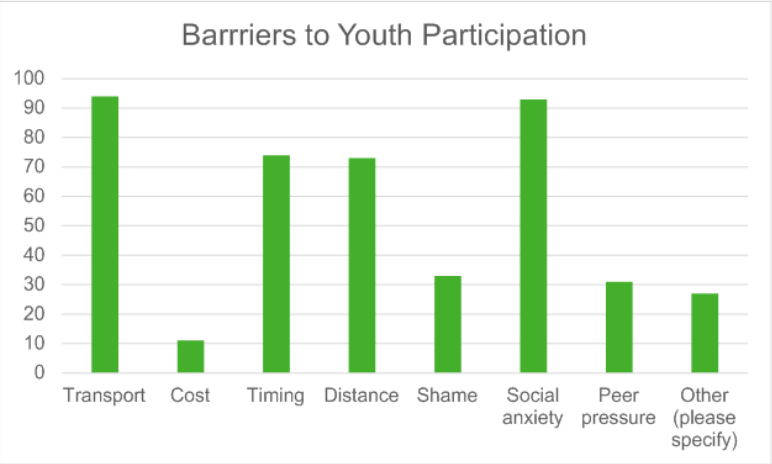
12



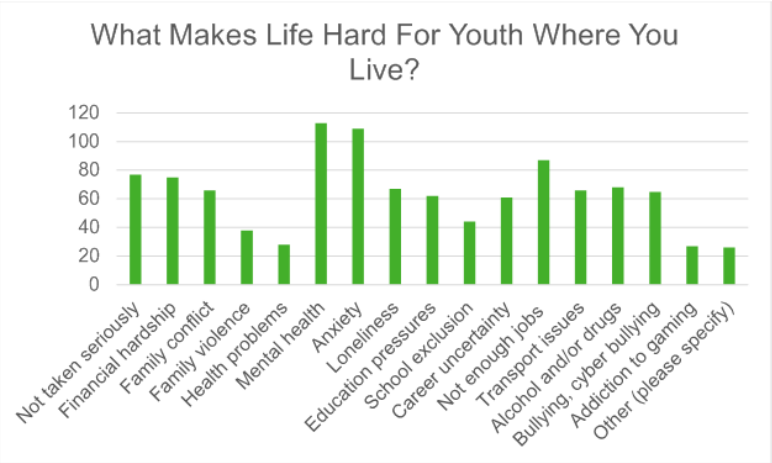
Other includes: Newspaper, Google, We need to receive more communication about events, Optical illusion, ask the 'bois' in a squad game, news on television and other social media sites, such as YouTube, Youth Facebook page, Any eshays on the street i see



Other includes: Not many people, so it isn't crowded as such cities as Melbourne or Sydney
It is not too crowed to get around, I also like it because at my house I can be free because I'm surrounded by blocks. I live close to my best friend and we go riding together on the weekends
Access to decent movies and music, Great chips place (Dunno's), good wifi, Liam Johnson and Fat Yack, The community involvement, There are also lots of opportunities (jobs, etc.) for all youth. Church, Family. The surrounding environment (river, bush land etc), the river and Lake Cullulleraine, Riding dirt bikes, motorbike track, It's not the worst place on earth, Not a lot of stuff to do in my street cops need to do more, Nothing - I live in the middle of nowhere, I have to live here otherwise I would move



Other includes: The barriers are more about not knowing about them, I don't know where to find out about them, they don't often show up on my Facebook feed. New to town don't know anyone. Doesn't sound exciting enough, it's not worth going out to an event if you can see the same thing at home, just things don't look fun, I just don't want to go. Not really my thing need to make more exciting, for younger children. Parents, Drugs, FEELING EXTREMELY UNSAFE, Jacks legs, "vbucks"



Other includes: Discrimination, FEELING UNSAFE. SERIOUSLY, FIND A WAY TO MAKE THE STREETS SAFER
Depression, Not enough money/family not understanding of my needs Cost of everything, Not enough jobs for youth like I myself I applied for job from 2018_ 2019 but it's hard to get it.
When everyone is on the wifi, Lack of educational resources and ability to go to desired universities due to lack of funding for relocation. Very few people genuinely want to be here, because this town feels like it was designed for adults first and children growing up were an afterthought, Nothing really, Eshays, school, just not enjoyable.

What Youth Want Council To Do For Them

Youth enjoy the outdoors and riverfront and would like more trees, shade, camping spots, rubbish bins and water taps.

They want their environment and sports fields cared for so that they are clean and well maintained. They want to see more bins and better recycling.

They would like a nature park with equipment that they can use without being considered too old to do so.

They would like well-designed and accessible skate parks.
They would like more bike tracks and the roads to be safer to ride on.

They would like some more youth-dedicated spaces to hang out or to undertake youth activities. They would like an internet café or Technology Hub.

They would like to see more youth and family-friendly events, music festivals and free movie nights, and a wider choice of things to do on weekends.
They would like these to be no or low cost and supported with affordable transport.

Youth would like to feel safer at the riverfront and mall especially in the evenings and feel that bullying is an issue that should be better addressed.

Youth want leadership opportunities and a Youth Council so their ideas and concerns can be listened to.

They would also like more competitions and prizes for youth.

They want more opportunities to improve their community through working bees and volunteering.

Youth Strategy Development

Our Approach

To design the youth strategy and identify priority areas for action, we considered:

1. Local issues that impact most on the well-being of our young people;
2. The issues that our young people identified as most important;
3. What local data revealed about young people;
4. The Council's plan, its role and ability to address these issues; and,
5. A strong research and evidence base

Council's Plan and the Youth Engagement Strategy

The Youth Engagement Strategy 2020 – 2023 links to the following goals of Mildura Rural City Council's Plan (2017-2021):

1.1 Community Safety
- People feel safe
- People are safe
- A community well prepared for emergencies

1.2 Community Development
- Improved facilities, services and activities
- Improved level of inclusion and active participation in the community
- Improved access to education opportunities

1.3 Community Health and Wellbeing
- High levels of community health and wellbeing

1.4 Community Services
- Youth are supported to reach their full potential

1.5 Arts and Cultural Heritage
- Increased access to a diverse range of arts and cultural experiences and opportunities
- Access to a diverse range of quality library materials, services and programs

1.6 Recreation and Sport
- Increased participation rates in sport and recreation activities
- Increased access to a diverse range of quality sporting and recreation facilities and programs

The Youth Engagement Strategy 2020 – 2023 links to other key Mildura Rural City Council plans:

Municipal Public Health and Wellbeing Plan

Hands Up Mallee
- Community Aspiration – *A connected community where families matter and children thrive*

Unlocking Sunraysia's Potential
- Unlocking Sunraysia's Potential Blueprint



Youth Engagement Strategy 2020 – 2023

Vision
Resilient, healthy, safe, productive and skilled young people connected to their community.

Mission
We promote youth engagement, participation and development so young people enter adulthood best equipped to enjoy strong, safe relationships and a vibrant, inclusive community in which to achieve financial security.

Goals

- Strengthen Council's understanding of the demographics, needs and priorities of young people
- Strengthen relationships between the Council and young people aged 12 to 25 years
- Engage youth in the development of Council strategies and policies that consider young people and their roles and place in the community
- Encourage young people's contribution to decision-making and sense of ownership of, strategies, projects and decisions to support long-term sustainability of positive youth participation and development
- Assist youth, through provision of services, programs and events to:
    - Be healthy
    - Stay safe
    - Be included and inclusive
    - Make a positive contribution towards their community
    - Achieve social and economic wellbeing

Guiding Principles

- Encouraging youth voice so they can influence learning, policies, activities and events for young people
- Collaboration and co-design with young people and service sector
- Integrated planning and action across multiple partners and disciplines
- Evidence-informed decision-making and practice
- Building on the assets of young people and community
- Offer meaningful opportunities to young people to participate and connect to others
- Promote positive transitions and healthy development of young people
- Commitment to youth empowerment
- Understand and promote positive views of young people

Youth Action Plan 2020 – 2023

Focus Area	Review Recommendations	Action Plan
Youth Engagement	**1.** Strengthen/build mechanisms to consider/involve the voice of young people.	**1.** Identify more ways for youth to share their ideas and opinions. **2.** Develop and support youth-led structures and activities that enable the ideas and opinions of youth to be heard.
	2. Empower young people and build their capacity and skills to lead advocacy efforts.	**3.** Identify and facilitate opportunities for youth to participate in activities and programs that develop their capacity to: • Be healthy • Stay safe • Be included and inclusive • Make a positive contribution to community • Achieve social and economic wellbeing
	3. Target programs/offer enhanced support to engage more young people from diverse, cultural and socio-economic backgrounds.	**4.** Identify and offer activities and programs that engage the diversity of our youth and build connectedness. **5.** Engage with key partners to build capacity for active outreach.
	4. Expand opportunities for youth leadership development with a focus on youth from a diverse range of cultural, socio-economic and academic backgrounds.	**6.** Liaise with community partners to design, run and coordinate a range of youth leadership projects and programs that target youth from different cultural, socio-economic and academic backgrounds. **7.** Liaise with community leaders to increase coaching and mentoring of youth from a diversity of backgrounds.
	5. Strengthen the engagement of young people aged 18+, especially during the transition years after secondary school.	**8.** Create a map of what is provided for youth 18+ to identify gaps and duplications. **9.** Design, run and coordinate programs that support young people to prepare themselves for independent living as students or employees, and build their capabilities to navigate range of systems e.g. health, legal, financial, Fair Work.
	6. Strengthen the focus on early intervention and prevention for young people.	**10.** Promote the importance of education and re-engage youth into education, training and employment pathways. **11.** Raise youth and family awareness of the range of early intervention programs, services and activities available for youth in our community and encourage early access. **12.** Design, run and coordinate programs and activities that foster youth participation in community life to build resilience and social confidence.
	7. Explore opportunities to provide access to low cost/no cost sport, recreation and social activities.	**13.** Map what is provided as low/no cost for youth to identify gaps and duplications. **14.** Liaise with community partners and schools to design, facilitate and coordinate no cost interest programs. Offer these at venues at different postcodes to overcome transport barriers.
Community Partnerships For Youth	**8.** Develop a strategic approach for youth employment including greater access to a wider range of work experience	**15.** Liaise with DET, NMLLEN, schools and employers to: • Identify ways to support youth in accessing work experience and employment e.g. creating a work experience directory

Focus Area	Review Recommendations	Action Plan
	and volunteering activities and links to economic development.	• Test the feasibility of offering youth workplace and career pathway awareness modules • Re-engage youth into education, training and employment pathways **16.** Work with Council units to identify and create volunteering and work experience opportunities for youth and promote the use of the Be Collective volunteering platform.
	9. Strengthen Council's partnership capability across the youth services sector.	**17.** Liaise with Hands Up Mallee to map the system that supports youth to see where to best work with the youth services sector to improve providing programs and activities for youth. **18.** Facilitate the Youth Service Providers Network to coordinate the means of improving youth mental health and connectedness. **19.** Liaise with the Local Drug Action Team and support their strategies for prevention and early intervention.
	10. Develop a shared focus and key messages for advocacy across the youth sector.	**20.** Identify key messages about the issues youth have raised, and find the best ways and audiences to communicate them. **21.** Design and test structures that give youth opportunities to be heard by Council.
	11. Seek resources to create and maintain an online youth services/support directory.	**22.** Map the services, activities and programs available for youth and create a free online directory using KUMU. **23.** Provide links for this to the community, promote its use and test its effectiveness.
	12. Explore youth social enterprise opportunities.	**24.** Study and learn from local social enterprises. **25.** Explore opportunities to develop social enterprises for youth in partnership with community services and organisations. **26.** Advocate for grant opportunities to support youth-led projects as stepping stones towards conducting social enterprises.
Council Awareness	**13.** Embed the Youth Charter into Council employee induction processes and ensure the Youth Charter is visible in all Council buildings.	**27.** Renew the Youth Charter and raise Council's awareness of it. **28.** Create an induction kit about youth, their social indicators, and the Youth Charter to be included in Council and Councillor Induction training. **29.** Liaise with HR and offer to conduct the training ourselves.
	14. Build the capacity of Council units to involve young people in the work that they do.	**30.** Identify evidence-based practice that would best support our team in delivering awareness raising sessions with key Council units on how to better involve youth in the work they do. **31.** Hold a Youth-Led Round Table internally at Council to consider how to effectively engage youth in decisions that affect them and to raise youth awareness of the work of Local Government.
	15. Continue to support Councillors and Executive Management to understand youth needs and issues so	**32.** Raise the awareness of youth about what Council and Councillors do. **33.** Conduct at least one youth tour of Council per quarter.

Focus Area	Review Recommendations	Action Plan
	that they can advocate/lobby for youth needs at a higher level.	**34.** Advocate for more mentoring and workplace experience for youth within Council. **35.** Hold a Youth-Led Round Table to explore how to build a relationship with Councilors and involve them more in youth affairs. **36.** Nominate a 'Council Year of Youth' and hold a youth forum to inform the next Youth Engagement Strategy.
Community Awareness	**16.** Write a youth friendly summary for the 2019-2022 Mildura Council Youth Strategy and broadly promote the document to young people, services and community.	**37.** Work with youth to create a youth friendly means of communicating the 2020-2023 Mildura Council Youth Engagement Strategy to youth, youth services and community. **38.** Liaise with community partners so that positive youth development is embedded across the community youth touch points.
	17. Continue to raise community awareness about the importance of education.	**39.** Liaise with schools and RTOs to explore how to better support youth during transitions during their educational pathway. **40.** Conduct workshops and information sessions about how to access support from services and employment pathways. **41.** Conduct workshops and information sessions to reach disengaged youth and their families as a bridge to re-engagement.
	18. Promote the achievements of Council's Youth Engagement Services.	**42.** Actively promote what Youth Engagement Services offers for youth, and the progress of the Youth Engagement Strategy. **43.** Align the community promotion plan with the plan for raising Council awareness.



Monitoring, Evaluation and Learning Framework

Monitoring Evaluation and Learning Framework (MEL)	
Results Based Measurements	**Evaluation Questions**
1. How much did we do, how many did we reach, what diversity of reach? # Programs, activities, events conducted **2. How well did we did it?** Planning & delivery Staff morale Unit cost Service standards Customer satisfaction Timely % youth completing programs, activities **3. Were Youth Better Off?** Knowledge & skills Attitudes & opinions Behaviours Improved circumstances	To what extent are MRCC employees aware of the Youth Charter and its relevance to their role? To what extent are they advocating for youth needs? To what extent are employees involving youth in workplace decisions that affect youth? How well have we disseminated a youth-friendly summary of the strategy throughout our community? How well have we engaged with the collective voices of young people in our community? What engagement methods were used to reach the collective voices of youth? Was this made authentic for culturally-diverse communities? To what extent have youth directed or informed activities and investment decisions? To what extent do all the demographics believe they are understood and are aware of Youth Engagement Services? How well have we raised awareness of the importance of education? To what extent have we promoted the achievements of the strategy? Has the Youth Engagement Strategy influenced policies and practices for youth? Is life better for youth?
Collection Tools Counts. Surveys, post activity reflections, Most significant change stories, Case studies.	
Most Significant Learnings Through Time	

21

Youth Policies

Local

Mildura Rural City Council's Youth Charter

The Youth Charter articulates Council's commitment to actively involving young people in all aspects of community life. The Charter is framed by four key guiding principles: inclusion, equality, advocacy and commitment. The Youth Charter emphasizes how Council will engage with, listen to, celebrate and advocate for youth needs across the municipality.



State



Victoria's Vulnerable Children: Our Shared Responsibility Strategy 2013 - 2022

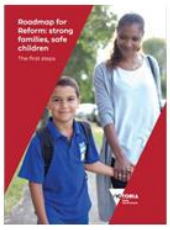
The strategy identifies a key role for services in enabling the Government to achieve its goals to improve outcomes for vulnerable children, young people and families. The key overarching goals of the Strategy are:

- Prevent abuse and neglect;
- Act earlier when children and young people are vulnerable; and
- Improve outcomes for children and young people in statutory care.



Marrung Aboriginal Education Plan 2016 - 2026

Marrung is a State Government long-term plan prepared by the Department of Education and Training. The plan is designed to achieve an aspirational vision to deliver the ambitious Education State targets and underpin Victoria's strong and steadfast commitment to close the gap in educational outcomes between Koorie and non-Koorie Victorians.



Roadmap to Reform: Stronger Families, Safe Children

In April 2016, the Victorian Government officially launched the Roadmap for Reform: strong families, safe children, as one of its key platforms to respond to the Royal Commission into Family Violence.

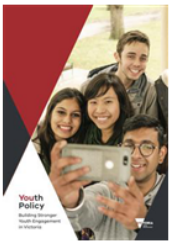
The Roadmap sets out once-in-a-generation changes designed to improve the lives of vulnerable Victorian children, young people and families.



Victorian Charter for Child Friendly Cities and Communities

The Victorian Local Governance Association (VLGA) launched the Victorian Charter for Child Friendly Cities and Communities in 2013. The Charter is consistent with global initiatives mentioned previously, and embodies a commitment to ensure that children and

young people have a voice in local planning and decision-making, through the following principles: **Freedom** for young people to experience environments that consider their needs; **Respect and dignity** for young people to express their individual opinions, participate in and contribute to decisions about their communities and their wellbeing; and **Equitable access** to supportive environments and services for young people regardless of gender, ethnicity, religion or ability.



Youth Policy - Building Stronger Youth Engagement in Victoria

The Victorian Government's Youth Policy strengthens how government engage with young people and embeds their voice in building an even better Victoria. Young people are often overlooked when developing services, policies and programs on issues that are important to them.

The policy creates opportunities right across government to engage with young people, including those whose voices often go unheard. It allows development of solutions and ideas together and guides future services, policies and programs that impact on young people's lives.

Federal

The Federal Government does not currently have a Youth Strategy; its policy focus in relation to youth is focused strongly around education.



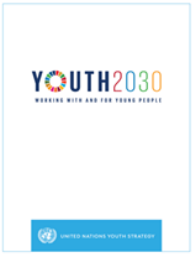
The National School Reform Agreement

The National School Reform Agreement 2019-2023 is a joint agreement between the Commonwealth, States and Territories to lift student outcomes across Australian schools. The agreement outlines strategic reforms in areas where national collaboration will have the greatest impact on driving improved student outcomes.

Global

United Nations Youth Strategy

The Strategy aims to:



- facilitate increased impact and expanded global, regional and country-level action to address the needs,
- build the agency and advance the rights of young people in all their diversity around the world; and
- ensure youth engagement and participation in the implementation, review and follow-up of the 2030 Agenda for Sustainable Development as well as other relevant global agendas and frameworks.

References

Vic Health - Young Australian Loneliness Survey 2019
https://www.vichealth.vic.gov.au/media-and-resources/publications

Mission Australia – Annual Youth Survey
https://www.missionaustralia.com.au/what-we-do/research-impact-policy-advocacy/youth-survey

State of Mildura Report 2018 https://www.mildura.vic.gov.au/Council/Major-Projects/State-of-Mildura-Report-2018

Hands Up Mallee - Community Conversations – Youth Deep Dive
https://www.handsupmallee.com/community-conversations-data

14.14 ADOPTION OF S5 INSTRUMENT OF DELEGATION

Summary

The purpose of this report is to present the S5 Instrument of Delegation from Council to the Chief Executive Officer for adoption.

2020/0185

Moved: Cr Glenn Milne
Seconded: Cr Mark Eckel

That Council:

(i) revoke the S5 Instrument of Delegation from Council to the Chief Executive Officer executed on 23 February 2017;
(ii) adopt the S5 Instrument of Delegation from Council to the Chief Executive Officer as presented;
(iii) once adopted, authorise the person holding the position, or acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached S5 Instrument of Delegation, subject to the conditions and limitations specified in that Instrument; and
(iv) note the temporary changes to the delegation of the Chief Executive Officer or Acting Chief Executive Officer as resolved at the Special Confidential Meeting of Council on 25 March 2020 will continue for the duration of the COVID-19 emergency.

CARRIED

S5 Instrument of Delegation to Chief Executive Officer

Mildura Rural City Council

Instrument of Delegation

to

The Chief Executive Officer

Document Control Page

Document Information

	Information
TRIM File Number	18/02/05
Document Owner	General Manager Corporate Services
Last Update	August 2020

Document History

Version	Issue Date	Changes
0.1	27 May 2010	Minor wording change to include 'or future Act'.
0.2	March 2013	No changes – reviewed in accordance with Section 98(6) of the *Local Government Act 1989*
1.0	June 2013	Removal of reference to impartiality by Valuers as no longer relevant
2.0	February 2014	Insertion of Condition 5
3.0	February 2015	Insertion of word 'act" in condition 5
4.0	September 2015	Amendments to section 4.1 to reflect change to financial delegation
5.0	March 2016	Reference to appointment of Acting Chief Executive Officer
6.0	January 2017	Instrument of Delegation review by new Council
7.0	February 2017	Increase CEO financial delegation to $1M
8.0	August 2020	Implementation of Local Government Act 2020

Instrument of Delegation

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

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on Wednesday 26 August 2020.

2. the delegation

   2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

   2.2 is subject to any conditions and limitations set out in the Schedule;

   2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

   2.4 remains in force until Council resolves to vary or revoke it.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

26 August 2020 **DATE**

SCHEDULE

The power to

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

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

Conditions and Limitations

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

3. if the issue, action, act or thing is an issue, action, act or thing which involves

   3.1 awarding a contract exceeding the value of $250,000 (unless it is to award a contract recommended by the Finance Advisory Committee, in which case it must not exceed $1,000,000.00);

   3.2 making any expenditure that exceeds $250,000 (unless it is expenditure made under a contract already entered into or is expenditure which Council is, by or under legislation, required to make, or is expenditure recommended by the Finance Advisory Committee in which case it must not exceed $1,000,000);

   3.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;

   3.4 electing a Mayor or Deputy Mayor;

   3.5 granting a reasonable request for leave under s 35 of the Act;

   3.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;

   3.7 approving or amending the Council Plan;

   3.8 adopting or amending of any policy that Council is required to adopt under the Act;

   3.9 adopting or amending the Governance Rules;

   3.10 appointing the chair or the members to a delegated committee;

   3.11 making, amending or revoking a local law;

   3.12 approving the Budget or Revised Budget;

   3.13 approving the borrowing of money;

   3.14 subject to section 181H(1)(b) of the *Local Government Act 1989,* declaring general rates, municipal charges, service rates and charges and specified rates and charges;

4. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;

S5. Instrument of Delegation to Chief Executive Officer

5. 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;

6. 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

   6.1 policy; or
   6.2 strategy

   adopted by Council;

7. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 11(2)(a)-(n) (inclusive) of the Act, or otherwise; or

8. 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.

S5. Instrument of Delegation to Chief Executive Officer

14.15 ADOPTION OF S6 INSTRUMENT OF DELEGATION

Summary

The purpose of this report is to present the updated S6 Instrument of Delegation for adoption.

2020/0186

Moved: Cr Anthony Cirillo
Seconded: Cr Jason Modica

That Council:

(i) revoke the S6 Instrument of Delegation from Council to Staff authorised by resolution of Council passed on 22 April 2020;
(ii) adopt the S6 Instrument of Delegation from Council to Staff as presented; and
(iii) authorise all powers be delegated to members of Council staff holding, acting in or performing the duties of officers or positions referred to in the S6 Instrument of Delegation as presented, once adopted.

CARRIED

S6. Instrument of Delegation – Members of Staff

Mildura Rural City Council

MILDURA RURAL CITY COUNCIL

Instrument of Delegation

to

Members of Council Staff

Document Control Page

Document Information

	Information
TRIM File Number	18/02/05
Document Owner	General Manager Corporate
Last Update	August 2020

Document History

Version	Issue Date	Changes
1.0	27 May 2010	Inclusion of Cemeteries & Crematoria Act 2003 Name change to Domestic Animals Act 1994 Additions to the Food Act 1984 Delegation of the Health Act 1958 Additions to the Planning & Environment Act 1987 Minor change to the Residential Tenancies Act 1997 Additions to the Road Management Act 2004 Inclusion of the Cemeteries & Crematoria Regulations 2005 Minor amendment to the Planning & Environment (Fees) Regulations 2000 Minor changes to the Residential Tenancies (Caravan Parks & Movable Dwellings Registration & Standards) Regulations 1999
2.0	22 July 2010	Changes to positions to reflect new organisational structure
3.0	25 Nov 2010	Inclusion of Residential Tenancies (Caravan Parks and Moveable Dwellings Registration and Standards) Regulations 2010. Tidying up of Food Act 1984 delegations Amendments to the Valuation of Land Act 1960 Amendments to the Cemeteries and Crematoria Act 2003 New sections of the Planning and Environment Act 1987 Insertions to Rail Safety Act 2006.
4.0	May 2011	Changes to various Acts & Regulations
5.0	February 2012	Changes to various Acts & Regulations
6.0	July 2012	Minor update to the Food Act 1984
7.0	January 2013	Changes to various Acts & Regulations
8.0	July 2013	Changes to various Acts & Regulations
9.0	February 2014	Maddocks Delegations & Authorisation Update – December 2013
10.0	November 2014	Maddocks Delegations & Authorisation Update – August 2014
11.0	February 2015	Maddocks Delegations & Authorisation Update – February 2015

Version	Issue Date	Changes
12.0	August 2015	Maddocks Delegations & Authorisation Update – June 2015
13.0	September 2016	Maddocks Delegations & Authorisation Update – June 2016
14.0	February 2017	Maddocks Delegations & Authorisation Update – December 2016
15.0	September 2017	Maddocks Delegations & Authorisation Update – June & August 2017
16.0	February 2018	Maddocks Delegations & Authorisation Update – December 2017
17.0	September 2018	Maddocks Delegations & Authorisation Update – June 2018
18.0	October 2018	Update to include Senior Statutory Planner – October 2018
19.0	December 2018	Update to include Engineering Surveyor and Technical Officer – Engineering Services
20.0	March 2019	Maddocks Delegations & Authorisation Update – December 2018
21.0	August 2019	Maddocks Delegations & Authorisation Update – June 2019
22.0	January 2020	Update to include Emergency Roads Recovery Coordinator
23.0	April 2020	Maddocks Delegations & Authorisation Update – January 2020
24.0	August 2020	Maddocks Delegations & Authorisations Update – July 2020

Instrument of Delegation

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

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

2. records that a reference in the Schedule to:

APS	means	Animal Pound Supervisor
APTL	means	Asset Preservation Team Leader
CCC	means	Civic Compliance Coordinator
CCO	means	Civic Compliance Officer
CEHO	means	Cadet Environmental Health Officer
CEO	means	Chief Executive Officer
CSP	means	Coordinator Strategic Planning
CTL	means	Cemetery Team Leader
CTP	means	Cadet Town Planner
DE	means	Drainage Engineer
EC	means	Engineering Coordinator
EDTL	means	Engineering Design Team Leader
EHC	means	Environmental Health Coordinator
EHO	means	Environmental Health Officer
EHTO	means	Environmental Health Technical Officer
ELT	means	Executive Leadership Team (which consists of CEO, GMCS, GMC & GMD)
EO	means	Enforcement Officer
ERRC	means	Emergency Roads Recovery Coordinator
ES	means	Engineering Surveyor
GMC	means	General Manager Community
GMCS	means	General Manager Corporate
GMD	means	General Manager Development
GRC	means	Governance & Risk Coordinator
IDO	means	Infrastructure Development Officer
IDTL	means	Infrastructure Development Team Leader
MAS	means	Manager Asset Services
MBS	means	Municipal Building Surveyor
MCA	means	Manager Corporate Administration
MCF	means	Manager Community Futures
MDS	means	Manager Development Services
MFS	means	Manager Financial Services
MWES	means	Manager Works & Engineering Services
N/A	means	Not Applicable
PSP	means	Principal Statutory Planner
RSO	means	Road Safety Officer
SASC	means	Strategic Asset Systems Coordinator
SCCO	means	Senior Civic Compliance Officer

SEHO	means	Senior Environmental Health Officer
SO	means	Subdivisions Officer
SPC	means	Statutory Planning Coordinator
SSP	means	Senior Statutory Planner
STE	means	Senior Traffic Engineer
STO-ES	means	Senior Technical Officer – Engineering Services
STP	means	Senior Town Planner
TLSPA	means	Team Leader Statutory Planning Administration
TP	means	Town Planner
TTE	means	Traffic & Transport Engineer

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on Wednesday 26 August 2020; and

3.2 the delegation:

3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

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

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

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. strategy

adopted by Council;

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

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

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

SCHEDULE

INDEX

Cemeteries and Crematoria Act 2003 9
Domestic Animals Act 1994 22
Environment Protection Act 1970 22
Food Act 1984 23
Heritage Act 2017 28
Local Government Act 1989 28
Planning and Environment Act 1987 28
Residential Tenancies Act 1997 64
Road Management Act 2004 67
Cemeteries and Crematoria Regulations 2015 77
Planning and Environment Regulations 2015 81
Planning and Environment (Fees) Regulations 2016 81
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 82
Road Management (General) Regulations 2016 84
Road Management (Works and Infrastructure) Regulations 2015 86

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	CEO, GMCS, GMD, MAS, MFS	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	CEO, GMCS, GMD, MAS, MFS	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	CEO, GMCS, GMD, MAS, MFS	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	N/A	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	N/A	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	CEO, GMCS, GMD, MAS, MFS	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	CEO, GMCS, GMD, MAS, MFS	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	CEO, GMCS, GMD, MAS, MFS	
s 15(4)	Duty to keep records of delegations	CEO, GMCS, GMD, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 17(1)	Power to employ any persons necessary	CEO, GMCS, GMD, MAS, MFS	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	CEO, GMCS, GMD, MAS, MFS	
s 17(3)	Power to determine the terms and conditions of employment or engagement	CEO, GMCS, GMD, MAS, MFS	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	CEO, CTL, GMCS, GMD, MAS, MFS	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	N/A	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	N/A	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	N/A	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	N/A	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	N/A	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	N/A	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	N/A	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	N/A	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	N/A	Where Council is a Class A cemetery trust
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2)	N/A	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	N/A	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	N/A	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	N/A	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	N/A	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	N/A	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	N/A	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	N/A	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	N/A	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	CEO, CTL, GMCS, GMD, MAS, MFS	
s 20(1)	Duty to set aside areas for the interment of human remains	CEO, CTL, GMCS, GMD, MAS, MFS	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	CEO, GMCS, GMD, MAS, MFS	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	CEO, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	CEO, CTL, GMCS, GMD, MAS, MFS	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	CEO, GMCS, GMD, MAS, MFS	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	CEO, GMCS, GMD, MAS, MFS	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	CEO, GMCS, GMD, MAS, MFS	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	CEO, GMCS, GMD, MAS, MFS	Provided the street was constructed pursuant to the Local Government Act 1989
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	CEO, GMCS, GMD, MAS, MFS	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	CEO, GMCS, GMD, MAS, MFS	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	CEO, GMCS, GMD, MAS, MFS	
s 60(2)	Power to charge fees for providing information	CEO, GMCS, GMD, MFS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	CEO, CTL, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 64B(d)	Power to permit interments at a reopened cemetery	CEO, GMCS, GMD, MAS, MFS	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CEO, GMCS, GMD, MAS, MFS	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	CEO, GMCS, GMD, MAS, MFS	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	CEO, CTL, GMCS, GMD, MAS, MFS	
s 70(2)	Duty to make plans of existing place of interment available to the public	CEO, CTL, GMCS, GMD, MAS, MFS	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	CEO, CTL, GMCS, GMD, MAS, MFS	
s 71(2)	Power to dispose of any memorial or other structure removed	CEO, CTL, GMCS, GMD, MAS, MFS	
s 72(2)	Duty to comply with request received under s 72	CEO, GMCS, GMD, MAS, MFS	
s 73(1)	Power to grant a right of interment	CEO, GMCS, GMD, MAS, MFS	
s 73(2)	Power to impose conditions on the right of interment	CEO, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	CEO, CTL, GMCS, GMD, MAS, MFS	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	CEO, CTL, GMCS, GMD, MAS, MFS	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	CEO, GMCS, GMD, MAS, MFS	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	CEO, GMCS, MFS	
s 80(2)	Function of recording transfer of right of interment	CEO, GMCS, GMD, MAS, MFS	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	CEO, GMCS, MFS	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	CEO, GMCS, MFS	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	CEO, GMCS, GMD, MAS, MFS	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	CEO, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	N/A	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	CEO, GMCS, GMD, MAS, MFS	Does not apply where right of internment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	CEO, GMCS, GMD, MAS, MFS	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	N/A	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	CEO, CTL, GMCS, GMD, MAS, MFS	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	CEO, CTL, GMCS, GMD, MAS, MFS	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	CEO, CTL, GMCS, GMD, MAS, MFS	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	CEO, CTL, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.86(5)	duty to provide notification before taking action under s.86(4)	CEO, CTL, GMCS, GMD, MAS, MFS	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	CEO, CTL, GMCS, GMD, MAS, MFS	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	N/A	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	CEO, GMCS, GMD, MAS, MFS	
s 91(1)	Power to cancel a right of interment in accordance with s 91	CEO, GMCS, GMD, MAS, MFS	
s 91(3)	Duty to publish notice of intention to cancel right of interment	CEO, GMCS, GMD, MAS, MFS	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	CEO, GMCS, MFS	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	CEO, GMCS, GMD, MAS, MFS	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	CEO, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	CEO, GMCS, GMD, MAS, MFS	
s 100(1)	Power to require a person to remove memorials or places of interment	CEO, GMCS, GMD, MAS, MFS	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	CEO, GMCS, GMD, MAS, MFS	
s 100(3)	Power to recover costs of taking action under s 100(2)	CEO, GMCS, MFS	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	CEO, GMCS, GMD, MAS, MFS	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	CEO, GMCS, GMD, MAS, MFS	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	CEO, GMCS, GMD, MAS, MFS	
s 103(1)	Power to require a person to remove a building for ceremonies	CEO, GMCS, GMD, MAS, MFS	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	CEO, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 103(3)	Power to recover costs of taking action under s 103(2)	CEO, GMCS, MFS	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	CEO, GMCS, GMD, MAS, MFS	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	CEO, GMCS, GMD, MAS, MFS	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	CEO, GMCS, GMD, MAS, MFS	
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	CEO, GMCS, GMD, MAS, MFS	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	CEO, GMCS, GMD, MAS, MFS	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	CEO, GMCS, GMD, MAS, MFS	
s 108	Power to recover costs and expenses	CEO, GMCS, MFS	
s 109(1)(a)	Power to open, examine and repair a place of interment	CEO, GMCS, GMD, MAS, MFS	Where the holder of right of interment or responsible person cannot be found

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 109(1)(b)	Power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	CEO, GMCS, GMD, MAS, MFS	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	CEO, CTL, GMCS, GMD, MAS, MFS	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	CEO, CTL, GMCS, GMD, MAS, MFS	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	CEO, CTL, GMCS, GMD, MAS, MFS	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	CEO, GMCS, MFS	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	CEO, GMCS, GMD, MAS, MFS	
s 112	Power to sell and supply memorials	N/A	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	CEO, CTL, GMCS, GMD, MAS, MFS	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	CEO, CTL, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	CEO, GMCS, GMD, MAS, MFS	
s 119	Power to set terms and conditions for interment authorisations	CEO, GMCS, GMD, MAS, MFS	
s 131	Function of receiving an application for cremation authorisation	N/A	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	N/A	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	CEO, GMCS, GMD, MAS, MFS	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	CEO, CTL, GMCS, GMD, MAS, MFS	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	CEO, CTL, GMCS, GMD, MAS, MFS	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	CEO, CTL, GMCS, GMD, MAS, MFS	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	CEO, GMCS, GMD, MAS, MFS	
s 151	Function of receiving applications to inter or cremate body parts	CEO, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Act 2003			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	CEO, GMCS, GMD, MAS, MFS	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	CEO, GMCS, GMD, MAS, MFS	
sch 1 cl 8(8)	Power to regulate own proceedings	CEO, GMCS, GMD, MAS, MFS	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	N/A	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	N/A	Where Council is a Class A cemetery trust Subject to cl 8

Domestic Animals Act 1994			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 41A(1)	Power to declare a dog to be a menacing dog	CCC, CEO, GMD, MDS, SCCO	Council may delegate this power to a Council authorised officer

Environment Protection Act 1970			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 53M(3)	Power to require further information	CEO, EHC, GMD, MDS	

Environment Protection Act 1970			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CEO, EHC, GMD, MDS	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	CEO, EHC, EHO, GMD, MDS, SEHO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	CEO, EHC, EHO, GMD, MDS, SEHO	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	CEO, EHC, EHO, GMD, MDS, SEHO	Refusal must be ratified by Council or it is of no effect

Food Act 1984			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEO, EHC, EHO, GMD, MDS, SEHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEO, EHC, EHO, GMD, MDS, SEHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO, EHC, EHO, GMD, MDS	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under 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	CEO, EHC, EHO, GMD, MDS, SEHO	If s 19(1) applies

Food Act 1984			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CEO, EHC, EHO, GMD, MDS, SEHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEO, EHC, EHO, GMD, MDS, SEHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO, EHC, EHO, GMD, MDS, SEHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO, EHC, GMD, MDS	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority

Food Act 1984			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	CEO, EHC, GMD, MDS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, EHC, GMD, MDS	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority
	Power to register, renew or transfer registration	CEO, EHC, GMD, MDS	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))

Food Act 1984			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority

Food Act 1984			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38E(2)	Power to register the food premises on a conditional basis	CEO, EHC, GMD, MDS	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEO, EHC, GMD, MDS	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CEO, EHC, GMD, MDS	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	CEO, EHC, GMD, MDS	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEO, EHC, GMD, MDS	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO, EHC, GMD, MDS	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority

Food Act 1984			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO, EHC, EHO, GMD, MDS, SEHO	Where Council is the registration authority

Heritage Act 2017			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, GMC, GMCS, GMD	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			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO, GMC, GMCS, MCF, MFS	
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO, GMCS, MCA	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CEO, GMC, GMD	If authorised by the Minister

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CEO, GMC, GMD	
s 4H	Duty to make amendment to Victoria Planning Provisions available	CEO, GMC, GMD, MCF, MDS	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	CEO, GMC, GMD, MCF, MDS	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CEO, GMC, GMD, MCF, MDS	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO, GMC, GMD, MCF, MDS	
s 8A(5)	Function of receiving notice of the Minister's decision	CEO, GMC, GMD, MCF, MDS	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CEO, GMC, GMD, MCF, MDS	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO, GMC, GMD, MCF, MDS	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, GMC, GMD, MCF, MDS	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	CEO, GMC, GMD	ELT to ratify

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 12B(1)	Duty to review planning scheme	CEO, GMC, GMD	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, GMC, GMD	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CEO, GMC, GMD	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, GMC, GMD, MCF, MDS	
s 17(1)	Duty of giving copy amendment to the planning scheme	CEO, GMC, GMD, MCF, MDS	
s 17(2)	Duty of giving copy s 173 agreement	CEO, GMC, GMD, MCF, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, CSP, GMC, GMD, MCF, MDS	
s 18	Duty to make amendment etc. available	CEO, CSP, GMC, GMD, MCF, MDS	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CEO, GMC, GMD, MCF, MDS	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CEO, CSP, GMC, GMD, MCF, MDS	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CEO, GMC, GMD, MCF, MDS	
s 21(2)	Duty to make submissions available	CEO, GMC, GMD, MCF, MDS	
s 21A(4)	Duty to publish notice	CEO, GMC, GMD, MCF, MDS	
s 22	Duty to consider all submissions	CEO, GMC, GMD, MCF, MDS	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, CSP, GMC, GMD, MCF	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, CSP, GMC, GMD, MCF, MDS	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CEO, CSP, GMC, GMD, MCF, MDS	MDS, MCF, & CSP to refer matter to GMD when acting alone
s 26(1)	Power to make report available for inspection	CEO, CSP, GMC, GMD, MCF, MDS	
s 26(2)	Duty to keep report of panel available for inspection	CEO, CSP, GMC, GMD, MCF, MDS	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 27(2)	Power to apply for exemption if panel's report not received	CEO, GMC, GMD	
s 28	Duty to notify the Minister if abandoning an amendment	CEO, CSP, GMC, GMD, MCF, MDS	Note: the power to make a decision to abandon an amendment cannot be delegated
s 30(4)(a)	Duty to say if amendment has lapsed	CEO, CSP, GMC, GMD, MCF, MDS	
s 30(4)(b)	Duty to provide information in writing upon request	CEO, CSP, GMC, GMD, MCF, MDS	
s 32(2)	Duty to give more notice if required	CEO, GMC, GMD, MCF, MDS	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, GMC, GMD, MCF, MDS	
s 36(2)	Duty to give notice of approval of amendment	CEO, GMC, GMD, MCF, MDS	
s 38(5)	Duty to give notice of revocation of an amendment	CEO, GMC, GMD, MCF, MDS	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, GMC, GMD, MCF, MDS	
s 40(1)	Function of lodging copy of approved amendment	CEO, GMC, GMD, MCF, MDS	
s 41	Duty to make approved amendment available	CEO, CSP, GMC, GMD, MCF, MDS	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 42	Duty to make copy of planning scheme available	CEO, GMC, GMD, MCF, MDS	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	N/A	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. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	CEO, GMC, GMCS, GMD	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	CEO, GMC, GMD	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	CEO, GMC, GMD, MCF, MDS	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency Where Council is a collection agency.
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	CEO, GMC, GMCS, GMD	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CEO, CSP, GMC, MCF	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CEO, CSP, GMC, MCF	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CEO, CSP, GMC, MCF	
s 46GP	Function of receiving a notice under s 46GO	CEO, CSP, GMC, GMCS, GMD, MCF	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CEO, CSP, GMC, GMCS, GMD, MCF	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CEO, CSP, GMC, GMCS, GMD, MCF	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CEO, CSP, GMC, GMCS, GMD, MCF	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	CEO, CSP, GMC, GMCS, GMD, MCF	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	CEO, CSP, GMC, GMCS, GMD, MCF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CEO, CSP, GMC, GMCS, GMD, MCF	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	CEO, CSP, GMC, GMCS, GMD, MCF	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CEO, CSP, GMC, GMCS, GMD, MCF	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CEO, GMC, GMCS, GMD, MCF	
s 46GV(3)	f\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	CEO, GMC, GMCS, GMD, MCF, MFS	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO, GMC, GMCS, GMD	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CEO, GMC, GMCS, GMD	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CEO, GMC, GMCS, GMD	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	CEO, GMCS, GMD, MAS, MDS, MFS, MWES	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CEO, GMC, GMCS, GMD	Where Council is the collecting agency Where Council is a collection agency.
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	CEO, GMD, MAS, MWES	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GY(1)	Duty to keep proper and separate accounts and records	CEO, GMCS, GMD, MAS, MFS, MWES	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CEO, GMCS, GMD, MAS, MFS, MWES	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	CEO, GMCS, GMD, MAS, MFS, MWES	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	CEO, GMC, GMCS, GMD, MFS	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan,as responsible for those works, services or facilities	CEO, GMC, GMCS, GMD	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 Where Council is a collection agency.
s 46GZ(2)(b)	Function of receiving the monetary component	CEO, GMC, GMCS, GMD, MFS	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	CEO, GMC, GMCS, GMD, MFS	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 Must be done in accordance with Local Government Act 1989.
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	CEO, GMC, GMCS, GMD, MFS	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
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CEO, GMC, GMCS, GMD, MFS	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZ(9)	Function of receiving the fee simple in the land	CEO, GMC, GMCS, GMD, MFS	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	CEO, GMC, GMCS, GMD, MFS	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CEO, GMC, GMCS, GMD, MFS	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	CEO, GMCS, GMD, MFS	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	CEO, GMC, GMCS, GMD, MFS	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
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	CEO, GMC, GMCS, GMD, MFS	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or	CEO, GMC, GMCS, GMD, MFS	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	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		This duty does not apply where Council is also the collecting agency Where Council is a collection agency.
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	CEO, GMC, GMCS, GMD, MFS	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	CEO, GMC, GMCS, GMD, MFS	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	CEO, GMC, GMCS, GMD, MFS	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	CEO, GMC, GMCS, GMD, MFS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	CEO, GMC, GMCS, GMD, MCF	Where Council is a collecting agency or development agency
			Where Council is a collection agency or development agency.
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	CEO, GMC, GMCS, GMD, MFS	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	CEO, GMD, MAS, MWES	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CEO, GMC, GMD, MCF, MDS	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, GMC, GMD, MCF, MDS	Requires consideration of requirements from MAS and Development Contributions Plan
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, GMC, GMD	Requires consideration of requirements from MAS, MDS, MCF and Development Contributions Plan
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO, GMC, GMD, MBS, MCF, MDS	Requires consideration of requirement from MAS, MDS, MCF and Development Contributions Plan
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, GMC, GMD	Requires consideration of requirements from MAS, MDS, MCF and Development Contributions Plan

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, GMC, GMD, MCF, MDS	Requires consideration of requirements from MAS, MDS, MCF and Development Contributions Plan
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, GMC, GMD	Requires consideration of requirements from MAS, MDS, MCF and Development Contributions Plan
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, GMCS, MFS	To be based on information supply by the Development Services Unit
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	CEO, GMC, GMD, MAS, MCF, MDS, MWES	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CEO, GMC, GMCS, GMD	Requires consideration of requirements from MAS, MDS, MCF and Development Contributions Plan
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, GMC, GMD	Only applies when levy is paid to Council as a 'development agency'Requires consideration of requirements from MAS, MDS, MCF and Development Contributions Plan
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	CEO, GMC, GMD	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 Requires consideration of requirements from Development Contributions Plan

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CEO, GMC, GMD, MCF, MDS	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, GMC, GMD	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	CEO, GMC, GMCS, GMD	
s 46QD	Duty to prepare report and give a report to the Minister	CEO, GMC, GMD, MDS	Where Council is a collecting agency or development agency Where Council is a collection agency or development agency.
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	N/A	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	N/A	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CEO, GMC, GMD, MCF, MDS	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 49(2)	Duty to make register available for inspection	CEO, GMC, GMD, MCF, MDS	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 50(4)	Duty to amend application	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 50(5)	Power to refuse to amend application	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 50(6)	Duty to make note of amendment to application in register	CEO, GMD, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 50A(1)	Power to make amendment to application	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 50A(4)	Duty to note amendment to application in register	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 51	Duty to make copy of application available for inspection	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CEO, CSP, GMC, GMD, MCF, MDS,	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		PSP, SPC, SSP, STP, TLSPA, TP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 52(3)	Power to give any further notice of an application where appropriate	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 54(1)	Power to require the applicant to provide more information	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 54(1B)	Duty to specify the lapse date for an application	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, GMC, GMD, MCF, MDS	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 57(5)	Duty to make available for inspection copy of all objections	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 57A(5)	Power to refuse to amend application	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 57A(6)	Duty to note amendments to application in register	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 57B(1)	Duty to determine whether and to whom notice should be given	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 57C(1)	Duty to give copy of amended application to referral authority	CEO, GMC, GMD, MCF, MDS, PSP,	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		SPC, SSP, STP, TLSPA, TP	
s 58	Duty to consider every application for a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 58A	Power to request advice from the Planning Application Committee	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP	
s 60	Duty to consider certain matters	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 60(1A)	Duty to consider certain matters	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO, CTP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006All recommendations to refuse must be referred to Council. Where 7 or more objections are received, applications must be referred to Council.
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, CSP, GMC, GMD, MCF, MDS,	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		PSP, SPC, SSP, STP, TLSPA, TP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	N/A	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	N/A	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, GMC, GMD, MCF, MDS, SPC	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 62(2)	Power to include other conditions	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	CEO, GMD, MDS	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CEO, GMD, MDS, PSP, SPC, SSP, STP	This provision applies also to a decision to grant an amendment to a permit - see s 75A

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 69(1A)	Function of receiving application for extension of time to complete development	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 69(2)	Power to extend time	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 70	Duty to make copy permit available for inspection	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 71(1)	Power to correct certain mistakes	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 71(2)	Duty to note corrections in register	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 73	Power to decide to grant amendment subject to conditions	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 74	Duty to issue amended permit to applicant if no objectors	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, CSP, GMC, GMD, MCF, MDS,	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		PSP, SPC, SSP, STP, TLSPA, TP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 83	Function of being respondent to an appeal	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 83B	Duty to give or publish notice of application for review	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, GMD, MDS, SPC	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, GMD, MDS	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 91(2)	Duty to comply with the directions of VCAT	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CEO, CSP, GMC, GMD, MCF, MDS,	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		PSP, SPC, SSP, STP, TLSPA, TP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 93(2)	Duty to give notice of VCAT order to stop development	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 95(3)	Function of referring certain applications to the Minister	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 95(4)	Duty to comply with an order or direction	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, GMD	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, GMD	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, GMC, GMD, MCF, MDS, SPC	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 96F	Duty to consider the panel's report under s 96E	CEO, GMC, GMD, MCF, MDS, SPC	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	CEO, GMD	
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, GMC, GMD, MCF, MDS	
s 96J	Power to issue permit as directed by the Minister	CEO, GMD	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CEO, GMD	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CEO, GMC, GMD, MCF, MDS	
s 97C	Power to request Minister to decide the application	CEO, GMC, GMD	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CEO, GMC, GMD, MCF, MDS, SPC, STP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO, GMC, GMD	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 97Q(4)	Duty to comply with directions of VCAT	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CEO, GMC, GMD	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CEO, GMC, GMD	
s 101	Function of receiving claim for expenses in conjunction with claim	CEO, GMC, GMD, MCF, MDS	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 103	Power to reject a claim for compensation in certain circumstances	CEO, GMC, GMD	
s.107(1)	function of receiving claim for compensation	CEO, GMC, GMD	
s 107(3)	Power to agree to extend time for making claim	CEO, GMD	
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, CSP, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, EO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, GMD	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, GMD	Except Crown Land
s 129	Function of recovering penalties	CEO, GMCS, MFS	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, GMC, GMD, MCF, MDS	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, GMC, GMD, MCF, MDS	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CEO, GMC, GMD, MCF, MDS, SPC	SPC in consultation with GMD and MDS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CEO, GMC, GMD, MCF, MDS	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CEO, GMC, GMD, MCF, MDS	
s 171(2)(g)	Power to grant and reserve easements	CEO, GMC, GMD, MCF, MDS	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO, GMC, GMCS, GMD	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	CEO, GMC, GMCS, GMD	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	CEO, GMC, GMCS, GMD	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, GMC, GMCS, GMD	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, GMC, GMCS, GMD	Where Council is the relevant responsible authority

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CEO, GMC, GMD, MCF, MDS	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CEO, GMC, GMD, MCF, MDS	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, GMC, GMD, MCF, MDS	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, GMC, GMCS, GMD	
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, GMD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CEO, GMD, MDS, PSP, SPC, SSP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, GMD, MDS, PSP, SPC, SSP	
s 178A(5)	Power to propose to amend or end an agreement	CEO, GMD	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CEO, GMD, MDS, PSP, SPC, SSP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CEO, GMD, MDS, PSP, SPC, SSP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO, GMD, MDS, PSP, SPC, SSP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CEO, GMD, MDS, PSP, SPC, SSP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CEO, GMD, MDS, SPC	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, GMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, GMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CEO, GMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, GMD	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, GMD	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, GMD	After considering objections, submissions and matters in s.178B

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, GMD	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CEO, GMD, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, GMD, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO, GMD, MDS	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, GMD	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO, GMD, MDS, PSP, SPC, SSP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, GMD, MDS, PSP, SPC, SSP	
s 179(2)	Duty to make available for inspection copy agreement	CEO, GMC, GMD, MCF, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CEO, GMC, GMD, MCF, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CEO, GMC, GMD, MCF, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CEO, GMC, GMD, MCF, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 182	Power to enforce an agreement	CEO, EO, GMC, GMD, MCF, MDS, SPC	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CEO, GMC, GMD, MDS, PSP, SPC, SSP, STP	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO, GMD	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, GMD	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CEO, GMD, MDS, SPC	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CEO, GMD, MDS, SPC	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 184G(2)	Duty to comply with a direction of the Tribunal	CEO, EO, GMD, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CEO, GMD, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 198(1)	Function to receive application for planning certificate	CEO, GMC, GMD, MCF, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 199(1)	Duty to give planning certificate to applicant	CEO, GMC, GMD, MCF, MDS, PSP, SO, SPC, SSP, STP, TLSPA, TP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
s 201(3)	Duty to make declaration	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CEO, GMC, GMD	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	

Planning and Environment Act 1987			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP	
	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, GMC, GMD, MCF, MDS	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CEO, CSP, GMC, GMD, MCF, MDS, SPC	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CEO, CSP, GMC, GMD, MCF, MDS, SPC	

Residential Tenancies Act 1997			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	CEO, EHC, GMD, MDS	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	CEO, EHC, GMD, MDS	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier

Residential Tenancies Act 1997			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	CEO, EHC, GMD, MDS	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	CEO, GMD, MDS	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 142D	Function of receiving notice regarding an unregistered rooming house	CEHO, CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
s 142G(2)	Power to enter certain information in the Rooming House Register	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
s 206AZA(2)	Function of receiving written notification	CEO, EHC, GMD, MDS	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier

Residential Tenancies Act 1997			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 207ZE(2)	Function of receiving written notification	CEO, EHC, GMD, MDS	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 311A(2)	Function of receiving written notification	CEO, EHC, GMD, MDS	
s 317ZDA(2)	Function of receiving written notification	CEO, EHC, GMD, MDS	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, EHC, EHO, GMD, MDS, SEHO	
s 522(1)	Power to give a compliance notice to a person	CEO, EHC, EHO, GMD, MDS, SEHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, EHC, GMD, MDS	
s 525(4)	Duty to issue identity card to authorised officers	CEO, GMCS, GRC, MCA	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CEO, EHC, GMD, MBS, MDS	
s 526A(3)	Function of receiving report of inspection	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, EHC, GMD, MDS	

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO, GMD, MAS	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CEO, GMCS, MCA, MFS	
s 11(9)(b)	Duty to advise Registrar	CEO, GMCS, GMD, MAS, MCA, MFS	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO, GMD, MAS	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO, GMD, MAS	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, GMCS, GMD, MAS, MCA	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	CEO, GMCS, GMD, MAS, MCA	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CEO, GMD	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	CEO, GMD	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	CEO, GMD	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	CEO, GMD, MAS	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, GMD, MAS	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, GMD, MWES	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, GMD, MWES	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, GMD, MAS	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, GMD, MAS	
s 15(2)	Duty to include details of arrangement in public roads register	CEO, GMD, MAS	
s 16(7)	Power to enter into an arrangement under s 15	CEO, GMD, MAS	

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 16(8)	Duty to enter details of determination in public roads register	CEO, GMD, MAS	
s 17(2)	Duty to register public road in public roads register	CEO, GMD, MAS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, GMD, MAS	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CEO, GMD, MAS	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, GMD, MAS	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CEO, GMD, MAS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, GMD, MAS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CEO, GMD, MAS	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CEO, GMD, MAS	
s 19(4)	Duty to specify details of discontinuance in public roads register	CEO, GMD, MAS	
s 19(5)	Duty to ensure public roads register is available for public inspection	CEO, GMD, MAS	

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 21	Function of replying to request for information or advice	CEO, GMD, MAS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, GMD, MAS	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CEO, GMCS	
s 22(5)	Duty to give effect to a direction under s 22	CEO, GMD	
s 40(1)	Duty to inspect, maintain and repair a public road.	CEO, GMD, MAS, MWES	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CEO, GMD, MAS, MWES	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CEO, GMD, MAS, MWES	
s 42(1)	Power to declare a public road as a controlled access road	CEO, GMD, MAS	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, GMD, MAS	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	CEO, GMD, MAS, MWES	Where Council is the coordinating road authority If road is a municipal road or part thereof

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, GMD, MAS, MWES	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CEO, GMD, MAS, MWES	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CEO, GMD, MAS, MWES	
s 49	Power to develop and publish a road management plan	CEO, GMD, MAS, MWES	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, GMD, MAS, MWES	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, GMD, MAS	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, GMD, MAS, MWES	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, GMD, MAS, MWES	
s 54(6)	Power to amend road management plan	CEO, GMD, MAS, MWES	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, GMD, MAS, MWES	

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, GMD, MAS, MWES	
s 63(1)	Power to consent to conduct of works on road	APTL, CEO, EC, EDTL, ERRC, GMD, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	APTL, CEO, EC, EDTL, ERRC, GMD, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CEO, EC, ERRC, GMD, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CEO, EC, EDTL, ERRC, GMD, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	CEO, GMD, MAS, MWES	Where Council is the coordinating road authority
s 67(3)	Power to request information	CEO, GMD, IDTL, MAS, MWES, SASC, STE, TTE	Where Council is the coordinating road authority
s 68(2)	Power to request information	CEO, GMD, IDTL, MAS, MWES, SASC, STE, TTE	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO, GMD, IDTL, MAS, MWES, STE, TTE	

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 72	Duty to issue an identity card to each authorised officer	CEO, GMCS, GMD, MAS, MCA, MWES	
s 85	Function of receiving report from authorised officer	CEO, GMD, MAS, MWES	
s 86	Duty to keep register re s 85 matters	CEO, GMD, MAS, MWES	
s 87(1)	Function of receiving complaints	CEO, EC, ERRC, GMD, IDTL, MAS, MCA, MWES, STE, STO-ES, TTE	
s 87(2)	Duty to investigate complaint and provide report	CEO, GMD, MAS, MCA, MWES	
s 112(2)	Power to recover damages in court	CEO, GMCS, GMD, MAS, MFS, MWES	
s 116	Power to cause or carry out inspection	CEO, GMD, IDTL, MAS, MWES, STE, TTE	
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, EC, ERRC, GMD, MWES, STO-ES	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	CEO, GMD, MWES	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	CEO, GMD, MWES	
s 121(1)	Power to enter into an agreement in respect of works	CEO, GMD, MAS, MWES	

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 122(1)	Power to charge and recover fees	CEO, GMCS, GMD, MAS, MFS, MWES	
s 123(1)	Power to charge for any service	CEO, GMCS, GMD, MFS, MWES	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO, GMD, MAS, MWES	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, GMD, MAS, MWES	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, GMD, MAS, MWES	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, GMD, MWES	
sch 2 cl 5	Duty to publish notice of declaration	CEO, GMD, MAS, MWES	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	APTL, CEO, EC, EDTL, ERRC, GMD, IDO, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	APTL, CEO, EC, EDTL, ERRC, GMD, IDO, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the infrastructure manager or works manager
sch 7 cla 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	APTL, CEO, EC, EDTL, ERRC, GMD, IDO, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	APTL, CEO, EC, EDTL, ERRC, GMD, IDO, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	APTL, CEO, EC, EDTL, ERRC, GMD, IDO, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CEO, GMD, IDO, IDTL, MAS, MWES, STE, TTE	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CEO, GMD, IDO, IDTL, MAS, MWES, STE, TTE	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	APTL, CEO, EC, EDTL, ERRC, GMD, IDO, IDTL, MAS, MWES, STE, STO-ES, TTE	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CEO, GMCS, GMD, MAS, MFS, MWES	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	APTL, CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	APTL, CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	APTL, CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	APTL, CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	APTL, CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	CEO, GMD, MAS, MWES	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	APTL, CEO, EC, ERRC, GMD, MAS, MWES	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	APTL, CEO, EC, ERRC, GMCS, GMD, MAS, MFS, MWES	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	APTL, CEO, DE, EC, ERRC, ES, GMD, IDO,	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		IDTL, MAS, MWES, RSO, STO-ES, TTE	
sch 7A cl 2	Power to cause street lights to be installed on roads	CEO, EC, ERRC, GMD, IDTL, MAS, MWES	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CEO, GMD, MAS, MWES	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	CEO, GMD, MAS, MWES	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	CEO, GMD, MAS, MWES	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Cemeteries and Crematoria Regulations 2015			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 24	Duty to ensure that cemetery complies with depth of burial requirements	CEO, CTL, GMCS, GMD, MAS, MFS	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	CEO, CTL, GMCS, GMD, MAS, MFS	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	CEO, CTL, GMCS, GMD, MAS, MFS	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	CEO, CTL, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Regulations 2015			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	CEO, CTL, GMCS, GMD, MAS, MFS	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	CEO, CTL, GMCS, GMD, MAS, MFS	
r 30(2)	Power to release cremated human remains to certain persons	CEO, CTL, GMCS, GMD, MAS, MFS	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	CEO, CTL, GMCS, GMD, MAS, MFS	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	CEO, CTL, GMCS, GMD, MAS, MFS	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	CEO, GMCS, GMD, MAS, MFS	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	CEO, CTL, GMCS, GMD, MAS, MFS	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	CEO, GMCS, GMD, MAS, MFS	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	CEO, CTL, GMCS, GMD, MAS, MFS	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	CEO, CTL, GMCS, GMD, MAS, MFS	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	CEO, CTL, GMCS, GMD, MAS, MFS	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	CEO, GMCS, GMD, MAS, MFS	

Cemeteries and Crematoria Regulations 2015			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 40	Power to approve a person to play sport within a public cemetery	CEO, GMCS, GMD, MAS, MFS	
r 41(1)	Power to approve fishing and bathing within a public cemetery	CEO, GMCS, GMD, MAS, MFS	
r 42(1)	Power to approve hunting within a public cemetery	CEO, GMCS, GMD, MAS, MFS	
r 43	Power to approve camping within a public cemetery	CEO, GMCS, GMD, MAS, MFS	
r 45(1)	Power to approve the removal of plants within a public cemetery	CEO, CTL, GMCS, GMD, MAS, MFS	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CEO, CTL, GMCS, GMD, MAS, MFS	
r 47(3)	Power to approve the use of fire in a public cemetery	CEO, CTL, GMCS, GMD, MAS, MFS	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	CEO, CTL, GMCS, GMD, MAS, MFS	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	N/A	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	CEO, GMCS, GMD, MAS, MFS	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, GMCS, GMD, MAS, MFS	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CEO, CTL, GMCS, GMD, MAS, MFS	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CEO, CSP, GMC, GMD, MCF, MDS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CEO, GMC, GMD, MCF, MDS, PSP, SPC, SSP, STP, TLSPA, TP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CEO, GMC, GMD, MCF, MDS	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CEO, GMC, GMD, MCF, MDS	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CEO, CSP, GMC, GMD, MCF, MDS	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			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CEO, CSP, GMCS, MCF	

Planning and Environment (Fees) Regulations 2016			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO, GMD, MDS, SPC	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CEO, CSP, GMCS, GMD, MCF, MDS, SPC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 7	Function of entering into a written agreement with a caravan park owner	CEO, EHC, EHO, GMD, MDS, SEHO	
r 10	Function of receiving application for registration	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
r 11	Function of receiving application for renewal of registration	EHC, EHO, EHTO, GMD, MDS, SEHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, EHC, EHO, GMD, MDS, SEHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, EHC, EHO, GMD, MDS, SEHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, EHC, EHO, GMD, MDS, SEHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHC, EHO, GMD, MDS, SEHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHC, EHO, GMD, MDS, SEHO	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 14(1)	Function of receiving notice of transfer of ownership	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
r 14(3)	Power to determine where notice of transfer is displayed	CEO, EHC, EHO, GMD, MDS, SEHO	
r 15(1)	Duty to transfer registration to new caravan park owner	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
r 15(2)	Duty to issue a certificate of transfer of registration	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	N/A	Statutory set and ratified by Council resolution
r 17	Duty to keep register of caravan parks	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	
r 18(6)	Power to determine where certain information is displayed	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	
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	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
r 22(2)	Duty to consult with relevant emergency services agencies	CEO, EHC, EHO, GMD, MDS, SEHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEHO, CEO, EHC, EHO, GMD, MDS, SEHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEO, EHC, EHO, GMD, MDS, SEHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 25(3)	Duty to consult with relevant floodplain management authority	CEO, EHC, EHO, GMD, MDS, SEHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, EHC, EHO, GMD, MDS, SEHO	
r 26	Duty to have regard to any report of the relevant fire authority	CEO, EHC, EHO, GMD, MDS, SEHO	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, EHC, EHO, GMD, MDS, SEHO	
r 41(4)	Function of receiving installation certificate	CEO, EHC, EHO, EHTO, GMD, MDS, SEHO	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEO, EHC, EHO, GMD, MDS, SEHO	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	APS, CCC, CCO, CEO, EHC, EHO, GMD, MDS, SCCO, SEHO	

Road Management (General) Regulations 2016			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 8(1)	Duty to conduct reviews of road management plan	CEO, GMD, MAS, MWES	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CEO, GMD, MWES	

Road Management (General) Regulations 2016			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CEO, GMD, MWES, SASC	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CEO, GMD, MAS, MWES	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, GMD, MAS, MWES, SASC	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CEO, GMD, MAS	
r 16(3)	Power to issue permit	APTL, CEO, EC, ERRC, GMD, MAS, MWES, STO-ES	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	APTL, CEO, EC, ERRC, GMD, MAS, MWES, STO-ES	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, EC, ERRC, GMD, MWES	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	APTL, CEO, EC, ERRC, GMD, MWES, SASC, STO-ES	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	APTL, CEO, EC, ERRC, GMD, MWES, STO-ES	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3)	CEO, GMD	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CEO, GMCS, GMD, MFS	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CEO, GMD, MAS, MWES	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CEO, GMD, MAS, MWES	Where Council is the coordinating road authority

14.16 ADOPTION OF CHILDREN'S SERVICES LEGISLATION INSTRUMENT OF DELEGATION

Summary

The purpose of this report is to present the updated Children's Services Legislation Instrument of Delegation for adoption.

2020/0187

Moved: Cr Gavin Sedgmen
Seconded: Cr Glenn Milne

That Council:

(i) revoke the Instrument of Delegation (Children's Services VIC & NSW Legislation) adopted by Council on 25 July 2018;
(ii) adopt the updated Instrument of Delegation (Children's Services VIC & NSW Legislation) as presented; and
(iii) authorise all powers be delegated to members of Council staff holding, acting in or performing the duties of officers or positions referred to in the attached instrument of delegation, once adopted.

CARRIED

Instrument of Delegation – Members of Council Staff

Mildura Rural City Council

Instrument of Delegation

to

Members of Council Staff

(Children's Services VIC and NSW Legislation only)

Document Control Page

Document Information

	Information
TRIM File Number	18/02/05
Document Owner	General Manager Corporate
Last Update	August 2020

Document History

Version	Issue Date	Changes
1.0	December 2011	Document created to cover Victorian and New South Wales Children's Services Legislation
2.0	July 2012	Changes implemented to relevant Legislation
3.0	February 2014	Update from Maddocks – February 2014
4.0	October 2015	Update from Maddocks – September 2015
5.0	May 2017	Update from Maddocks – March 2017
6.0	July 2018	Update from Maddocks – May 2018
7.0	August 2020	Implementation of *Local Government Act 2020*

Instrument of Delegation

In exercise of the power conferred by the legislation referred to in the attached Schedule, the Mildura Rural City Council (**Council**):

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

2. records that a reference in the Schedule to:

ADSC	means	Aged & Disability Services Coordinator
CHC	means	Community Health Coordinator
EYC	means	Early Years Coordinator
FDCTL	means	Family Day Care Team Leader
GMC	means	General Manager Community
GMCS	means	General Manager Corporate Services
ITL	means	Immunisation Team Leader
KEO	means	Kindergarten Enrolment Officer
KEPO	means	Kindergarten Enrolment Project Officer
MCCS	means	Manager Community Care Services
MLCS	means	Manager Leisure & Cultural Services
PCD	means	Playalong Centre Director
SYCM	means	Senior Youth Case Manager
YCM	means	Youth Case Manager
YDO	means	Youth Development Officer
YESC	means	Youth Engagement Services Coordinator
YPPO	means	Youth Program & Participation Officer

3. records that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 25 July 2018 and executed under Council Seal is revoked;

4. declares that:

   4.1 this Instrument of Delegation is authorised by a resolution of Council passed on 26 August 2020; and

   4.2 the delegation:

      4.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

      4.2.2 remains in force until varied or revoked;

      4.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

4.2.4 must be read in accordance with any guidelines or policies which Council from time to time adopts; and

4.3 the delegate must not determine the issue, take the action or do the act or thing if:

4.3.1 the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or

4.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy

adopted by Council; or

4.3.3 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..

4.3.4 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 the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

26 August 2020 **DATE**

SCHEDULE

INDEX

Child Protection (Working with Children) Act 2012 (NSW) 7

Child Wellbeing and Safety Act 2005 7

Children and Young Persons (Care and Protection) Act 1998 (NSW) 11

Children (Education and Care Services) National Law (NSW) 12

Children (Education and Care Services) Supplementary Provisions Act 2011 (NSW) 18

Children (Education and Care Services) Supplementary Provisions Regulation 2012 (NSW) 18

Children's Services Act 1996 (VIC) 19

Children's Services Regulations 2009 (VIC) 21

Education and Care Services National Law Act 2010 (VIC) 23

Education and Care Services National Regulations 2011 (NSW) (Also known as "National Law Regulations") 29

Public Health and Wellbeing Act 2008 32

Working with Children Act 2005 (VIC) 33

Instrument of Delegation (Children's Services VIC & NSW Legislation only)

Child Protection (Working with Children) Act 2012 (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.31	Duty to provide information for the Children's Guardian upon request	EYC, FDCTL, GMC, MCCS	Duty of government agency
s.35	Duty to notify the Children's Guardian if a worker has engaged in conduct specified in cl.2 of Schedule 1	EYC, FDCTL, GMC, MCCS	Duty of reporting body
s.40	Duty to comply with direction of the Children's Guardian	EYC, FDCTL, GMC, MCCS	Duty of government agency

Child Wellbeing and Safety Act 2005			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.16I(3)(a)	function of receiving notification from the Commission for Children and Young People (Commission) of an exemption under s16I(1)	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16K(2)	duty to provide any information to the Commission about a system referred to in s.16K(1), if requested in writing	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16K(3)	function of receiving from the Commission any necessary information relating to a recommendation for action to be taken, if a reasonable concern with a system referred to in subsection (1) is identified	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019

Child Wellbeing and Safety Act 2005			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.16O(2)	function of advising the Commission if Council will not, or is unable to, investigate the reportable allegation or engage an independent investigator to investigate the reportable conduct	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16O(4)(b)	function of receiving the findings, reasons and recommendations, if any, of the Commission, together with any necessary information relating to the recommendations	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16U(1)	duty to report a matter to Victoria Police upon becoming aware that a reportable allegation may involve criminal conduct	ADSC, CHC, EYC, FDCTL, GMC, ITL, MCCS, MLCS, PCD, SYCM, YCM, YDO, YESC, YPPO	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16U(2)	duty to suspend investigation of a reportable allegation under pt 5A of the Act until the Chief Commissioner of Police advises that the police investigation has been completed, or agrees that the investigation under this pt may proceed in consultation with Victoria Police	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16ZA	duty to ensure that the Commission, or an authorised person, is given any assistance in connection with the reasonable performance of the Commission's functions, under pt 5A of the Act, that the Commission, or the authorised person, reasonably requires	ADSC, CHC, EYC, FDCTL, GMC, ITL, MCCS, MLCS, PCD, YESC	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16ZG(5)	duty to provide each document specified in the notice to the Commission on or	ADSC, CHC, EYC, FDCTL,	Where council functions as an 'entity within the

Child Wellbeing and Safety Act 2005			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	before the date specified in the notice	GMC, ITL, MCCS, MLCS, PCD, YESC	meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
			Where s.16ZG(1) applies
s.16ZI(2)	power to seek a review by the Commission of the Commission's decision to give a notice to produce	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.16ZL(5)	function of receiving an opportunity to comment on any comments or opinions in the Commission's annual report which are adverse to Council and providing such comment	GMC, MCCS, MLCS	Where council functions as an 'entity within the meaning of s.16A' in addition to its ordinary role as a council This provision is not yet in force and will commence on 1 January 2019
s.19	duty to comply with the Child Safe Standards	CHC, EYC, FDCTL, GMC, MCCS, MLCS, PCD, SYCM, YCM, YDO, YESC, YPPO	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.25	function of receiving education and advice from the Commission for Children and Young People regarding the Child Safe Standards	CHC, EYC, FDCTL, GMC, MLCS, PCD, YDO, YESC	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.26	function of receiving request from the Commission for Children and Young People for any information or document	CHC, EYC, FDCTL, GMC, MCCS, MLCS, PCD, YDO, YESC	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.27(1)	function of receiving request from a relevant authority to provide any information or document	CHC, EYC, FDCTL, GMC, MCCS, MLCS, PCD, YDO, YESC	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.29(2)	function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People	CHC, EYC, GMC, MCCS, MLCS, YESC	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council

Child Wellbeing and Safety Act 2005			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.29(3)	power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.30	duty to comply with notice to provide documents given under subsection (1)	CHC, EYC, FDCTL, GMC, MCCS, MLCS, PCD, YDO, YESC	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.31	duty to comply with notice to comply given under subsection (1)	CHC, EYC, FDCTL, GMC, MCCS, MLCS, PCD, SYCM, YCM, YDO, YESC, YPPO	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.36	duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions	CHC, EYC, FDCTL, GMC, MCCS, MLCS, PCD, YDO, YESC	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.41I	power to seek review by the Commission for Children and Young People of decision by the Commission to issue a notice to produce or a notice to comply	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.41J	power to apply to VCAT for a review of the Commission for Children and Young People to issue a notice to comply	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council Must have first exhausted all available avenues for review under s.41I
s.41M	function of being given opportunity to comment on adverse comment or opinion to be included in annual report or further report	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' in addition to its ordinary role as a council
s.46I(1)(e)	power to collect confidential information and disclose it to the Secretary for a permitted purpose	GMC, MCCS, MLCS	Power of an approved provider of an approved education and care service for the purposes of the Education and Care Services National Law Act 2010 (Vic) This provision is not yet in force and will commence on 1 January 2019, unless proclaimed earlier
s.46I(1)(f)	power to collect confidential information and disclose it to the Secretary for a permitted purpose	GMC, MCCS, MLCS	Power of an approved provider of an approved education and care service for the purposes of the Education and Care Services National Law

Child Wellbeing and Safety Act 2005			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			Act 2010 (Vic) This provision is not yet in force and will commence on 1 January 2019, unless proclaimed earlier
s.46K(1)(m)	power to authorise a registered early childhood teacher, providing education and care to children at an approved education and care service, as a Child Link user	EYC, GMC, MCCS	Power of an approved provider of an approved education and care service for the purposes of the Education and Care Services National Law Act 2010 (Vic) This provision is not yet in force and will commence on 1 January 2019, unless proclaimed earlier
s.46K(1)(n)	power to authorise a registered early childhood teacher, providing education and care to children at an approved education and care service, as a Child Link user	EYC, GMC, MCCS	Power of an approved provider of an approved education and care service for the purposes of the Education and Care Services National Law Act 2010 (Vic) This provision is not yet in force and will commence on 1 January 2019, unless proclaimed earlier
s.46K(4)	duty to revoke authorisation if the person who has been authorised no longer requires access to the Child Link Register	EYC, GMC, MCCS	Power of an approved provider of an approved education and care service for the purposes of the Education and Care Services National Law Act 2010 (Vic) This provision is not yet in force and will commence on 1 January 2019, unless proclaimed earlier

Children and Young Persons (Care and Protection) Act 1998 (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.245C	power to provide information to another prescribed body, and function of receiving	EYC, FDCTL,	Power or function of prescribed body (which includes

Children and Young Persons (Care and Protection) Act 1998 (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	information from another prescribed body	GMC, MCCS	licensee)
s.245D(1)	power to request information from another prescribed body	EYC, FDCTL, GMC, MCCS	Power of prescribed body (which includes licensee)
s.245D(3)	duty to comply with request for information by another prescribed body unless s.245D(4) applies	EYC, FDCTL, GMC, MCCS	Duty of prescribed body (which includes licensee)
s.245D(4)	Power to refuse to provide information in the circumstances listed in subsection (4)	EYC, FDCTL, GMC, MCCS	Power of prescribed body (which includes licensee)
s.245D(5)	duty to notify prescribed body with written reasons for refusing to provide information requested	EYC, FDCTL, GMC, MCCS	Duty of prescribed body (which includes licensee)
s.245E	Duty to take reasonable steps to co-ordinate decision making and the delivery of services regarding children and young persons	EYC, GMC, MCCS	Duty of prescribed body (which includes licensee)
s.245F	Duty to ensure information is not disclosed or used for any purpose other than for the safety, welfare or well-being of the child or young person	EYC, GMC, MCCS	Duty of prescribed body (which includes licensee)
s.248	Function of furnishing and receiving information to/from the Director-General	GMC, MCCS	Function of prescribed body (which includes licensee)
s.248B(6)	power to exchange assessment information with NSW State child protection bodies	EYC, FDCTL, GMC, MCCS	Where Council arranges child protection, out-of-home care, guardianship or adoption services

Children (Education and Care Services) National Law (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.10	Power to apply for provider approval	GMC, MCCS	Power of "person" which includes a body corporate
s.20	Function of receiving copy of provider approval	EYC, GMC, MCCS	Function of approved provider
s.22	Power to apply to the Regulatory Authority for amendment of the provider approval	EYC, GMC, MCCS	Power of the approved provider
s.23	Function of receiving notice of amendment of provider approval	EYC, GMC,	Function of approved provider

Children (Education and Care Services) National Law (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		MCCS	
s.24	Function of receiving a copy of amended provider approval	EYC, GMC, MCCS	Function of approved provider
s.26	Power of providing a written response to show cause notice	EYC, GMC, MCCS	Power of approved provider
s.29	Function of receiving notice of decision to suspend provider approval	EYC, GMC, MCCS	Function of approved provider
s.32	Function of receiving a show cause notice and power to provide a written response to show cause notice	EYC, GMC, MCCS	Function and power of approved provider
s.33	Function of receiving notice of decision of Regulatory Authority	EYC, GMC, MCCS	Function of approved provider
s.35	Duty to comply with request for information, if a show cause notice has been given	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.36	Duty to comply with request to give written notice of suspension or cancellation	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.37(1)	Power to apply to the Regulatory Authority for suspension of the provider approval	GMC, MCCS	Power of approved provider
s.37(3)	Duty to notify parents of intention to make application for suspension of provider approval	EYC, GMC, MCCS	Duty of approved provider
s.37(5)	Function of receiving notice of Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.37(6)	Function of agreeing with the Regulatory Authority on a date for suspension to take effect	GMC, MCCS	Function of approved provider
s.37(8)	Power to apply to revoke suspension before end of suspension period	GMC, MCCS	Power of approved provider
s.38(1)	Power to surrender provider approval	GMC, MCCS	Power of approved provider

Children (Education and Care Services) National Law (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.38(3)	Duty to notify parents of intention to surrender provider approval	GMC, MCCS	Duty of approved provider
s.43	Power to apply for a service approval for an education and care service	GMC, MCCS	Power of approved provider
s.51	Duty to comply with condition of service approval to hold prescribed insurance	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.52	Function of receiving a copy of the service approval	EYC, GMC, MCCS	Function of approved provider
s.54(1)	Power to apply for amendment of service approval and function of receiving notice of decision	EYC, GMC, MCCS	Power and function of approved provider
s.54(9)	Function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.55(3)	Function of receiving notice of the amendment	EYC, GMC, MCCS	Function of approved provider
s.56	Duty to give written notice to the Regulatory Authority of wish to change nominated supervisor	EYC, GMC, MCCS	Duty of approved provider
s.57	Function of receiving amended copy of service approval	EYC, GMC, MCCS	Function of approved provider
s.58	Power to transfer the service approval to another approved provider	EYC, GMC, MCCS	Power of approved provider
s.59	Duty to notify the Regulatory Authority of transfer under s.58	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.68	Duty to give written notice to the Regulatory Authority within 2 days of a transfer taking place	EYC, GMC, MCCS	Duty of approved provider
s.69	Duty to give written notice to parents of transfer of service	EYC, FDCTL, GMC, MCCS	Duty of approved who is receiving a transferred provider approval
s.71	Function of receiving a show cause notice and power to provide a written response to proposed suspension	EYC, GMC, MCCS	Function and power of approved provider

Children (Education and Care Services) National Law (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.74	Function of receiving written notice of decision to suspend service approval	EYC, GMC, MCCS	Function of approved provider
s.78	Function of receiving a show cause notice and power to provide written response to proposed cancellation	EYC, GMC, MCCS	Function and power of approved provider
s.79(1)	Function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.81	Power to apply for consent to transfer a service approval that is to be cancelled	EYC, GMC, MCCS	Power of approved provider
s.83	Duty to comply with request of Regulatory Authority for contact details of parents	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.84	Duty to comply with a direction of Regulatory Authority to give written notice of suspension or cancellation of service approval	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.85(1)	Power to apply to Regulatory Authority for a suspension of service approval	GMC, MCCS	Power of approved provider
s.85(4)	Duty to notify parents of intention to make application for suspension of service approval	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.85(6)	Function of agreeing with Regulatory Authority on date of suspension of service approval	GMC, MCCS	Function of approved provider
s.86(1)	Power to surrender a service approval	GMC, MCCS	Power of approved provider
s.86(3)	Duty to notify parents of intention to surrender the service approval	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.87(1)	Power to apply to the Regulatory Authority for waiver from the requirement to comply with elements of the National Quality Standard and national regulations	GMC, MCCS	Power of approved provider
s.92(2)	Power to apply to the Regulatory Authority for revocation of service waiver	GMC, MCCS	Power of approved provider
s.94	Power to apply for temporary waiver from the requirement to comply with elements of the National Quality Standard and national regulations	GMC, MCCS	Power of approved

Children (Education and Care Services) National Law (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.136(1)	Function of receiving notice of the outcome of the rating assessment	EYC, FDCTL, GMC, MCCS	Function of approved provider
s.141	Power to request the Regulatory Authority to review rating levels	EYC, GMC, MCCS	Power of approved provider
s.142(4)	Power to agree to extension of time	EYC, GMC, MCCS	Power of approved provider
s.143(2)	Function of receiving notice of the Regulatory Authority's decision	EYC, FDCTL, GMC, MCCS	Function of approved provider
s.144(2)	Power to apply to the National Authority for a further review of the rating levels	EYC, GMC, MCCS	Power of approved provider
s.151(4)	Power to agree to extension of time	EYC, GMC, MCCS	Power of approved provider
s.151(5)	Function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.152(1)	Power to apply to the National Authority for an approved education and care service to be assessed for the highest rating level	EYC, GMC, MCCS	Power of approved provider
s.155(3)	Power to agree to extension of time	EYC, GMC, MCCS	Power of approved provider
s.156	Function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.159	Power to reapply for the award of the highest rating level	EYC, GMC, MCCS	Power of an approved provider which has been awarded the highest rating level
s.171	Duty to comply with direction of Regulatory Authority to exclude inappropriate persons from premises	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.176	Duty to comply with a compliance direction of the Regulatory Authority	EYC, FDCTL, GMC, MCCS	Duty of approved provider

Children (Education and Care Services) National Law (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.177	Duty to comply with a compliance notice given by the Regulatory Authority	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.178	Duty to comply with a direction given by the Regulatory Authority	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.179	Duty to comply with a direction given by the Regulatory Authority	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.182	Function of receiving a prohibition notice	EYC, GMC, MCCS	Function of a person involved in the provision of an approved education and care service
s.183	Function of receiving a show cause notice and power to provide written submissions to the Regulatory Authority	EYC, GMC, MCCS	Function of a person involved in provision of an approved education and care service, including an approved provider
s.184	Function of receiving a notice of decision of Regulatory Authority	EYC, FDCTL, GMC, MCCS	Function of a person involved in provision of an approved education and care service, including an approved provider
s.186(1)	Function of receiving notice of cancellation of prohibition notice	EYC, FDCTL, GMC, MCCS	Function of a person involved in provision of an approved education and care service, including an approved provider
s.186(2)	Power to apply to the Regulatory Authority to cancel the prohibition notice	EYC, FDCTL, GMC, MCCS	Power of a person involved in provision of an approved education and care service, including an approved provider
s.191	Power to apply to the Regulatory Authority for review of decision	EYC, GMC, MCCS	Person who is the subject of a reviewable decision for internal review
s.193	Power to apply to relevant court or tribunal	GMC, MCCS	Power of a person who is the subject of a reviewable decision for external review
s.206	Duty to provide authorised officer with requested information	EYC, FDCTL, GMC, MCCS	Power of a specified person, which includes an approved provider
s.215	Duty to provide Regulatory Authority with requested information	EYC, FDCTL, GMC, MCCS	Duty of a specified person, which includes an approved provider
s.216	Duty to provide Regulatory Authority with requested information	EYC, FDCTL, GMC, MCCS	Duty of a specified person, which includes an approved provider

Children (Education and Care Services) National Law (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.269(1)	Duty to keep a register of each family day care educator and any other person engaged to educate and care for a child	EYC, FDCTL, GMC, MCCS	Duty of an approved provider
s.269(2)	Duty to provide information on the register upon request	EYC, FDCTL, GMC, MCCS	Duty of an approved provider
s.272	Power to request the Regulatory Authority to disclose certain information	EYC, GMC, MCCS	Power of an approved provider

Children (Education and Care Services) Supplementary Provisions Act 2011 (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.10	Duty to ensure that there is at least one nominated supervisor	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.32	Duty to provide parents with access to information listed in s.32	EYC, FDCTL, GMC, MCCS	Duty of approved provider
s.33-35	Duty to comply with the conditions of service approval	EYC, FDCTL, GMC, MCCS	Duty of approved provider

Children (Education and Care Services) Supplementary Provisions Regulation 2012 (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.10	Duty to apply to the Regulatory Authority for approval of revised venue management plan and amendment plan and amendment to the service approval	EYC, GMC, MCCS	Duty of approved provider
r.37	Duty to ensure that the premises of the service comply with the plan for those premises	EYC, FDCTL, GMC, MCCS	Duty of approved provider of a mobile education and care service for which there is a venue management plan
r.41(3)	Duty to ensure that a record is kept of any test of fire protection equipment	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.45-48	Duty to comply with requirements of rr.45-48 with respect to the premises of an education and care service	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.40-56	Duty to comply with requirements of rr.49-56 with respect to staffing	EYC, FDCTL,	Duty of approved provider

Children (Education and Care Services) Supplementary Provisions Regulation 2012 (NSW)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	arrangements for education and care service	GMC, MCCS	
r.58(2)	Power to agree to approval to provide the service to more children than the number specified in the service approval	EYC, FDCTL, GMC, MCCS	Power of approved provider
r.59(4)	duty to admit a child who is the subject of emergency child care approval to the first available vacancy at the service	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.60	duty to comply with requirements of r.60 with respect to group sizes	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.61	duty to comply with requirements of r.61 with respect to the attendance of school children at the education and care service	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.63-71	duty to comply with operational requirements contained in rr.63-71	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.72-75	duty to comply with requirements of rr.72-75 with respect to information and access to children	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.76-79	duty to comply with requirements of rr.76-79 with respect to excursions	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.80-83	duty to comply with requirements of rr.80-83 with respect to emergencies	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.85-106	duty to comply with administrative requirements contained in rr.85-106	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.101	duty to give the Regulatory Authority notice of certain changes	EYC, FDCTL, GMC, MCCS	Duty of approved provider who is a public authority

Children's Services Act 1996 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.9	power to apply to Secretary for approval of premises and alterations to premises	GMC, MCCS	

Children's Services Act 1996 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.15	power to apply for licence to operate children's service	GMC, MCCS	
s.25G	function of receiving copy of licence	GMC	function of a licensee
s.25I	function of being notified by Secretary	GMC	function of a licensee
s.25K	power to apply for approval of persons to control or manage the service	GMC, MCCS	power of a licensee
s.25N	power to apply to Secretary for renewal of licence	GMC, MCCS	power of a licensee
s.25P(3)	power to apply to Secretary to vary, revoke or impose a new condition, or to vary the time period of the licence	GMC, MCCS	power of a licensee
s.25P(5)	function of receiving varied licence	GMC	function of a licensee
s.25S	power to apply for voluntary suspension of licence	GMC, MCCS	power of a licensee
s.25T	power to apply for cancellation of licence	GMC, MCCS	power of a licensee
s.25W(2)(a)(ii)	power to designate in writing a person as the primary nominee	GMC, MCCS	Power of an approved provider Subject to s.25W(2A)
s.25WA	duty to give written notice to the Secretary if the approved provider wishers to change the primary nominee for an approved associated children's service	GMC, MCCS	Duty of an approved provider of an approved associated children's service
s.25X(1)	power to apply to the Secretary for approval of new nominees and primary nominees	EYC, GMC, MCCS	Power of an approved provider
s.25X(3)	function of receiving notice from the Secretary regarding approved nominees	EYC, GMC, MCCS	Function of an approved provider
s.25Z	function of receiving notice of decision from Secretary	GMC, MCCS	Function of an approved provider
s.25ZA	power to apply to the Secretary for suspension of service approval	GMC, MCCS	Power of an approved provider
s.25ZB	power to request cancellation of service approval	GMC, MCCS	Power of an approved provider
ss.26 - 34A	duty to comply with the obligations imposed on proprietors and licensees	EYC, GMC,	duties of a proprietor, a licensee and an approved

Children's Services Act 1996 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	under pt 4 of the Act with respect to operation of children's services	MCCS	provider of an approved associated children's service
s.36(3)	power to consent (or to withhold consent) to authorised officer entering premises	EYC, GMC, MCCS, PCD	power of an occupier
s.36A	function of providing information sought by Authorised Officer	EYC, GMC, MCCS, PCD	function of a licensee, staff member or nomineepower of occupier
ss.42A & 43AA	function of responding to, or taking steps required by, the Secretary	EYC, GMC, MCCS	function of a licensee, a proprietor and an approved provider of an approved associated children's service
s.43A	Duty to comply with the direction of the Secretary	GMC, MCCS	function of a proprietor
s.45A	Function of receiving notice of Secretary's intention to cancel the service approval and function of making submissions to Secretary	GMC, MCCS	Function of an approved provider
s.53B	Function of receiving notice of Secretary's intention to publish information	EYC, GMC, MCCS	function of a licensee and an approved provider
s.53C	Function of receiving information from the Secretary in relation to a children's service	EYC, GMC, MCCS	
s.54A	power to apply for internal review by the Secretary	GMC, MCCS	power of a licensee and an approved provider of an approved associated children's service
s.55	power to apply to VCAT	GMCS, MCCS	power of a person aggrieved

Children's Services Regulations 2009 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.24C	function of ensuring that a request to cancel a service approval under section 25ZB of the Act is accompanied by information in Part 14 of Schedule 1 of the regulations	EYC, GMC, MCCS	Function of approved provider of an approved associated children's service
r.28	duty to ensure that records kept are accurate	EYC, GMC, MCCS, PCD	Duty of proprietor
r.29	duty to ensure attendance record is kept in accordance with r.29	EYC, GMC,	Duty of proprietor

Children's Services Regulations 2009 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		MCCS, PCD	
rr.31 & 35	duty to ensure that an enrolment records are kept in accordance with division 3 of Part3	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.36 & 37	duty to ensure that medication, accident, injury, trauma and illness records are kept in accordance with division 4 of Part 3	EYC, GMC, MCCS, PCD	Duty of proprietor
r.38	duty to ensure that staff record is kept in accordance with r.38	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.40 - 44	duty to ensure that requirements as to provision and display of information in division 1 of Part 4 are complied with	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.50 - 52A	duty to ensure that a minimum staff and teaching hour requirements in division 1 of Part 5 are met	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.60, 63, 65, 67, 68	duty to ensure that qualified and training requirements for staff in division 3 of Part 5 are complied with	EYC, GMC, MCCS, PCD	Duty of proprietor
r.70	duty to read current assessment notice and volunteer assessment notice (and duty to ensure r.70 is complied with)	EYC, GMC, MCCS, PCD	Duty of licensee and primary nominee
r.70A	duty to read, or ensure that nominee has read, assessment notice before person becomes employee or volunteer	EYC, GMC, MCCS, PCD	Duty of approved provider of an approved associated children's service
rr.71 - 74	duty to ensure that the requirements in relation to access to and removal of children from the premises in division 1 of Part 6 are complied with	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.76 & 77	duty to ensure that safety requirements in division 2 of Part 6 are complied with	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.78 - 82	duty to ensure that personal hygiene, food and beverage and smoke-free requirements in division 3 of Part 6 are complied with	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.84, 86, 88 & 89	duty to ensure that first aid and illness requirements in division 5 of Part 6 are complied with	EYC, GMC, MCCS, PCD	Duty of proprietor
r.91	duty to notify parent of serious incident	EYC, GMC,	Duty of proprietor

Children's Services Regulations 2009 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		MCCS, PCD	
r.93	duty to ensure that each child has access to furniture, materials and developmentally appropriate equipment	EYC, GMC, MCCS, PCD	Duty of proprietor
rr.95 - 100	duty to ensure that rooms and space requirements in division 3 of Part 7 are complied with	EYC, GMC, MCCS, PCD	Duty of licensee and approved provider of an approved associated children's service
rr.101 - 104	duty to ensure that toileting, rest and food preparation facilities requirements in division 4 of Part 7 are complied with	EYC, GMC, MCCS, PCD	Duty of licensee and approved provider of an approved associated children's service
r.105(1)	duty to deal with and respond to complaints	EYC, GMC, MCCS, PCD	Duty of proprietor
r.105(2)	duty to notify Secretary of complaints	EYC, GMC, MCCS, PCD	Duty of proprietor
r.106	duty to ensure that the Children's Services Act 1996 and Regulations are available at the premises of the children's service	EYC, GMC, MCCS, PCD	Duty of proprietor

Education and Care Services National Law Act 2010 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.10	power to apply for provider approval	GMC, MCCS	Power of "person" which includes a body corporate
s.19(2)	duty to comply with the Act	GMC, MCCS	Power of an approved provider
s.19(4)	duty to comply with the conditions of the provider approval	GMC, MCCS	Power of an approved provider
s.20	function of receiving copy of provider approval	GMC, MCCS	Function of an approved provider
s.22	power to apply to the Regulatory Authority for amendment of the provider approval	GMC, MCCS	Power of the approved provider
s.23(3)	function of receiving notice of amendment of provider approval	GMC, MCCS	Function of an approved provider
s.24	function of receiving a copy of amended provider approval	GMC, MCCS	Function of an approved provider

Education and Care Services National Law Act 2010 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.26(2)(d)	power of providing a written response to show cause notice	GMC, MCCS	Power of the approved provider
s.29(1)	function of receiving notice of decision to suspend provider approval	GMC, MCCS	Function of an approved provider
s.32(2)	Function of receiving a show cause notice and power to provide a written response to show cause notice	GMC, MCCS	Function and power of an approved provider
s.33(1)(b)	function of receiving notice of decision of Regulatory Authority	GMC, MCCS	Function of an approved provider
s.35(2)	duty to comply with request for information, if a show cause notice has been given	EYC, GMC, MCCS	Duty of an approved provider
s.36(2)	duty to give written notice of the suspension or cancellation and its effect to the parents of children enrolled at all or any of the education and care services operated by Council	GMC, MCCS	Duty of an approved provider If required by Regulatory Authority
s.36(3)	duty to comply with request to give written notice of suspension or cancellation	EYC, GMC, MCCS	Duty of an approved provider
s.37(1)	power to apply to the Regulatory Authority for suspension of the provider approval	GMC, MCCS	Power of an approved provider
s.37(3)	duty to notify parents of intention to make application for suspension of provider approval	EYC, GMC, MCCS	Duty of an approved provider
s.37(5)	function of receiving notice of Regulatory Authority's decision	GMC, MCCS	Function of an approved provider
s.37(6)	function of agreeing with the Regulatory Authority on a date for suspension to take effect	GMC, MCCS	Function of an approved provider
s.37(8)	power to apply to revoke suspension before end of suspension period	GMC, MCCS	Power of an approved provider
s.38(1)	power to surrender provider approval	GMC, MCCS	Power of an approved provider
s.38(3)	duty to notify parent of intention to surrender provider approval	EYC, GMC, MCCS	Duty of an approved provider
s.43	power to apply for a service approval for an education and care service	GMC, MCCS	Power of an approved provider
s.51	duty to comply with condition of service approval to hold prescribed insurance	EYC, GMC, MCCS	Duty of an approved provider

Education and Care Services National Law Act 2010 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.52	function of receiving a copy of the service approval	EYC, GMC, MCCS	Function of approved provider
s.54(1)	power to apply for amendment of service approval and function of receiving notice of decision	GMC, MCCS	Power and function of approved provider
s.54(9)	function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.55(3)	function of receiving notice of the amendment	EYC, GMC, MCCS	Function of approved provider
s.56	duty to give written notice to the Regulatory Authority of wish to change nominated supervisor	GMC, MCCS	Duty of approved provider
s.57	function of receiving amended copy of service approval	EYC, GMC, MCCS	Function of approved provider
s.58	power to transfer the service approval to another approved provider	GMC	Power of approved provider
s.59	duty to notify the Regulatory Authority of transfer under s.58	GMC, MCCS	Duty of approved provider
s.62	function of receiving notice of the Regulatory Authority's decision to intervene	GMC, MCCS	Function of approved provider
s.68	duty to give written notice to the Regulatory Authority within 2 days of a transfer taking place	GMC, MCCS	Duty of approved provider
s.69	duty to give written notice to parents of transfer of service	EYC, GMC, MCCS	Duty of approved provider who is receiving a transferred provider approval
s.71	function of receiving a show cause notice and power to provide a written response to proposed suspension	GMC, MCCS	Function and power of approved provider
s.74	function of receiving written notice of decision to suspend service approval	GMC, MCCS	Function of approved provider
rr.158-162	duty to keep attendance, immunisation and enrolment records in accordance with rr.158-162	EYC, FDCTL, GMC, KEO, KEPO, MCCS	Duty of approved provider
s.78	function of receiving a show cause notice and power to provide a written response to proposed cancellation	GMC, MCCS	Function and power of approved provider
s.79(1)	function of receiving notice of the Regulatory Authority's decision	GMC, MCCS	Function of approved provider

Education and Care Services National Law Act 2010 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.81	power to apply for consent to transfer a service approved that is to be cancelled	GMC, MCCS	Power of approved provider
s.83	duty to comply with request of Regulatory Authority for contact details of parents	EYC, FDCTL, GMC, MCCS, PCD	Duty of approved provider
s.84	duty to comply with request of Regulatory Authority for contact details of parents	EYC, FDCTL, GMC, MCCS, PCD	Duty of approved provider
s.85(1)	duty to comply with a direction of Regulatory Authority to give written notice of suspension or cancellation of service approval	GMC, MCCS	Duty of approved provider
s.85(4)	power to apply to Regulatory Authority for a suspension of service approval	GMC, MCCS	Power of approved provider
s.85(6)	duty to notify parents of intention to make application for suspension of service approval	EYC, FDCTL, GMC, MCCS, PCD	Duty of approved provider
s.86(1)	function of agreeing with Regulatory Authority on date of suspension of service approval	GMC, MCCS	Function of approved provider
s.86(3)	power to surrender a service approval	GMC, MCCS	Power of approved provider
s.87(1)	power to apply to the Regulatory Authority for waiver from the requirement to comply with element of the National Quality Standard and national regulations	GMC, MCCS	Power of approved provider
s.92(2)	power to apply to the Regulatory Authority for revocation of service waiver	GMC, MCCS	Power to approved provider
s.94	power to apply for temporary waiver from the requirement to comply with elements of the National Quality Standard and national regulations	GMC, MCCS	Power of approved provider
s.136(1)	function of receiving notice of the outcome of the rating assessment	EYC, FDCTL, GMC, MCCS, PCD	Function of approved provider
s.137(2)	function of receiving notice from the Regulatory Authority	EYC, FDCTL, GMC, MCCS, PCD	Function of approved provider
s.139	power to apply to the Regulatory Authority for re-assessment and re-rating on an approved education and care service	EYC, GMC, MCCS	Power of approved provider
s.141	power to request the Regulatory Authority to review rating levels	EYC, GMC, MCCS	Power of approved provider

Education and Care Services National Law Act 2010 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.142(4)	power to agree to extension of time	EYC, GMC, MCCS	Power of approved provider
s.143(2)	function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.144(2)	power to apply to the National Authority for a further review of the rating levels	EYC, GMC, MCCS	Power of approved provider
s.151(4)	power to agree to extension of time	EYC, GMC, MCCS	Power of approved provider
s.151(5)	function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.152(1)	power to apply to the National Authority for an approved education and care service to be assessed for the highest rating level	EYC, GMC, MCCS	Power of approved provider
s.155(3)	power to agree to extension of time	EYC, GMC, MCCS	Power of approved provider
s.156	function of receiving notice of the Regulatory Authority's decision	EYC, GMC, MCCS	Function of approved provider
s.159	power to reapply for the award of the highest rating level	EYC, FDCTL, GMC, MCCS, PCD	Power of an approved provider which has been awarded toe highest rating level
s.171	duty to comply with direction of Regulatory Authority to exclude inappropriate persons from premises	EYC, FDCTL, GMC, MCCS, PCD	Duty of approved provider
s.176	duty to comply with a compliance direction of the Regulatory Authority	EYC, GMC, MCCS, PCD	Duty of approved provider
s.177	duty to comply with a compliance notice given by the Regulatory Authority	EYC, GMC, MCCS, PCD	Duty of approved provider
s.178	duty to comply with a direction given by the Regulatory Authority	EYC, GMC, MCCS, PCD	Duty of approved provider
s.179	duty to comply with a direction given by the Regulatory Authority	EYC, FDCTL, GMC, MCCS, PCD	Duty of approved provider
s.182	function of receiving a prohibition notice	EYC, FDCTL, GMC, MCCS, PCD	Function of a person involved in the provision of an approved education and care service
s.183	function of receiving a show cause notice and power to provide written	EYC, GMC, MCCS	Function of a person involved in provision of an

Education and Care Services National Law Act 2010 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	submissions to the Regulatory Authority		approved education and care service, including an approved provider
s.184	function of receiving a notice of decision of Regulatory Authority	EYC, GMC, MCCS	Function of a person involved in provision of an approved education and care service, including an approved provider
s.186(1)	function of receiving notice of cancellation of prohibition notice	EYC, GMC, MCCS	Function of a person involved in provision of an approved education and care service, including an approved provider
s.186(2)	power to apply to the Regulatory Authority to cancel the prohibition notice	EYC, GMC, MCCS	Power of a person involved in provision of an approved education and care service, including an approved provider
s.191	power to apply to the Regulatory Authority for review of decision	EYC, GMC, MCCS	Person who is the subject of a reviewable decision for internal review
s.193	power to apply to relevant court or tribunal	EYC, GMC, MCCS	Power of a person who is the subject of a reviewable decision for external review
s.206	duty to provide authorised officer with requested information	EYC, FDCTL, GMC, MCCS, PCD	Power of a specified person, which includes an approved provider
s.215	duty to provide Regulatory Authority with requested information	EYC, GMC, MCCS, PCD	Duty of a specified person, which includes an approved provider
s.216	duty to provide Regulatory Authority with requested information	EYC, GMC, MCCS, PCD	Duty of a specified person, which includes an approved provider
s.269(1)	duty to keep a register of each family day care educator and any other person engaged to educate and care for a child	EYC, FDCTL, GMC, MCCS	Duty of an approved provider
s.269(2)	duty to provide information on the register upon request	EYC, FDCTL, GMC, MCCS	Duty of an approved provider
s.272	power to request the Regulatory Authority to disclose certain information	GMC, MCCS	Power of an approved provider

Education and Care Services National Regulations 2011 (NSW) (Also known as "National Law Regulations")			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.33	duty to pay the annual fee for service approval	EYC, GMC, MCCS	Duty of approved provider
r.43	power to agree to alternative notice period	EYC, GMC, MCCS	Power of approved provider
r.55	duty to prepare and submit a quality improvement plan within 3 months of grant of service approval	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.56	duty to review and revise quality improvement plan and submit to Regulatory Authority on request	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.74	duty to ensure that certain information listed in r.74(1) is documented	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.75	duty to make available certain information listed in r.75	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.76	duty to provide certain information to parents on request	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.77-84	duty to ensure that requirements in rr.77-84 regarding children's health, safety and wellbeing are met	EYC, GMC, MCCS	Duty of approved provider
r.86	duty to notify parent of child involved in incident, injury, trauma or illness	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.87	duty to keep an incident, injury, trauma and illness record, in accordance with r.87	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.88	duty to ensure that parents are notified of an occurrence of an infectious disease at the child-care venue	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.89	duty to ensure that first aid kits are kept in accordance with r.89	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.91	duty to ensure that a copy of the medical conditions policy is provided to parents of a child enrolled at service, if aware that their child has a health care need, allergy or medical condition	EYC, FDCTL, GMC, MCCS	Duty of approved provider

Education and Care Services National Regulations 2011 (NSW) (Also known as "National Law Regulations")			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
rr.92-96	duty to accord with requirements in rr.92-96 regarding administration of medication to children	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.97	duty to accord with requirements in r.97 regarding emergency and evacuation procedures	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.98	duty to ensure that staff have access to telephone and communication equipment	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.99, 100 & 102	duty to accord with requirements in rr.99, 100 & 102, regarding collection of children from premises and excursions	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.103-115	duty to accord with requirements in 103-115 regarding facilities at child care service	EYC, GMC, MCCS	Duty of approved provider
r.116	duty to conduct as assessment of each residence and approved family day care venue and require each family day care educator to advise of certain changes	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.117	duty to comply with glazing requirements in r.117	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.118	duty to designate a suitably qualifies and experienced educational leader	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.119	duty to ensure that family day care educators and assistants are 18 years old or older	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.120	duty to ensure educators under 18 years of age are supervised	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.124	[pwer to approve a family day care educator to educate and care for more than 7 children or more than 4 preschool age children	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.136	duty to ensure that persons with certain first aid training are in attendance at the service	EYC, GMC, MCCS	Duty of approved provider
r.144	power to approve a person to assist a family day care educator	EYC, FDCTL, GMC, MCCS	Power of approved provider

Education and Care Services National Regulations 2011 (NSW) (Also known as "National Law Regulations")			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
rr.145-152	duty to keep staff and educator records in accordance with rr.145-152	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.154	duty to keep a record of staff, family day care co-ordinators and assistants engaged by the service	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.155-156	duty to comply with requirements of rr.155-156 with respect to interactions with children and relationships in groups	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.157	duty to ensure that parents have access to the child care centre premises	EYC, GMC, MCCS	Duty of approved provider
r.162	duty to keep immunisation status certificate or exemption for each child enrolled at education and care service	EYC, FDCTL, GMC, MCCS	Duty of approved provider of an education and care service Duty specifically prescribed in relation to Victoria
rr.163-166	duty to comply with requirements of rr.163-166 with respect to residents of family day care premises	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.167-172	duty to accord with requirements regarding policies and procedures	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.180	duty to keep evidence of prescribed insurance	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.181	duty to ensure confidentiality of records	EYC, FDCTL, GMC, MCCS	Duty of approved provider
rr.183-184	duty to comply with rr.183-184 regarding storage of records	EYC, FDCTL, GMC, MCCS	Duty of approved provider
r.185	duty to ensure that a copy of law and regulations is accessible at child care premises	EYC, GMC, MCCS	Duty of approved provider
r.238	duty to prepare and make available a quality improvement plan	EYC, FDCTL, GMC, MCCS	Duty of approved provider

Education and Care Services National Regulations 2011 (NSW) (Also known as "National Law Regulations")			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.257	power to apply to the Regulatory Authority for the prescribed regulation to cease to apply in relation to the service	EYC, GMC, MCCS	Power of approved provider
r.273	duty to ensure that the nominated supervisor of the service has completed a course in child protection	EYC, FDCTL, GMC, MCCS	Duty of approved provider Note: This regulation applies in New South Wales only
r.274	duty to comply with requirements of r.274 with respect to swimming pools at the premises of the service	EYC, FDCTL, GMC, MCCS	Duty of approved provider Note: This regulation applies in New South Wales only
r.358	duty to read or ensure that the nominated supervisor has read a person's working with children check before they are engaged	EYC, FDCTL, GMC, MCCS	Duty of approved provider Note: This regulation applies in Victoria only
r.359	duty to read or ensure that the nominated supervisor has read a person's criminal history check before they are engaged	EYC, FDCTL, GMC, MCCS	Duty of approved provider Note: This regulation applies in Victoria only

Public Health and Wellbeing Act 2008			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.143B	duty to ensure enrolment of child only confirmed if satisfactory immunisation certificate provided	EYC, FDCTL, GMC, KEO, KEPO, MCCS, PCD	Duty of person in charge of early childhood service Subject to exceptions contained in s.143C(1)
s.143C(2)	duty to take reasonable steps to ensure immunisation status certificate provided within 16 weeks of child attending service	EYC, FDCTL, GMC, KEO, KEPO, MCCS, PCD	Duty of person in charge of early childhood service Where an exception contained in s.143C(1) applies

Public Health and Wellbeing Act 2008			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.149(2)	power to rely on immunisation status certificate	EYC, FDCTL, GMC, KEO, KEPO, MCCS, PCD	Power of person in charge of early childhood service

Working with Children Act 2005 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.15(3)	function of receiving notice from Secretary	GMC, MCCS	Function of an agency
s.18	function of receiving notice from Secretary	GMC, MCCS	Function of an agency
s.20(1)	function of receiving notice of a change from worker	EYC, FDCTL, GMC, MCCS, PCD	Function of an agency
s.20A(3)	function of receiving notice from Secretary	ADSC, CHC, EYC, GMC, MCCS	Function of an agency
s.21AF	function of receiving notice from Secretary	GMC, MCCS	Function of an agency
s.21A(9)	function of receiving notice from Secretary	GMC, MCCS	Function of an agency
s.21B(5)	function of receiving notice from Secretary	GMC, MCCS	Function of an agency
s.21B(6)	function of receiving notice from Secretary	GMC, MCCS	Function of an agency
s.22	function of receiving notice from a holder of a negative notice	EYC, FDCTL, GMC, MCCS, PCD	Function of an agency
s.24(4)	function of receiving notice from the Secretary	GMC, MCCS	Function of an agency
s.30(2)	function of receiving notice of suspension or cancellation of a person's registration under the Education and Training Reform Act 2006	EYC, GMC, MCCS	Function of an agency
s.31(2)	function of receiving notice of suspension or dismissal of person with an exemption under the Victoria Police Act 2013	EYC, FDCTL, GMC, MCCS, PCD	Function of an agency
s.31A(2)	function of receiving notice of suspension or termination of employment of a member of the Australian	GMC, MCCS	Function of an agency

Working with Children Act 2005 (VIC)			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Federal Police		
s.36(1)	duty to ensure that an offence against section 36 is not committed	EYC, GMC, MCCS	Duty of an agency

14.17 ADOPTION OF WATERWAY MANAGER INSTRUMENT OF DELEGATION

Summary

The purpose of this report is to present the updated Waterway Manager Instrument of Delegation for adoption.

2020/0188

Moved: **Cr Gavin Sedgmen**
Seconded: **Cr Helen Healy**

That Council:

(i) revoke the Waterway Manager Instrument of Delegation adopted by Council on 26 June 2019;
(ii) adopt the updated Waterway Manager Instrument of Delegation as presented; and
(iii) authorise all powers be delegated to members of Council staff holding, acting in or performing the duties of officers or positions referred to in the attached instrument of delegation, once adopted.

CARRIED

Instrument of Delegation from the Waterway Manager
to Members of Council Staff

Mildura Rural City Council

Mildura Rural City Council
(as Waterway Manager for Lake Cullulleraine)

Instrument of Delegation

to

Members of Council Staff

Document Control Page

Document Information

	Information
Records Manager File Number	18/02/05
Document Owner	General Manager Corporate
Last Update	August 2020

Document History

Version	Issue Date	Changes
1.0	December 2016	Delegation document created due to legislative changes
2.0	April 2018	Maddocks review prompted by further legislative changes
3.0	June 2019	Annual Maddocks review and amendment to position titles
4.0	August 2020	Implementation of *Local Government Act 2020*

Instrument of Delegation

In exercise of the power conferred by s 217 of the *Marine Safety Act 2010*, Mildura Rural City Council (**Council**), as Waterway Manager for Lake Cullulleraine:

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 contractor or 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 4 of the Schedule;

2. records that a reference in the Schedule to:

CCC	means	Civic Compliance Coordinator
CFS	means	Facility Services Coordinator
GMCS	means	General Manager Corporate
GMD	means	General Manager Development
GRC	means	Governance & Risk Coordinator
MAS	means	Manager Asset Services
MCA	means	Manager Corporate Administration
MDS	means	Manager Development Services
MFS	means	Manager Financial Services
SCCO	means	Senior Civic Compliance Officer

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 26 August 2020; and

3.2 the delegation:

3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

26 August 2020 **DATE**

SCHEDULE

Instrument of Delegation from the Waterway Manager to Members of Staff

Marine Safety Act 2010			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.193(1)	Duty to notify the Safety Director of the intention to make a request under s 194	CCC, GMD, MDS	
s.193(3)(b)	Function of receiving notice from the Safety Director	GMD, MDS	
s.193(5)	Function of receiving advice from the Safety Director	GMD, MDS	
s.193(6)	Function of receiving advice from the Safety Director	GMD, MDS	
s.193(7)	Function of receiving advice from the Safety Director	GMD, MDS	
s.194(1)	Power to request that the Safety Director makes waterway rules	CCC, GMD, MDS	In relation to waters under its control
s.196(1)	Duty to invite submissions and comments regarding proposed waterway rule	CCC, GMCS, GMD, MCA, MDS	Subject to Pt 5.1
s.196(2)	Duty to publish notice and make copies available	CCC, GMCS, GMD, MCA, MDS	
s.196(5)	Duty to take into account every submission or comment received	CCC, GMCS, GMD, MCA, MDS	
s.200	Function of consulting with the Safety Director	CCC, GMD, MDS	
s.202	Duty to comply with a standard determined under s 199	CCC, GMD, MDS, SCCO	
s.203(3)	Power to make a declaration that provides for the matters listed ss 203(3)(a) - 203(3)(c)	GMD, MDS	Where Council is an applicable regulatory entity

Marine Safety Act 2010			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.203(6)	Duty to publish declaration	GMCS, GMD, MCA, MDS	Where Council is an applicable regulatory entity
s.204(1)	Duty to give certain documents to the Safety Director	CCC, GMD, MDS	
s.204(4)	Duty to comply with a direction of the Safety Director	CCC, GMD, MDS	
s.208(2)	Power to prohibit a person or class of person, or vessel, or class of vessel, from entering or remaining in a specified part of waters under Council's control	CCC, GMD, MDS, SCCO	Subject to ss 208 and 209
s.209(1)	Duty to give a draft of the notice to the Safety Director	GMD, MDS	
s.209(4)	Duty to comply with a direction of the Safety Director	GMD, MDS	
s.211(1)(a)	Power to give directions to masters of vessels in relation to the navigation and movement of those vessels	CCC, GMD, MDS	Where Council is an applicable regulatory entity
s.211(1)(b)	Power to publish notice in the Government Gazette prohibiting the navigation and movement of vessels, and or regulating the position and manner in which vessels may anchor or be secured	GMCS, GMD, MCA, MDS	Where Council is an applicable regulatory entity Subject to s 212
s.212(1)	Duty to give draft of the notice to the Safety Director	GMD, MDS	
s.212(4)	Duty to comply with a direction of the Safety Director	CCC, GMD, MDS, SCCO	
s.215(1)	Function of determining that due to an emergency, persons must not enter or remain in a part of waters	GMD, MDS	
s.215(2)	Power to direct a person not to enter or remain in the waters	GMD, MDS	
s.215(3)	Duty to make a written copy of the direction and keep a copy for 6 years after the date of the direction	GMD, MDS	

Marine Safety Act 2010			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.216(1)(a)	Function of managing vessel activities on the water	CCC, GMD, MDS, SCCO	Council must carry out functions under s 216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels
s.216(1)(b)	Function of managing and allocating moorings and berths in water	CCC, GMD, MDS, SCCO	Council must carry out functions under s 216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels
s.216(1)(c)	Function of providing and maintaining navigation aids, including appropriate signage as to water levels, hazards and applicable marine laws	CCC, CFS, GMD, MAS, MDS	In accordance with any standards developed by the Safety Director Council must carry out functions under s 216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels
s.216(1)(d)	Function of controlling the navigation and vessel movement in the water	CCC, CFS, GMD, MAS, MDS, SCCO	Council must carry out functions under s 216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels
s.216(1)(e)	Function of designating areas in which anchorage of vessels is permitted and not permitted	CCC, GMD, MAS, MDS	Council must carry out functions under s 216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels
s.216(1)(f)	Function of altering and dredging channels for navigation in water	GMD, MAS, MDS	Council must carry out functions under s 216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vesselsIn accordance with any directions or determination of the Safety Director
s.216(1)(g)	Function of removing or marking obstructions in the water	CCC, CFS, GMD, MAS, MDS, SCCO	Council must carry out functions under s 216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels
s.216(3)(a)	Power to enter into contracts and agreements for the carrying out of Council's functions under s 216 of the Marine Safety Act 2010	CFS, GMD, MAS, MDS	

Marine Safety Act 2010			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.216(3)(b)	Power to enter into contracts or agency agreements with persons to assist in the carrying out of Council's functions under the Marine Safety Act 2010	CFS, GMD, MAS, MDS	
s.216(3)(c)	Power to charge the prescribed fees for any service provided	CCC, GMCS, GMD, MAS, MCA, MDS, MFS, SCCO	Council must have regard to any relevant regulations made under s 311
s.216(3)(d)	Power to do all things necessary to enable Council to carry out its functions under s 216 of the Marine Safety Act 2010	CCC, CFS, GMD, MAS, MDS	
s.219A(1)	Power to move any 'thing' or cause any 'thing' to be moved from water	CCC, CFS, GMD, MAS, MDS, SCCO	Subject to ss 219A(1)(a) and 219A(1)(b)
s.219A(2)	Power to immediately remove a 'thing' from water	CCC, CFS, GMD, MAS, MDS, SCCO	Subject to ss 219A(2)(a) and s 219A(2)(b)
s.219B(1)	Power to enter the vehicle or vessel using reasonable force if necessary	CCC, CFS, GMD, MAS, MDS, SCCO	For the purpose of conveniently or expediently moving the vehicle or vessel
s.219B(2)	Duty to move the 'thing' to the nearest safe and convenient place	CCC, CFS, GMD, MAS, MDS, SCCO	
s.219C	Duty to make all reasonable enquiries to establish the identity or location of the owner of the property	CCC, CFS, GMD, MAS, MDS, SCCO	
s.219D(1)	Power to dispose of a 'thing'	CCC, CFS, GMD, MAS, MDS, SCCO	Council must not to dispose of a 'thing' under s 219D(1) subject to ss 219D(2)(a) – (b) and 219D(3)
s.219D(4)	Duty to give the owner of a 'thing' that has been moved notice, in writing, that Council intends to dispose of it	CCC, CFS, GMD, MAS, MDS, SCCO	

Marine Safety Act 2010			
Provision	**Powers and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.219D(5)	Power to dispose of the 'thing' after 28 days, either by gift, sale, destruction, or by otherwise dealing with the 'thing'	CCC, CFS, GMCS, GMD, MAS, MCA, MDS, SCCO	If notice in writing is given under s 219D(4) to the owner and the owner does not recover the 'thing'
s.219E(1)	Power to recover costs from the owner of the 'thing'	CCC, GMCS, GMD, MCA, MDS, SCCO	If a 'thing' has been moved under ss 219A(1) or 219A(2)
s.219F(1)	Duty to pay to the owner, and any other person with an interest in the 'thing', an amount commensurate with the value of the person's interest in the 'thing', less any amount payable under s 219E	GMCS, GMD, MCA, MDS	If the owner of a 'thing' is unable to recover possession of the 'thing' because the thing has been disposed of under Pt 5.5 Div 2
s.219G(a)	Power to recover the costs of moving and disposing of the 'thing'	CCC, GMCS, GMD, MCA, MDS, SCCO	If the 'thing' has been disposed of under s 219D(1) and the identity or location of the owner has not been established
s.220(5)	Duty to ensure that a licensed harbour master is engaged at all times	CCC, GMD, MDS	In respect of any part of waters in which the Safety Director has determined that a licensed harbour master is required to be engaged
s.221(1)	Duty to issue identity card to harbour master	GMCS, GRC, MCA	If Council has engaged a harbour master
s.229(4)	Power to authorise, in writing, a person to act as an assistant harbour master	GMD, MDS	If a harbour master is engaged, the harbour master has been consulted and the Safety Director has given written approval
s.281	Function of consulting with the Safety Director regarding development and review of the Marine Enforcement Policy	CCC, GMD, MAS, MDS	

14.18 ADOPTION OF S11A INSTRUMENTS OF APPOINTMENT AND AUTHORISATION

Summary

This report seeks Council's adoption of new and existing S11A Instruments of Appointment and Authorisation. This instrument also allows the officer to commence legal proceedings in Council's name.

2020/0189

Moved: **Cr Glenn Milne**
Seconded: **Cr Gavin Sedgmen**

That Council adopt the S11A Instrument of Appointment and Authorisation documents as presented, for:

- **Adrian Symens, Team Leader Statutory Planning Administration**
- **Andrea Collins, Senior Town Planner**
- **Bonnie Pettett, Environmental Sustainability Coordinator**
- **Damien Sutton, Statutory Planning Coordinator**
- **Joanne Robinson, Environmental Sustainability Biodiversity Officer**
- **Joshua Larder, Town Planner**
- **Karina Fonseca Ramirez, Town Planner / Subdivisions Officer**
- **Mark Jenkins, Manager Community Futures**
- **Matthew Jackson, Principal Statutory Planner**
- **Natalie Turvey, Town Planner**
- **Peter Douglas, Strategic Planning Coordinator**
- **Robert Tindall, Enforcement Officer**
- **Timothy Berger, Senior Statutory Planner**

CARRIED

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

ADRIAN SYMENS
TEAM LEADER STATUTORY PLANNING ADMINISTRATION

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

ADRIAN SYMENS

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

ANDREA COLLINS
SENIOR TOWN PLANNER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

ANDREA COLLINS

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

BONNIE PETTETT
ENVIRONMENTAL SUSTAINABILITY COORDINATOR

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

BONNIE PETTETT

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

DAMIEN SUTTON
STATUTORY PLANNING COORDINATOR

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

DAMIEN SUTTON

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

JOANNE ROBINSON
ENVIRONMENTAL SUSTAINABILITY BIODIVERSITY OFFICER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

JOANNE ROBINSON

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

JOSHUA LARDER
TOWN PLANNER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

JOSHUA LARDER

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

KARINA FONSECA RAMIREZ
TOWN PLANNER / SUBDIVISIONS OFFICER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

KARINA FONSECA RAMIREZ

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

MARK JENKINS
MANAGER COMMUNITY FUTURES

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

MARK JENKINS

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

MATTHEW JACKSON
PRINCIPAL STATUTORY PLANNER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

MATTHEW JACKSON

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

NATALIE TURVEY
TOWN PLANNER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

NATALIE TURVEY

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

PETER DOUGLAS
STRATEGIC PLANNING COORDINATOR

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

PETER DOUGLAS

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

ROBERT TINDALL
ENFORCEMENT OFFICER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

ROBERT TINDALL

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

for

TIMOTHY BERGER
SENIOR STATUTORY PLANNER

26 AUGUST 2020

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

TIMOTHY BERGER

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked; and

(c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 26 August 2020.

THE COMMON SEAL of the **MILDURA RURAL CITY**)

COUNCIL was affixed hereto by authority of the)

Council in the presence of:)

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

DATE: 26 August 2020

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

14.19 ADOPTION OF FEES AND CHARGES POLICY CP046

Summary

The purpose of this report is to present the Fees and Charges Policy CP046 and seek Council's resolution to adopt the updated policy.

2020/0190

Moved: **Cr Glenn Milne**
Seconded: **Cr Jason Modica**

That Council adopt the updated Fees and Charges Policy CP046, as presented.

CARRIED

Mildura Rural City Council

Fees and Charges Policy

Policy – CP046

Prepared	Reviewed	Approved	Date	Council Minute No.
Financial Services	SMT	Council	June 2020	2020/0190
Content Manager File: 18/02/01		**To be reviewed: June 2023**		
Document Owner: Manager Financial Services		**Review Frequency: 3 years**		

1. The purpose of this policy is

This policy provides guidance for Mildura Rural City Council in setting fees for its services, which are consistent, fair and equitable and comply with all relevant statutory requirements. It needs to take into account community benefit, user groups and corporate objectives, and to provide for regular reviews of fees and charges within the overall service and financial planning process. It encourages pricing that is simple to administer, easily understood, and provides value for money.

2. Policy Statement

This policy applies to all Mildura Rural City Council employees who are responsible for determining fees and charges for services (excluding rates) provided by Council.

The setting of fees and charges are to be set with reference to:

- user capacity to pay
- community service obligations
- cost recovery principles
- benchmarking of similar services
- utilisation
- statutory limitations.

Fees and charges must be determined and reviewed annually according to the responsibilities and principles documented in this policy.

Council's role is to determine the extent of cost recovery for particular services, consistent with the level of individual and community benefit that the services provide and with the community's expectations.

Council's services are very diverse and there are widely differing levels of need and ability to pay among the various client groups. Council's role in pricing varies accordingly.

Council's services are provided on the basis of one of the following pricing methods:

- Council Subsidy Pricing
- Full Cost Recovery Pricing
- Market Pricing.

To deliver appropriate community outcomes, Council may develop concessional fees for each service. These fees will be determined by taking the following into account:

- Type of service being provided
- Balancing individual and community benefit
- Users' ability to pay
- Market pricing - the pricing of comparable services offered by other providers
- Competitive neutrality (where relevant).

3. Principles

3.1 Setting Fees

It is the responsibility of Managers who charge fees and charges to ensure that their budgetary responsibilities are met. This includes ensuring that all goods and/or services provided by Council are charged for at the level of fees and charges adopted during the Annual Budget.

It is the responsibility of each Manager to review their fees and charges at least annually with reference to user capacity to pay, community service obligations, cost recovery principles, benchmarking of similar services, statutory requirements, expected utilisation of the service and also compliance with other Council Policies affecting the service in question.

3.2 Cost Recovery

The Cost Recovery Principles are designed to promote efficiency and equity. This will enable Council's fees and charges to be transparent and be calculated on a consistent basis. Cost recovery means the recuperation of all costs associated with those services or products. In addition to the costs directly associated with the service, full cost includes an appropriate allocation of indirect costs or overheads.

Allocating overheads means allocating expenses not directly associated with the service to the departments that benefit from these from expense. The method used to allocate these expenses is based on the Municipal Association of Victoria Overhead Model. This is to be done in conjunction with the Financial Services unit.

The overheads that Council will be apportioning include:

- Buildings and Equipment
- Finance
- Human Resources / Payroll / OHS & Training
- Information Systems
- Insurance
- Utilities
- Advertising
- Management.

3.3 Governance

When apportioning costs, a discount needs to be made for governance. Local government has additional layers of complexity required that non-government organisations are not required to have. So expenses which are for the benefit of Council and not the service, would be considered governance related and these costs should not be passed on to the end users.

3.4 Pricing Methods

3.4.1 Statutory Pricing

These prices are set by legislation. For some fees and charges, Council's role is to administer services and apply fees set or controlled under statute or funding agreement. These fees may only provide a partial recovery of the cost of providing the service. Council will set prices at the maximum available.

3.4.2 Non-statutory Pricing

When choosing between pricing methods, consideration must be given to community expectations, the level of social need for a particular service, environmental and amenity considerations, and conditions of state and Federal government funding.

There are three non-statutory pricing options available when pricing Council's services.

3.4.2.1 Council Subsidy Pricing

a) Full Council Subsidy Pricing

Services provided under Council's community service obligations are funded from Council's rate revenue, and therefore receive a full council subsidy and have a zero cost to the ratepayer.

Situations where full council subsidy pricing is appropriate include:

- where the consumption is applicable to the community as a whole, rather than having an exclusive benefit to individual users

b) Partial Council Subsidy Pricing

Services provided by Council as part of a policy objective are often priced using a partial council subsidy. In this case, less than the full cost of providing a service is recovered from the price charged for that service. The subsidy is funded from Council's rate revenue and in some cases from external sources, such as government grant funding.

Situations where partial council subsidy pricing is appropriate include:

- where the service benefits the community as whole as well as the individual customer
- as a short-term approach to stimulate demand for a service
- where charging prices at full price may result in widespread evasion or inappropriate adoption
- where the service is targeted at low income earners (for example, pensioners and health care card holders)
- where there are a low number of other service providers
- where fees and charges are set at a level to encourage certain behaviours.

Partial cost pricing will always be based on knowledge of the full cost of providing a service. Subsidies will be based on a percentage of the cost of the service, and therefore, prices will move in accordance with the changes in the cost of providing the service each year. Volume and type of customers will also be monitored to ensure the objective of providing the service at a subsidised price is still relevant.

3.4.2.2 Full Cost Recovery Pricing

Services provided by Council that benefit individual customers specifically, rather than the community as whole, will be priced on a full cost recovery basis. Full cost recovery pricing will aim to recover all direct and indirect costs involved in providing a service.

3.4.2.3 Market Pricing

Services provided by Council that compete with the private sector may also be priced on the basis of the competitive prices of alternatives. These services will be priced on a full cost recovery basis as well as an allowance for surplus.

The price should be greater than full cost recovery and at a market-based price. The price charged by competitors depends upon the marketing strategy that has been adopted and can be determined through benchmarking.

If a price, less than full cost recovery is contemplated, Council should review whether it should provide the service, or reconsider whether there is a community service obligation. Otherwise, ratepayers are subsidising a service for which no community service obligation has been identified.

The setting of these fees will also be undertaken in accordance with Competitive Neutrality Policy, National Competition Policy principles and the Trade Practices Act.

4. Who is responsible for implementing this policy?

Financial Services Branch	Responsible for: • Reviewing policy and associated documents • Communicating policy • Advising and assisting managers when setting fees and charges
Managers	Responsible for: • Charging fees and charges to ensure that their budgetary responsibilities are met • Reviewing their fees and charges on an annual basis

5. Definitions

National Competition Policy	Federal policy agreed to by the states of Australia. The main aim of the policy is improved economic efficiency through greater competition
Services	Where the term "services" is used, it also includes any goods Council provides
Direct cost	Costs that can be readily attributed to a product or service because they are incurred for that particular service (ie labour)

Indirect cost	Costs that are not directly attributable to the production to an activity – often referred to as overheads
Competitive neutrality	A policy principle that involves achieving fair market environment by removing or offsetting any competitive advantages due to public ownership or government businesses

6. Legislation and other references

6.1 Legislation

For further information related to this policy see:

- *Local Government Act 1989*
- National Competition Policy
- Competitive Neutrality Policy (Victoria)
- *Trade Practices Act*.

6.2 Documents

This policy is implemented in conjunction with the following documents:

- Appendix A – Setting of fees and charges process
- Recreation Facilities Pricing Principles Policy
- Cost Recovery Guidelines January 2013 – Department of Treasury and Finance Victoria
- Victorian Guide to Regulations 2011– Department of Treasury and Finance Victoria
- Fees and charges – cost recovery by local government – Victorian Auditor-General's Report 2010
- Overhead Model – Municipal Association of Victoria.

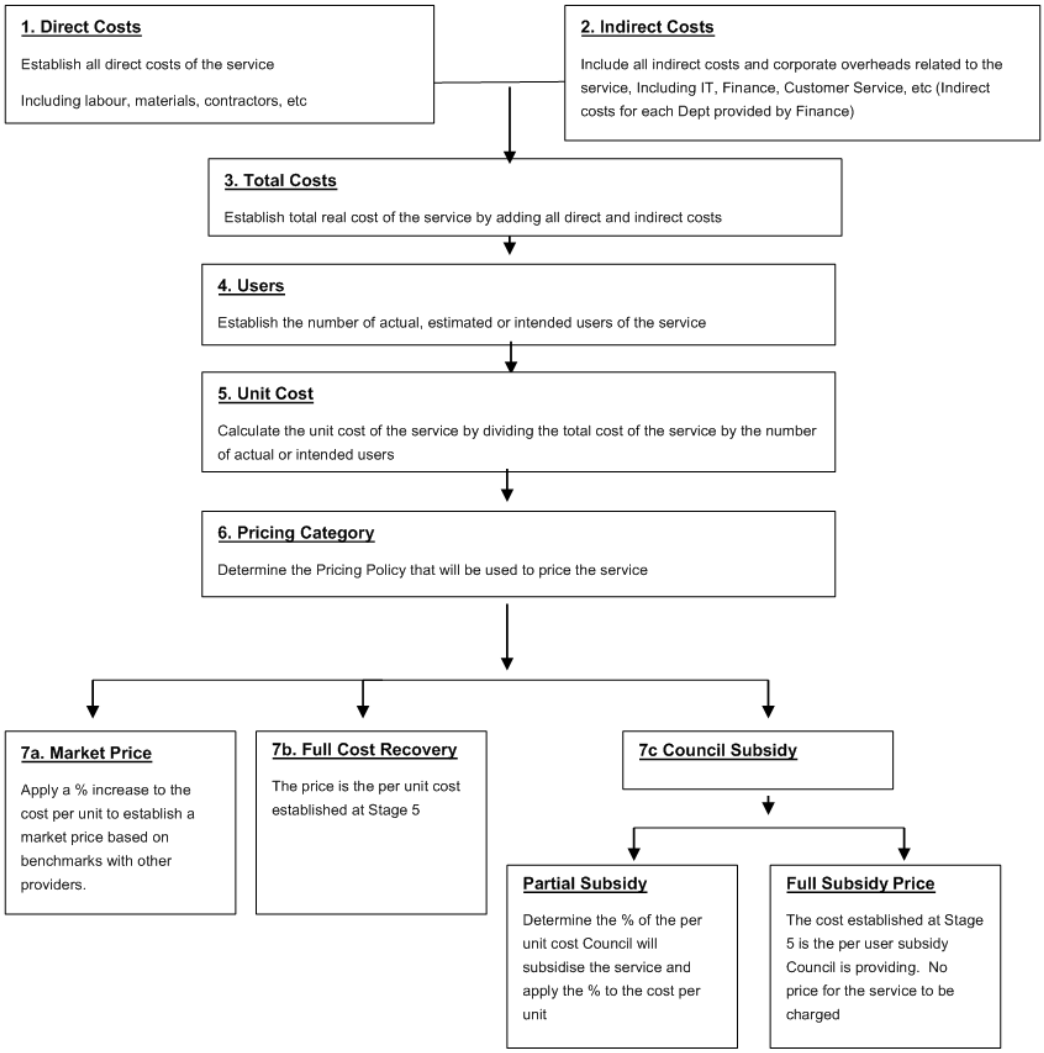
7. Risk Assessment Reference

Please tick the corporate risk(s) that this policy is addressing.

Risk Category	✓	**Risk Category**	✓
Asset Management		Financial Sustainability	✓
Committees		Human Resource Management	
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance		Project Management	
Environmental Sustainability		Public Image and Reputation	

Appendix A

Setting of Fees & Charges process



8. Cost/ Surplus to Council Calculate the cost or surplus of the service to Council by multiplying the number of actual or estimated users of the service by the difference between the unit cost and unit price.

9. Annual Review of Pricing Review all unit prices, pricing categories, pricing options and the number of users of the service used to price each service each year as costs and Council priorities and objectives change. This will be done as part of the Annual Budget and in line with the Strategic Resource Plan.

14.20 ADOPTION OF PUBLIC TRANSPARENCY POLICY CP067

Summary

The purpose of this report is to present the Public Transparency Policy and seek Council's resolution to adopt the new policy.

2020/0191

Moved: **Cr Min Poole**
Seconded: **Cr Glenn Milne**

That Council adopt the new Public Transparency Policy CP067 as presented.

CARRIED

Mildura Rural City Council

Public Transparency Policy

Policy – CP067

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration		Council	August 2020	2020/0191
Trim File: 18/02/01		**To be reviewed:** July 2024		
Document Owner: General Manager Corporate		**Review Frequency:** Four yearly		

1. Purpose

The purpose of this policy is to outline the type of information we will make publicly available.

This policy gives effect to the Public Transparency Principles outlined in section 58 of the *Local Government Act 2020* (the Act) and have been included at Appendix One for ease of reference.

This policy applies to Councillors and Council staff of the Mildura Rural City Council.

2. Policy Statement

We are committed to transparency in our decision-making processes, and through this policy we will describe the ways in which Council information will be made publicly available.

This policy seeks to promote:

a) Clarity in our decision-making processes;
b) Confidence and trust from our community; and
c) Access to information that is current, easily accessible and disseminated in a timely manner.

This policy applies to information and documents such as policies, plans, reports and registers required to be available under the Act or any other Act, and how that information will be made available.

3. Publicly Available Information – Statutory information

We make a range of information and documents available to the public under the *Local Government Act 2020* and a number of other Acts.

A table detailing the information available under these Acts is included at Appendix Two.

Included in the table is the relevant legislation and how you can access this information.

4. Publicly Available Information – Non-Statutory information

In accordance with the Public Transparency Principles, and in addition to the information listed in Appendix Two, we will also make the following information available either on request or on our website:

Document	How it can be accessed
Council meeting agendas and minutes, unless the information relates to confidential information as defined in the Act	On our website Printed copies are available upon request
Community Asset Committee Delegations	Printed copies are available upon request
Register of overseas and interstate travel undertaken by Councillors or Council staff	Inspection is available upon request
Register of Conflicts of Interest disclosures	Inspection is available upon request
Register of donations and grants made by Council	Inspection is available upon request
Register of leases entered into by Council, as lessor and lessee	Inspection is available upon request
Register of Authorised officers	Inspection is available upon request
Confidential Report Register	On our website
Council adopted strategies and plans	On our website
Council adopted policies	On our website

5. Release of Confidential Council Reports

In order to contribute to an environment of open and transparent decision-making, we will keep the number of matters considered in confidential Council to a minimum. In doing this, we will balance the need for Council to consider certain matters in confidential business, against the fundamental principle of open decision making.

We will, at times resolve to close a meeting to members of the public to deal with confidential business as defined in the Act.

Where possible, we will limit the period of confidentiality by incorporating either:

- a sunset provision, after which the information will no longer be confidential; or
- where it is not possible to stipulate a date after which the information is no longer confidential, specify a particular event, the occurrence of which removes the confidentiality restrictions.

We maintain a Confidential Report Register detailing the following information in respect to each Confidential Report considered by Council.

- Council meeting name and date;
- Title of the report;
- Nominated disclosure date;
- Date released to the public.

The Confidential Report Register is updated within two weeks following the Council Meeting and is available for viewing on Council's website.

Where a sunset provision or specified event has been reached, the Council Resolution as contained within the Minute document will be made available on Council's website within two weeks of the specified sunset provision or event.

In addition, a panel consisting of the Mayor, Deputy Mayor, Chief Executive Officer and General Manager Corporate will review the Confidential Report Register once each quarter to determine whether the information contained in the reports should be released.

Where the panel determines that a confidential decision should be released to the public, where a sunset provision or specified event has not been specified, a report will be prepared for the next Ordinary Meeting of Council seeking a resolution to release the Council Resolution as contained within the Minute document. A copy of the Council Resolution will be made available on Council's website within two weeks of Council's resolution to release the information.

A six monthly report will be prepared and presented to Council outlining the confidential items and the status of each item, including if they remain in confidential or have been released to the public.

The release of Confidential Council Reports will be facilitated and monitored by the Governance & Risk Unit.

6. Information Not Available

We may determine not to make some information publicly available. This will occur if the information is deemed confidential information within the meaning of the Act, if its release would be contrary to the public interest, or in order to comply with the requirements of the *Privacy and Data Protection Act 2014.*

"Confidential information" is defined in section 3 of the *Local Government Act 2020*. It includes the types of information listed in the following table.

Type	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released
Legal privileged information	Information to which legal professional privilege or client legal privilege applies
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released
Confidential meeting information	Records of a Council and delegated committee meetings that are closed to the public to consider confidential information
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the Councillor Code of Conduct
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter
Confidential information under the 1989 Act	Information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*

Where information is not confidential, and not already available, we will apply the principles of a public interest test and give consideration to the resources required to respond to the request.

Public Interest Test

We will not make publicly available, information if the release would be contrary to the public interest, which is in accordance with the *Local Government Act 2020*. When considering the public interest, we will apply the test that exists in the *Freedom of Information Act 1982*. We may refuse to release information if we are satisfied that the harm to the community likely to be created by releasing the information, will exceed the public benefit in it being released.

Information that might be withheld because it is contrary to the public interest may include:

- internal working documents that have not been approved or submitted to Council, especially where their release may mislead the public;
- directions to Council staff regarding negotiations in contractual or civil liability matters, where release may damage the Council's capacity to negotiate the best outcome for the community; and
- correspondence with members of the community, where release may inappropriately expose a person's private information or dealings.

7. Other ways to access information

The *Freedom of Information Act 1982* gives you a right of access to documents that we hold.

We are committed to, where possible, the proactive and informal release of information in accordance with the Freedom of Information Professional Standards issued by the Victorian Information Commissioner, you can read more at www.ovic.vic.gov.au.

In the interests of transparency, Mildura Rural City Council has compiled a Part II Freedom of Information Statement which includes the following information:

- Statement 1 – Organisation and Functions of Council
- Statement 2 – Categories of Documents
- Statement 3 – FOI Arrangements
- Statement 4 – Publications
- Statement 5 – Rules, Policies and Procedures
- Statement 6 – Report Literature

Documents listed in this Part II Statement are available for inspection and/or purchase either on Council's website or by contacting customer service.

If you can't find the information you require, call us directly so we can assist you.

8. Responsibilities

It is everyone's role to promote and facilitate access to Council information in accordance with the Public Transparency Policy.

Who	Roles and Responsibilities	Timelines
Council	Champion the commitment and principles for public transparency through leadership, modelling practice and decision-making.	Ongoing
Executive Leadership Team	Champion behaviours that foster transparency and drive the principles through policy, process and leadership. Monitor implementation of this policy.	Ongoing
Strategic Management Team	Manage areas of responsibility to ensure public transparency, good governance and community engagement is consistent with this policy.	Ongoing
All Staff	Public transparency is the responsibility of all employees as appropriate to their role and function. All staff respond to requests for information and facilitate provision of information in consultation with their manager and in alignment with the Policy.	Ongoing
Manager Corporate Administration	To monitor implementation of this policy and conduct periodic reviews to drive continuous improvement.	Ongoing
Governance & Risk Coordinator	To monitor implementation of this policy and conduct periodic reviews to drive continuous improvement.	Ongoing

9. Non-Compliance with this Policy

If a member of the community wishes to question a decision about the release of information, this should be raised directly with the officer handling the matter in the first instance. If you are still not satisfied, and would like to contest the decision, this can be addressed to the Manager Corporate Administration.

If you remain dissatisfied with our response, concerns can be raised directly with the Victorian Ombudsman's office on (03) 9613 6222 or via the website – www.ombudsman.vic.gov.au.

10. Implementation

The Manager Corporate Administration is responsible for implementing this policy.

11. Definitions

Community	Community is a flexible term used to define groups of connected people. We use it to describe people of a municipality generally, including individuals or groups who live, work, play, study, visit, invest in or pass through the municipality. More specifically, it can refer to everyone affiliated with the municipality, or smaller groups defined by interest, identity or location, and not necessarily homogenous in composition or views. Different types of communities often overlap and extend beyond municipal boundaries. Communities may be structured, as in clubs or associations or unstructured, such as teens. Communities are flexible and temporary, subject individual identity and location
Consultation	The process of seeking input on a matter
Community Engagement	Community Engagement is a planned process that involves two way community between Council and the people who will be affected by the decision
Public Participation	Public participation encompasses a range of public involvement, from simply informing people about what government is doing, to delegating decisions to the public and community activity addressing the common good
Stakeholder	An individual or group with a strong interest in the decisions of Council and are directly impacted by their outcomes
Closed Meetings	When Council resolves to close the meeting to the general public, in order to consider confidential information as defined in section 3 of the Act, or any other Act
Transparency	A lack of hidden agendas or conditions, and the availability of all information needed in order to collaborate, cooperate and make decisions effectively. Importantly, “transparency” is also a human rights issue: the right to have the opportunity, without discrimination, to participate in public affairs (s.58 of the Act)
Public Interest Test	The test used to balance the factors for and against disclosure of the request information

12. Legislation and other references

12.1 Legislation

For further information related to this policy see:

- *Local Government Act 2020*
- *Local Government Act 1989*
- *Freedom of Information Act 1982*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Charter of Human Rights and Responsibilities Act 2006*

12.2 Documents

This Policy is implemented in conjunction with the following documents:

- Governance Rules
- Public Transparency Principles
- Good Governance Framework
- Community Engagement Policy
- Privacy and Data Protection Policy

12.3 Risk Assessment Reference

Risk Category	✓	**Risk Category**	✓
Asset Management		Financial Sustainability	
Committees		Human Resource Management	
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	✓
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓

Appendix One – Public Transparency Principles

In accordance with section 58 of the *Local Government Act 2020*, the following are the public transparency principles –

(a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

(b) Council information must be publicly available unless –
   i. the information is confidential by virtue of this Act or any other Act; or
   ii. public availability of the information would be contrary to the public interest;

(c) Council information must be understandable and accessible to members of the municipal community;

(d) Public awareness of the availability of Council information must be facilitated

Appendix Two – Public Transparency Principles

As indicated in section 3 of this policy, we make a range of information and documents available to the public under a number of Acts. This table outlines the documents that are available and how you can access them.

Section	Document/information	How it can be accessed
BUILDING ACT 1993		
s.11(2)	Notice of the fact that a regulation under this Part has ceased to have effect in the municipal district or part of it	Will be published in a newspaper circulating in the municipal district
s.31	Register of all building permits under this division	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours
s.74	Register of all occupancy permits and temporary approvals/amendments given to it under this Division	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours
s.126	Register of all emergency orders, building notices or building orders given to Council under this Part	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours
s.192A(8)	Copy of the most recent map given to Council under subsection 192A(7)	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours free of charge
s.216D	Register of swimming pools and spas located in the municipal district	Certain persons may inspect in accordance with subsection s.216D(7)
s.230	Register of exercise of powers of entry	Made available for inspection by the Authority on request
BUILDING REGULATIONS 2018		
r.50	Copy of any documents submitted with an application for a building permit	On request of an owner/mortgagee of the building/land or person authorised in writing by such person
rr.51 & 52	Certain information on request	On request and payment of a fee
r.149(4)	Copy of each designated special area map applicable	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours free of charge
CATCHMENT AND LAND PROTECTION ACT 1994		

Section	Document/information	How it can be accessed
s.22I(1)	Approved roadside weed and pest animal management plan	Available for inspection at the Madden Avenue Council office during normal office hours, and published on Council's website as soon as practicable after the plan is approved
s.22M(1)	Consolidated version of approved roadside weed and pest animal management plan	Available for inspection at the Madden Avenue Council office during normal office hours, and published on Council's website as soon as practicable after the plan is approved
COUNTRY FIRE AUTHORITY ACT 1958		
s.50F(4)	Municipal Council Neighborhood Safer Places Plan	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours and published on Council's website
DEVELOPMENT VICTORIA ACT 2003		
s.56E(3)	Register of Certificates	Made available for inspection by Development Australia or any other interested person
DOMESTIC ANIMALS ACT 1994		
s.10A(3)(a)	Resolution made by Council under s.10A	Published in the Government Gazette and a newspaper circulating in the municipal district
s.10C(5)	Resolution made by Council under s.10C	Published in the Government Gazette and a newspaper circulating in the municipal district
s.10D(6)	Resolution made by Council under s.10D	Published in the Government Gazette and a newspaper circulating in the municipal district
s.18	Register of all registered dogs and cats	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours
s.25(3)	Orders made by Council under s.25(3)	Published in the Government Gazette and a newspaper circulating in the municipal district
s.26(3)	Orders made by Council under s.26(3)	Published in the Government Gazette and a newspaper circulating in the municipal district
s.68A	Publish an evaluation of its implementation of the domestic animal management plan	Annual Report
FILMING APPROVAL ACT 2014		

Section	Document/information	How it can be accessed
Sch 1 Principle 7	Film permits issued and any other relevant information	Available on Council's website
FOOD ACT 1984		
s.19U(4)	The method of determining the reasonable costs of an audit payable under subsection 19U(2) and the criteria fixed under subsection 19U(3)	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours
s.19UA(5)	The method of determining a fee under subsection 19UA(3)(a) and the considerations that apply under subsection 19UA(4)	Available for inspection at the Madden Avenue Council Office, by any person during normal office hours
s.43	Records of registrations, renewals and transfers in relation to a particular food premises, including details of any relevant orders	Available free of charge on request
FREEDOM OF INFORMATION ACT 1982		
Part II	Information concerning functions etc and documents available for inspection and purchase	In the Annual Report or on Council's website
GENDER EQUALITY ACT 2020		
s.12(3)(a)	Gender Equality Action Plan	Available on Council's website (in force from 31 March 2021)
s.13(3)	A report or other document taken to be a Gender Equality Action Plan	Available on Council's website (in force from 31 March 2021)
s.15(2)(b)	Amended Gender Equality Action Plan	Available on Council's website (in force from 31 March 2021)
s.20	Progress Report	Available on Council's website (in force from 31 March 2021)
INFRINGEMENTS ACT 2006		
s.9	Enforcement Agency Guidelines and Policies	Can be published at Council's discretion
LAND ACQUISITION AND COMPENSATION ACT 1986		
ss.19 & 23	Notice declaring interest in land to be acquired	Published in the Government Gazette and a newspaper circulating in the municipal district
LOCAL GOVERNMENT ACT 2020		
s.11(8)	Public register of delegations	Unspecified
s.18(1)(d)	Mayor must report on implementation of the Council Plan	Must report to the municipal community at least once a year

Section	Document/information	How it can be accessed
s.40(2)	Details of reimbursements	Must be provided to the Audit and Risk Committee
s.41(1)	Expenses policy in relation to reimbursement of out of pocket expenses	Unspecified
s.45	CEO Employment and Remuneration Policy	Unspecified
s.47(7)	Register of CEO's delegations	Unspecified
s.48	Recruitment policy for members of Council staff	Unspecified
s.49	Code of Conduct for members of Council staff	Unspecified
s.57	Public transparency policy	Unspecified
s.60	Governance Rules	Unspecified
s.63	Delegated Committee	Unspecified
s.64	Joint Delegated Committee	Unspecified
s.65	Community Asset Committee	Unspecified
s.66(5)	Must record in the minutes of closed meetings certain information	Minutes made available for public inspection
s.73	Proposing a local law	Made available for inspection at Council's office and website [Publish notice of proposed local law until made or altered]
s.74(4)	Making a local law	Copy made available for inspection at Council's office and website
s.74(5)	Notice of local law made	Published in the Government Gazette, website and in any other manner prescribed by the regulations
s.75	Local law as made	Copy of local law as long as local law is in force made available for inspection at Council's office and website

Section	Document/information	How it can be accessed
s.76(3)	Notice of amendment of any document, code, standard, rule, specification or method which contains any matter incorporated in a local law	Published on Council's website
s.76(4)	Copy of any document, code, standard, rule, specification or method which contains any matter incorporated in a local law	Made available for inspection at Council's office and website
s.90	Council Plan	Unspecified (in force from 24 October 2020)
s.91	Financial Plan	Unspecified (in force from 24 October 2020)
s.92	Asset Plan	Unspecified (in force from 24 October 2020)
ss.94 & 95 & 96 & 97?	Budget	Unspecified (in force from 24 October 2020)
s.98 & 99 & 100	Annual Report	Unspecified (in force from 24 October 2020)
s.107	Complaints Policy	Unspecified (in force from 24 October 2020)
ss.108 & 109	Procurement	Unspecified (in force from 24 October 2020)
s.114	Selling or exchanging land	Publish notice 4 weeks prior to leasing on website and in any other manner prescribed by the regulations
s.115	Lease of land	Unspecified [If lease not included in budget, must engage community engagement process in accordance with community engagement policy]
s.130(2)	Disclosure of conflicts of interests at meetings	Unspecified [In accordance with Governance Rules]
s.135(3)	Summary of personal interest returns	Made available for inspection at Council's office and website
s.138	Councillor Gift Policy	Unspecified (in force from 24 October 2020) Must be adopted within 6 months of commencement of this section
s.139	Councillor Code of Conduct	Unspecified (in force from 24 October 2020)Must be reviewed and adopted within 4 months after a general election

Section	Document/information	How it can be accessed
s.307	Summary of each election campaign donation return	Summary made available on Council's website
s.308	Copy of election campaign donation return	Summary made available on Council's website until the close of the roll for the next election Copy made available for inspection at Council's office for 4 years.
LOCAL GOVERNMENT ACT 1989		
s.76C(6)	Copy of current Councillor Code of Conduct	Available for public inspection at Council office and website
s.94(6)	Resolution to reappoint a CEO	Available for public inspection within 14 days after passing of the resolution
s.119(2A)	Copy of proposed local law	Available for public inspection at the Council office during ordinary business hours
s.120	Copy of every local law	Available for public inspection at the Council office during office hours and can be purchased on demand
s.120(3)	Copy of every document incorporated by a local law	Available for public inspection at the Council office during office hours
s.125(3A)	Proposed Council Plan	Available on our website and for public inspection at the Council office and any other place required by the regulations
s.125(11)	Current Council Plan	Available on our website for public inspection at the Council office and any other place required by the regulations
s.126(4)	Strategic Resource Plan	Available for public inspection at the Council office and any other place required by the regulations
s.129(3)(b)	Proposed budget or revised budget	Available for public inspection for at least 28 days at the Council office and any other place required by the regulations
s.130(9)	Budget or revised budget	Available for public inspection at the Council staff and any other place required by the regulations
s.133(3)	Annual report	Available on our website and for public inspection at the Council staff and any other place required by the regulations

Section	Document/information	How it can be accessed
s.157(2)	Notice of change to valuation system	Publish public notice – can be via website as per definition
s.161(3)	Differential rates	Made available for inspection at Council's office and website
s.163(1B)	Special rate and special charge – public notice	Available for public inspection at the Council office for at least 28 days after the publication of the notice
s.186A	Procurement policy	Available for public inspection at the Council office and website In force until 1 July 2021
s.208F	Any quality or cost standards adopted	Public inspection Section to be repealed on 1 July 2021
s.223(1)(a)	Right to make a submission	Publish public notice – can be via website as per definition
s.224	Register of Authorised Officers	Unspecified
Sch 10 Cl 2(3)	Deviation of roads – publish notice	Government Gazette
Sch 10 Cl 8(3)	Narrow or widen roads – publish notice	Government Gazette
LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2020		
r.35	Register of attendance of Local Government Candidate Training	On request from the Chief Municipal Inspector or the Victorian Electoral Commission
PLANNING AND ENVIRONMENT ACT 1987		
s.4H	Copy of approved amendment	Made available for inspection free of charge at Council's office during office hours for two months after the amendment comes into operation and after that period on payment of the prescribed fee
s4I	Copy of the Victoria Planning Provisions incorporating all amendments to them and of all documents lodged with those amendments	Made available for inspection free of charge at Council's office during office hours

Section	Document/information	How it can be accessed
s.18	Amendment, the explanatory report, any document applied, adopted or incorporated in the amendment and any accompanying agreement	Made available for inspection free of charge at Council's offices during office hours until the amendment is approved or lapses
s.21	Copy of every submission	Made available for inspection free of charge at Council's office during office hours until the end of two months after the amendment comes into operation or lapses
s.26	Panel hearing reports	Made available for inspection free of charge at Council's office during office hours until the end of two months after the amendment comes into operation or lapses
s.41	Copy of approved amendment lodged under s 40 and any documents lodged with it	Made available for inspection free of charge at Council's office during office hours for two months after the amendment comes into operation and after that period on payment of the prescribed fee
s.42	Copy of the planning scheme incorporating al amendments to it and of all documents lodged with those amendments	Made available for inspection free of charge at Council's office during office hours
s.49	Register of all applications for planning permits and decisions/determinations relating to permits	Made available for inspection free of charge at Council's office during office hours
s.51	Copy of every application and the prescribed information supplied in respect of it	Made available for inspection free of charge at Council's office during office hours until: (a) the end of the latest period during which an application for review may be made under ss 77, 79, 80 or 82 in relation to the application or the permit; or (b) if an application for review is made to VCAT within that period, the application is determined by VCAT or withdrawn
s.57(5)	Copy of objection to planning permit	Made available for inspection free of charge at Council's office during office hours until the end of the period during which an application may be made for review of a decision on the application
s.70	Copy of every permit issued	Made available for inspection free of charge at Council's office during office hours
s.97G(6)	Copy of every permit issued under s 97F	Available for inspection at the Council's office during office hours free of charge and/or via website (s 205)

Section	Document/information	How it can be accessed
PUBLIC HEALTH AND WELLBEING ACT 2008		
s.26(7)	Municipal Public Health and Wellbeing Plan [unless s 27 applies]	Made available for inspection at the places at which the current Council Plan is available
ROAD MANAGEMENT ACT 2004		
s.19	Register of public roads	Available for inspection by any person during normal office hours
s.86	Register of exercise of powers of entry	Unspecified
s.22(4)	Copy or summary of Ministerial direction	Annual report
Sch 2 Cl 5(1)	Notice of the making, amending or revoking of a declaration made under s 42	Government Gazette
SEX WORK ACT 1994		
s.81(1)(a)	Notice of the making of the declaration made under s 80	Newspaper generally circulating in the area in which the premises is situated
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020		
r.17	Register of caravan parks	Unspecified
SUBDIVISION (PROCEDURES) REGULATIONS 2011		
r.33	Register of all applications [Kept in conjunction with the register of permit applications required to be kept under s 49(1) of the *Planning and Environment Act 1987*]	Available for inspection by any person during normal office hours
WATER ACT 1989		
s.32H	Copy of approved management plan	Available for public inspection at the Council office during office hours free of charge

14.21 AUDIT AND RISK COMMITTEE MEETING 2/2020-2021 - MINUTES SUMMARY - 22 JULY 2020

Summary

In line with the requirements of the Audit and Risk Committee Charter, the purpose of this report is to present to Council for noting a summary of the minutes of Audit and Risk Committee Meeting 2/2020-2021. The confidential minutes of Audit and Risk Committee Meeting 2/2020-2021, including key outcomes and recommendations of the meeting, have been distributed to Council under separate cover.

2020/0192

Moved: **Cr Anthony Cirillo**
Seconded: **Cr Gavin Sedgmen**

That Council note the confidential minutes of Audit and Risk Committee Meeting 2/2020-2021 held on 22 July 2020.

CARRIED

14.22 AUDIT AND RISK COMMITTEE CHAIRPERSON'S BI-ANNUAL REPORT TO COUNCIL - 1 JANUARY TO 30 JUNE 2020

Summary

In accordance with the requirements of the Audit and Risk Committee Charter approved by Council in January 2020, the Audit and Risk Committee Chairperson is to report to Council bi-annually on the Committee's operations and achievements against its agreed performance indicators. This report presents the Audit and Risk Committee Chairperson's bi-annual report for the six-month period ended 30 June 2020.

2020/0193

Moved: **Cr Min Poole**
Seconded: **Cr Anthony Cirillo**

That Council receive the internal Audit and Risk Committee Chairperson's Bi-annual Report for the six-month period 1 January to 30 June 2020.

CARRIED

14.23 ESTABLISHMENT OF THE AUDIT AND RISK COMMITTEE AND UPDATED AUDIT AND RISK COMMITTEE CHARTER

Summary

To meet the requirements of Section 54(7) of the *Local Government Act 2020* relating to Audit and Risk Committees, the purpose of this report is to recommend Council establish its Audit and Risk Committee in line with previous appointments approved by the Council and approve the updated Audit and Risk Committee Charter.

2020/0194

Moved: **Cr Anthony Cirillo**
Seconded: **Cr Gavin Sedgmen**

That Council:

(i) to meet the requirements of Section 54(7) of the *Local Government Act 2020*, establish its Audit and Risk Committee in line with the appointments to the Committee previously approved by the Council and outlined below: and

Member	Term	Previously approved by Council
Frank Piscioneri (Chair)	30 August 2018 to 29 August 2021	22 August 2018
Maria Carrazza	1 November 2018 to 31 October 2021	11 October 2018
Max Folie	26 April 2019 to 25 April 2022	27 February 2019
Mary Rydberg	26 February 2020 to 25 February 2023	26 February 2020
Mayor*	27 November 2019 (*Appointed annually by Council)	27 November 2019
Deputy Mayor*	27 November 2019 (*Appointed annually by Council)	27 November 2019

(ii) approve the updated Audit and Risk Committee Charter, as presented.

CARRIED

Audit and Risk Committee Charter

2020

Mildura Rural City Council

Contents

1. Terms of Reference 1
   - 1.1 Legal Status 1
   - 1.2 Objectives 1
   - 1.3 Role 1
   - 1.4 Authority 1

2. Composition and Conditions of Appointment 2
   - 2.1 Members (Voting) 2
   - 2.2 Attendees (Non-Voting) 3
   - 2.3 Invitees (Non-Voting) 3
   - 2.4 Recruitment 3
   - 2.5 Committee Member Regulatory Obligations 5
   - 2.6 Removal of a Member 6

3. Responsibilities 6
   - 3.1 Risk Management 6
   - 3.2 Control Environment 7
   - 3.3 Fraud Prevention Systems and Control 7
   - 3.4 Compliance Management 8
   - 3.5 Financial and Performance Reporting 8
   - 3.6 Internal Audit 10
   - 3.7 External Audit 11
   - 3.8 Other Relevant Matters 12

4. Administrative Arrangements 12
   - 4.1 Meetings 12
   - 4.2 Agendas and Minutes 13
   - 4.3 Reporting to Council 14
   - 4.4 Audit and Risk Committee Performance Review 14
   - 4.5 Charter Review 14

5. Appendix A – Guidance to Committee Members on their Regulatory Obligations 15

1. Terms of Reference

1.1 Legal Status

1.1.1 The Audit and Risk Committee (the Committee) is an independent advisory committee to Council established pursuant to Section 53 of the *Local Government Act 2020* (the Act).

1.2 Objectives

1.2.1 The Audit and Risk Committee's primary objective is to assist Council, through the provision of independent advice, assurance and recommendations, to discharge its oversight responsibilities under the Act for risk management, maintenance of a sound internal control environment, fraud prevention systems and control, Council's performance with regard to compliance with its policies, legislative and regulatory requirements, financial and performance reporting, and assurance activities including internal and external audit.

1.3 Role

1.3.1 Pursuant to Section 54(2) of the *Local Government Act 2020*, broadly, the Audit and Risk Committee's role includes the following:

- Monitoring and providing advice on risk management and fraud prevention systems and controls, including:
  - Business continuity and disaster recovery
  - Information and communications technology (ICT) governance
  - Fraud prevention
- Monitoring compliance of Council policies and procedures with:
  - The overarching governance principles
  - The Act and the regulations and any Ministerial directions
  - Other relevant laws and regulations.
- Monitoring Council's financial and performance reporting
- Oversight of Council's internal and external audit functions.

1.4 Authority

1.4.1 The Audit and Risk Committee is an advisory committee of Council and reports directly to Council.

1.4.2 As an advisory committee, the Audit and Risk Committee has no delegated authority from Council unless specifically provided by Council from time to time and any such authority will be temporary and may only relate to specific matters as directed by Council.

1.4.3 The Audit and Risk Committee has the authority to:

- Endorse key documents and reports that must be approved by Council, including the Annual Financial Statements, Annual Performance Statement, new or revised policies and other documents that assist in maintaining a strong internal control environment
- Approve internal and external audit plans, including the four-year Strategic Internal Audit Plan
- Provide advice and make recommendations to Council on matters within its areas of responsibility
- Retain counsel of relevant independent experts where it considers that it is necessary to execute its responsibilities, subject to prior agreement with the Chief Executive Officer
- Seek any relevant information it requires from Council, Council Officers (who are expected to cooperate with the Committee's requests) and external parties
- Meet with Council Officers, internal and external auditors and other parties as required to discharge its responsibilities.
- Oversee the performance of the external audit process, and appointment and performance of the internal auditor.

2. Composition and Conditions of Appointment

2.1 Members (Voting)

2.1.1 The Committee will be comprised of up to six members:

- Council's Mayor and Deputy Mayor
- A minimum of three and up to a maximum of four independent people.

2.1.2 All members will have full and equal voting rights unless a member is unable to vote due to a conflict of interest.

2.1.3 Potential conflict of interests in matters being considered by the Committee will be addressed in accordance with the *Local Government Act 2020* and recorded in the minutes of the relevant Committee meeting. Once a member of the Audit and Risk Committee has identified a conflict of interest, they must:

1. Complete and submit to the Chairperson prior to the meeting a Disclosure of Conflict of Interest form identifying the:
   a) Type of interest and class
   b) Nature of the interest

2. Immediately before the matter is considered in the meeting, notify the Chairperson that they are leaving the meeting

3. Leave the meeting and vicinity while the matter is being considered and await the Chairperson's direction to return

4. Notify the Chairperson prior to the meeting if they are not going to be present at the meeting.

2.1.4 The Committee will use best endeavours to reach agreement. Decisions will be reached by majority voting.

2.1.5 The Chairperson will be an independent member of the Committee and will have a casting vote on occasions where voting is equal.

2.2 Attendees (Non-Voting)

2.2.1 The Audit and Risk Committee will also include the following Council officers, who provide executive support to the Committee, as non-voting attendees:

- Chief Executive Officer
- General Manager Corporate Services (Secretariat)
- Manager Financial Services (Chief Financial Officer)
- Executive Assistant to the General Manager Corporate Services (Minute Taker/Administrative Support).

2.2.2 Council's internal auditors are to attend meetings considering internal audit matters.

2.2.3 Council's external auditor will be invited to attend meetings at the discretion of the Committee but must attend meetings considering the external audit strategy, draft Annual Financial Statements and draft Annual Performance Statement, and the results of the external audit.

2.2.4 Non-voting attendees may take part in the business of and discussions at the meeting. The Committee reserves the right to exclude these people from the meeting when it chooses to meet confidentially.

2.3 Invitees (Non-Voting)

2.3.1 Representatives of Council's external auditor and other Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.

2.4 Recruitment

2.4.1 Council's Mayor and Deputy Mayor will be the Councillor members of the Committee and will be appointed annually by the Council.

2.4.2 The appointment of independent members will be made by way of a public advertisement and be for a maximum term of three years, renewable at the discretion of Council.

2.4.3 Independent members' terms of appointment will be set so that as far as possible only one member retires at a time in order to minimise the loss of knowledge of Council's business that may occur on change of membership

2.4.4 To ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives, the number of consecutive terms that an independent person may serve on the Committee will be limited to two.

2.4.5 The criteria for the appointment of independent members will fall within the areas of:

- **Expertise** and/or qualifications in senior business, management, **financial management** and accounting and/or audit.
- **Experience** preferably with **public sector management**, including financial reporting, auditing requirements, **risk management**, business ethics and corporate governance
- Previous Audit and/or Risk Committee experience.

2.4.6 The Mayor and Chief Executive Officer will undertake a preliminary evaluation of applications for external membership to assess each candidate's experience and likely ability to apply appropriate analytical and strategic management skills. In addition, to ensure they are free from any management, business or other relationship that could reasonably be perceived to materially interfere with their ability to act in the best interests of the Council, candidates will be assessed in accordance with applicable legislation and/or regulations that define the requirements of independence for Audit and Risk Committee membership. The following list of relationships, while not exhaustive, will be considered in making a judgement as to the independent status of a candidate – if the candidate:

- is employed, or has previously been employed in an executive capacity by the Council or a related entity, and there has not been a period of at least three years between ceasing such employment and serving on the Audit and Risk Committee
- has, within the last three years, been a principal of a material professional adviser or a material consultant to the Council or a related entity, or an employee materially associated with the service provided
- is a material supplier to or customer of the Council or a related entity, or an officer of, or otherwise associated directly or indirectly with, a material supplier or customer
- has a material, contractual relationship with the Council or a related entity.

2.4.7 Applications shortlisted by the Mayor and Chief Executive Officer will be presented to the Audit and Risk Committee for final evaluation and recommendation to Council of a preferred candidate for appointment to the Committee.

2.4.8 The Committee may choose to recommend the appointment of an individual to the Audit and Risk Committee, despite the existence of relationships identified in section 2.4.6 above, because of the individual's business or other expertise. In making such a recommendation, the Committee will state its reasons for considering such a member to be independent and disclose the existence of any such relationships.

2.4.9 The Committee is to consider and give weight to following points when recommending to Council the appointment of a preferred candidate to the Committee:

- Individuals who have already served on the Audit and Risk Committee and not reached the maximum term, who have demonstrated a valuable and consistent contribution to the committee
- Individuals who demonstrate skills, qualifications and experience in more than two of the identified fields of expertise or any fields in which the Committee may be perceived as deficient
- Ensuring that ideally at least one independent member of the Committee has current, formal accounting or audit qualifications
- Gender balance.

2.4.10 Members will be required to sign a confidentiality agreement.

2.4.11 Members will be required to complete Initial and Bi-annual Personal Interest returns in accordance with Sections 133 and 134 the *Local Government Act 2020*.

2.4.12 Independent and Councillor members will be required to participate in an induction session at the commencement of their appointment to the Committee.

2.4.13 The Chairperson will be appointed annually from the external members of the Committee.

2.4.14 Remuneration will be paid quarterly to each independent member of the Committee. Remuneration for independent members is set by Council as part of the Budget process and indexed annually in line with increases applicable under Council's Enterprise Agreement.

2.5 Committee Member Regulatory Obligations

2.5.1 Audit and Risk Committee members are expected to be aware of their obligations under Section 53 of the Act. In addition to the conflict of interest obligations outlined in Sections 126 to 131 of the Act (and referred to in Section 2.1.3 of this Charter), these obligations relate to misuse of position as a member of the Committee (Section 123) and confidential information (Section 125). Details of these obligations are included in Appendix A to this Charter.

2.6 Removal of a Member

2.6.1 If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting that is open to the public, if that member so requests.

3. Responsibilities

3.1 Risk Management

The Committee will:

3.1.1 Assess the scope and effectiveness of the systems established by Management to identify, assess, manage and monitor material and operational business risks.

3.1.2 Monitor the process of review of Council's risk profile to ensure that material and operational risks are dealt with appropriately and receive status reports, through receipt of the Quarterly Risk Management Report, of the risk register and actions being taken to manage identified risks.

3.1.3 Prior to renewal, review the insurance program and consider the approach taken by Council to ensure that appropriate insurance arrangements are in place.

3.1.4 Monitor the progress of any significant claims or litigation by or against the Council.

3.1.5 Consider any litigation, claim or contingency, which could have a material effect on Council's financial position or operating result.

3.1.6 Review the approach to business continuity planning, including whether business continuity and disaster recovery plans have been regularly updated and tested.

3.1.7 Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's Charter. The Committee will review Management's treatment plans for significant risks, including the timeliness of mitigating actions and progress against those plans.

3.1.8 Receive sustainability bulletins and consider the approach Management has taken to review all organisational services in an effort to identify savings that will ensure the sustainable delivery of high quality, responsive and accessible services that provide value for money.

3.1.9 Review the effectiveness of Management's approach to managing risks related to critical third-party interdependencies (eg suppliers, customers, outsourced operations, counterparties and related parties), which affect the organisation's operations.

3.1.10 Monitor the risk exposure of Council by determining if Management has appropriate risk management processes and adequate information systems in place.

3.2 Control Environment

The Committee will:

3.2.1 Consider the effectiveness of controls established by Management to ensure the integrity of financial and performance reporting.

3.2.2 Review Management's and the internal auditor's reports on the effectiveness of the systems for internal financial controls, financial performance and risk management, including Council's business continuity and disaster recovery plans.

3.2.3 Consider the effectiveness of internal controls for the security of information technology systems and applications.

3.2.4 Monitor ethical standards and related-party transactions by determining whether the systems of control are adequate.

3.2.5 Consider the effectiveness of controls for handling customer complaints.

3.2.6 Monitor significant changes to systems and controls to assess whether those changes significantly impact Council's risk profile.

3.2.7 Review, over a four-year rotational basis, the adequacy and effectiveness of Council's compliance with the review of policies, systems and controls for providing a sound internal control environment.

3.2.8 Review new or revised policies and procedures for key risk areas such as investment, financial reserves, fraud control and procurement to gain an understanding of the controls in place to manage the risks associated with these areas, and provide advice where required.

3.2.9 Assess whether the control environment is consistent with Council's governance principles.

3.3 Fraud Prevention Systems and Control

The Committee will:

3.3.1 At least every two years, review and consider the effectiveness of Council's Fraud Control Policy, and Fraud and Corruption Control Plan, for preventing and detecting fraud, and supporting protected disclosures, and assess whether these are adequate and effective.

3.3.2 Receive status reports from Management of occurrences of fraud and suspected cases of fraud, corruption or serious misconduct impacting Council and review the outcomes of, and monitor any subsequent recommendations and Management responses to, independent investigations into these matters.

3.4 Compliance Management

The Committee will:

3.4.1 Review Council's systems and processes for ensuring compliance with relevant laws, regulations and Ministerial directions, as well as the use of best practice guidelines, and assess whether these are adequate and effective.

3.4.2 Review tendering arrangements to ensure transactions are conducted on an arms-length basis and otherwise comply with Council policy.

3.4.3 Review for compliance with Council policy the Councillor expenses report presented to the previous Council meeting and seek explanations for any unusual or unexpected amounts.

3.4.4 At least annually, verify Council's compliance with the review of the Councillor, Employee and Supplier codes of conduct and the process for communicating and monitoring councillors, employees and suppliers' compliance with the respective codes.

3.4.5 Receive reports from Management on the findings and examinations by regulatory and integrity agencies (whether related to investigations at Council or other agencies) such as the Ombudsman, Independent Broad-based Anti-Corruption Commission, Victorian Government Inspectorate etc. and monitor Council responses.

3.4.6 Consider recent developments and updates in legislation that may impact on compliance matters affecting Council.

3.5 Financial and Performance Reporting

3.5.1 Financial Reporting to Council

The Committee will:

3.5.1.1 Review Council's financial position via receipt of Council's Quarterly Financial Management Report as presented to Ordinary Council meetings, and other supporting financial reports, seeking explanations of any unusual or unexpected results.

3.5.1.2 Gain an understanding of current areas of greatest financial risk and how they are managed.

3.5.1.3 Review issues relating to National Competition Policy, financial reporting by Council branches and comparative performance indicators.

3.5.2 Annual Budget

3.5.2.1. The Committee will review the draft Annual Budget to assess that all appropriate processes are in place and all legislative aspects have been complied with, prior to recommending it to Council for adoption and approval to place on public exhibition.

3.5.3 Annual Financial Statements and Annual Performance Statement

The Committee will:

3.5.3.1 Review and understand the effect of the following on the preparation and audit of the draft Annual Financial Statements and draft Annual Performance Statement:

- Accounting policies and practices, including any changes to these
- The process used in making significant accounting estimates
- Related party transactions
- Significant adjustments to the Annual Financial Statements (if any) arising from the audit process. For example, those involving valuation of assets and liabilities, environmental liability and other commitments and contingencies.
- Compliance with accounting standards and other reporting requirements including recent accounting, professional and regulatory pronouncements and legislative changes
- Significant changes to the content of the reports, the operating results, financial position and performance indicators in comparison with the previous year.

3.5.3.2 At least annually, review changes to the Local Government Performance Reporting Framework and understand the impact of those changes on Council's performance indicators.

3.5.3.3 Review the half-yearly Local Government Performance Reporting Framework report, seeking assurance in regard to the accuracy and completeness of the information reported.

3.5.3.4 Review the draft Annual Financial Statements and draft Annual Performance Statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's financial performance and position.

3.5.3.5 Recommend to Council the in principle adoption of the draft Annual Financial Statements and draft Annual Performance Statement, and review any significant changes and the reasons for the changes that may arise subsequent to any such recommendation but before the draft Annual Financial Statements and draft Annual Performance Statement are signed.

3.5.4 Governance and Management Checklist

3.5.4.1 The Committee will review the completeness of corporate governance processes, as prescribed in the draft Governance and Management Checklist of the *Local Government (Planning and Reporting) Regulations 2014*, prior to recommending the draft Governance and Management Checklist to Council for in principle adoption.

3.5.5 Annual Report

The Committee will:

3.5.5.1 Review for completeness the disclosures to be included in Mildura Rural City Council's Draft Annual Report regarding the Council's activities and performance.

3.5.5.2 Review the information included in Mildura Rural City Council's Draft Annual Report to ensure it is consistent with the draft Annual Financial Statements.

3.6 Internal Audit

The Committee will:

3.6.1 Recommend to the Council, when required, the appointment of internal auditors and other external advisors engaged to review the Council's financial and internal controls.

3.6.2 Review internal audit reports and monitor, through receipt of the organisation's Internal Audit Tracking Register, the implementation of recommendations by Management, assessing reasons for non-implementation of any recommendations.

3.6.3 Prior to approval, review the scope of the proposed four-year Strategic Internal Audit Plan and program to consider whether, over a period of four years, the internal audit plan systematically addresses:

- Internal controls over significant areas of risk, including non-financial management control systems
- Internal controls over revenue, expenditure, asset and liability processes
- The efficiency, effectiveness and economy of significant Council programs
- Compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.

3.6.4 Review and approve the annual Internal Audit Plan, including any significant changes to it, having regard to the four-year Strategic Internal Audit Plan and Council's budget and objectives.

3.6.5 Through the receipt of regular status reports from the internal auditor, monitor the implementation of the annual Internal Audit Plan.

3.6.6 Review and approve the proposed scope for each review in the annual Internal Audit Plan.

3.6.7 Ensure that the internal audit function has appropriate authority within Council and no unjustified limitations on its work.

3.6.8 Assess, annually, both the compliance effectiveness and the value of service of the internal audit function.

3.6.9 Recommend to Council, if necessary, the termination of the Internal Audit Contractor.

3.6.10 Review the appropriateness and effectiveness of special interest internal audit assignments undertaken by internal audit at the request of Audit and Risk Committee, Council or the Chief Executive Officer.

3.6.11 Facilitate liaison between the internal and external auditors to promote compatibility, to the extent appropriate, between their internal audit programs.

3.7 External Audit

The Committee will:

3.7.1 Meet at least twice annually with the external auditor:

- The Committee will meet *confidentially* with the external auditor at the commencement of each year's audit process to discuss the audit engagement and the overall external audit strategy of the Victorian Auditor-General's Office (VAGO). During this meeting, the Committee will ask the external auditor about pressures on Management that may have an impact on the quality of financial reporting, such as performance measures. The Chairperson will also communicate to the external auditor the expectation that the external auditor will contact the Committee where necessary.
- The Committee will meet with Management and the external auditor following the release of the VAGO Closing Report to review and discuss the results of the audit, including any audit issues encountered in the normal course of audit work, including any restriction on scope of work or access to information.

3.7.2 Enquire of the external auditor and Management on the experience and sufficiency of staff in the finance, and internal and external audit functions.

3.7.3 Review and discuss with Management and the external auditor all significant Management Letter items and the potential impact of those on Council's system of internal control.

3.7.4 Monitor the implementation of Management Letter recommendations through the receipt of regular status reports provided by Management.

3.7.5 Consider the findings and recommendations of local government performance audits and other specific audits undertaken by the Victorian Auditor-General's Office and where relevant monitor Management's responses to them.

3.8 Other Relevant Matters

The Committee will:

3.8.1 Consider and note the Annual Report and Management Letter for:

- Mildura Cemetery Trust
- Mildura Rural City Council's subsidiaries:
  - Mildura Airport Pty Ltd
  - Mildura Regional Development.

3.8.2 At its discretion, consider complaints from the public that may expose inappropriate practices within Mildura Rural City Council and any of its subsidiaries.

3.8.3 Receive updates from the Chief Executive Officer on major projects and other matters impacting on the organisation's operations.

3.8.4 Receive operational updates from the General Manager Corporate Services.

3.8.5 Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are written within the parameters of the Committee's Charter.

3.8.6 Identify and refer any specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council.

4. Administrative Arrangements

4.1 Meetings

4.1.1 The committee will meet bi-monthly.

4.1.2 A quorum of any meeting will be a majority of independent members, which may include the Chairperson, and at least one Councillor member.

4.1.3 Should either the Mayor and/or Deputy Mayor be unable to attend an Audit and Risk Committee meeting, each may nominate another Councillor to attend as their proxy.

4.1.4 In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the independent members present.

4.1.5 Committee members may participate in the meeting by teleconference or videoconference and will be included as part of the quorum.

4.1.6 An information package may be forwarded monthly of items of interest, if necessary.

4.1.7 An annual work program will be developed and agreed to by members. As a guide, meetings will be arranged to coincide with relevant reporting deadlines. For example, May to coincide with the Annual Budget, and September to coincide with the Annual Financial Statements, Annual Performance Statement and Annual Report.

4.1.8 An annual schedule of presentations will be developed and agreed to by members for the purposes of continuing education and assisting the Committee to fulfil its responsibilities, as outlined in this Charter.

4.1.9 The Chairperson is required to call a meeting of the Audit and Risk Committee if requested to do so by any Audit and Risk Committee member, the internal auditor or the external auditor.

4.1.10 Additional meetings can be convened at the direction of the Chairperson or at the written request of any member of the Committee or external auditor.

4.1.11 Mildura Rural City Council will provide executive support to the Committee.

4.1.12 At a minimum of one meeting per year, time will be set aside with Councillor and external members only (no officers) in attendance for the purpose of open discussion with the external auditor.

4.1.13 Given the sensitive nature of material considered by the Audit and Risk Committee, meetings will be closed to the public.

4.2 Agendas and Minutes

4.2.1 Agendas will be prepared incorporating the input of items from Council, the Chief Executive Officer, internal and external auditors, and independent members.

4.2.2 The agenda for Audit and Risk Committee meetings is to be circulated on or before the Friday prior to the meeting.

4.2.3 Meetings will be scheduled with sufficient time to cover all agenda items.

4.2.4 All agenda items will be structured to provide (at a minimum) a clear summary of what is recommended and a summary of major issues impacting on the recommendation.

4.2.5 Members have the right to raise urgent/significant matters not included on the agenda.

4.2.6 With the agreement of the members at the meeting, the Chairperson may alter the order of issues addressed from that proposal in the agenda.

4.2.7 The minutes are to be a true and balanced reflection of the discussion and decisions of members.

4.2.8 Minutes will be circulated to the Committee for comment within one week of the meeting being held, and approved and signed by the Chairperson for submission to Council within two weeks of the meeting being held.

4.2.9 Minutes will be confirmed at the next Audit and Risk Committee meeting.

4.3 Reporting to Council

4.3.1 A report explaining any specific recommendations and the key outcomes of each Audit and Risk Committee meeting will be included in the agenda for the next open Ordinary Council meeting. Due to the confidential nature of items discussed or recommended, the minutes of each Audit and Risk Committee meeting will remain "in camera"/confidential and be distributed to Council under separate cover.

4.3.2 When considered appropriate by the Audit and Risk Committee, the Chairperson will meet with Council to advise them of those issues that the Committee believes the Council should be informed.

4.3.3 The Audit and Risk Committee's Chairperson will report to the Council on the Committee's activities, including its findings and recommendations, on a bi-annual basis.

4.4 Audit and Risk Committee Performance Review

4.4.1 The Committee, together with the Chief Executive Officer, develop the Committee's performance indicators each year and then present these to Council.

4.4.2 The Committee will participate in an annual self-assessment process, facilitated by Council's internal auditor. The Committee's performance will be measured against this charter and key performance indicators developed annually for the Committee.

4.4.3 Findings of the Audit and Risk Committee's annual self-assessment process will be used by the Committee for the purpose of continuous improvement.

4.4.4 A copy of the Audit and Risk Committee's Self-Assessment Process results, along with a report that includes any recommendations arising from opportunities for improvement, will be presented to the next Council meeting.

4.4.5 As part of the exit process, resigning or retiring Committee members will be requested to complete the Audit and Risk Committee Self-Assessment Questionnaire prior to their resignation or retirement becoming effective.

4.5 Charter Review

4.5.1 The Audit and Risk Committee will review its Charter annually and recommend to Council for approval any changes required.

5. Appendix A – Guidance to Committee Members on their Regulatory Obligations

Local Government Act 2020 Section	Local Government Act 2020 Requirement
Misuse of Position	
123(1)	A Committee member must not intentionally misuse their position to: a) Gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or b) Cause, or attempt to cause, detriment to the Council or another person
123(3)	Circumstances involving misuse of a position by a member of the Committee include: a) Making improper use of information acquired as a result of being a member of the Committee; or b) Disclosing information that is confidential information; or c) Directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or d) Exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or e) Using public funds or resources in a manner that is improper or unauthorised; or f) Participating in a decision on a matter in which the member has a conflict of interest.
Confidential Information	
125	A member of the Committee must not intentionally or recklessly disclose information that the member knows, or should reasonably know, is confidential information. There are some exemptions to this requirement, the key one being that if the information disclosed by the member has been determined by Council to be publicly available.
Conflicts of Interest	
126	A member of the Committee has a conflict of interest if the member has: a) A general conflict of interest as described in Section 127; or b) A material conflict of interest as described in Section 128.
127	A member of the Committee has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the members private interests could result in that member acting in a manner that is contrary to their public duty as a member of the Committee.

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

Please Note

The above guidance is not verbatim from the Act and does not include all details as explained in Part 6, Division 1 of the Act. For a full understanding of the requirements of the Act in relation to the matters summarised above, members are expected to make themselves fully aware of the requirements of the Act.

14.24 ESTABLISHMENT OF COLIGNAN MUD HUT COMMUNITY ASSET COMMITTEE

Summary

The purpose of this report is to establish the Colignan Mud Hut Community Asset Committee and appoint identified members to the Committee.

2020/0195

Moved: **Cr Greg Brown**
Seconded: **Cr Mark Eckel**

That Council, in the exercise of the power conferred by Section 65 of the *Local Government Act 2020*, resolve that:

(i) from the date of this resolution there be established as a Community Asset Committee the Colignan Mud Hut Community Asset Committee;
(ii) the purpose of the Committee is to control and manage the operations of the Colignan Mud Hut on behalf of the Mildura Rural City Council;
(iii) the members of the Committee are:
  a. Kerston Chislett
  b. Yvonne Cox
  c. Vanessa Morgan
  d. Victor Jardine
  e. Mark Ashley
  f. Jillian Sleep
  g. Kelvin Cox
(iv) the Chairperson of the Committee is Kerston Chislett;
(v) a quorum of the Committee is half of the members of the Committee plus one; and
(vi) all members of the Committee have voting rights on the Committee.

CARRIED

14.25 ESTABLISHMENT OF KOW PLAINS HOMESTEAD COMMUNITY ASSET COMMITTEE

Summary

The purpose of this report is to establish the Kow Plains Homestead Community Asset Committee and appoint identified members to the Committee.

2020/0196

Moved: Cr Greg Brown
Seconded: Cr Gavin Sedgmen

That Council, in exercise of the power conferred by Section 65 of the *Local Government Act 2020*, resolve that:

(i) from the date of this resolution, there be established as a Community Asset Committee, the Kow Plains Homestead Community Asset Committee;
(ii) the purpose of the Committee is to control and manage the operations of the Kow Plains Homestead on behalf of the Mildura Rural City Council in accordance with their Instrument of Delegation;
(iii) the members of the Committee are:
  a. Jocelyn Linder
  b. Hedley Parker
  c. Glenda McDonald
  d. Beris Etherton
  e. Beverly Brown
  f. Keith Goss
  g. David Jonasson
  h. Cassie Kelly
  i. Dianne Donaghy
(iv) the Chairperson of the Committee is Jocelyn Linder;
(v) a quorum of the Committee is half and committee members plus one; and
(vi) all members of the Committee have voting rights on the Committee.

CARRIED

14.26 COMMUNITY SATISFACTION SURVEY RESULTS 2020

Summary

The purpose of this report is to inform Council of the results from the Community Satisfaction Survey for 2020.

2020/0197

Moved: Cr Anthony Cirillo
Seconded: Cr Glenn Milne

That Council note the Community Satisfaction Survey results for 2020.

CARRIED

14.27 MILDURA AIRPORT PTY LTD BUSINESS PLAN 2020-2021

Cr Simon Clemence declared that he held a direct conflict of interest. Cr Clemence advised that the nature of the interest is due to his employment for a tenant of the airport. Cr Clemence accordingly left the meeting while the vote was taken, having taken no part in the debate, the time being 7:41pm.

At this point, the Deputy Mayor took the chair.

Summary

This report presents the Mildura Airport Pty Ltd's (MAPL) Annual Business Plan 2020-2021 to Council for endorsement in accordance with the Airport Operations and Management Deed currently in place between Council and MAPL.

2020/0198

Moved: **Cr Glenn Milne**
Seconded: **Cr Gavin Sedgmen**

That Council endorse the updated Mildura Airport Pty Ltd (MAPL) Annual Business Plan 2020-2021, as presented.

CARRIED

Cr Clemence returned to the meeting, and the Deputy Mayor vacated the chair, the time being 7:58pm.

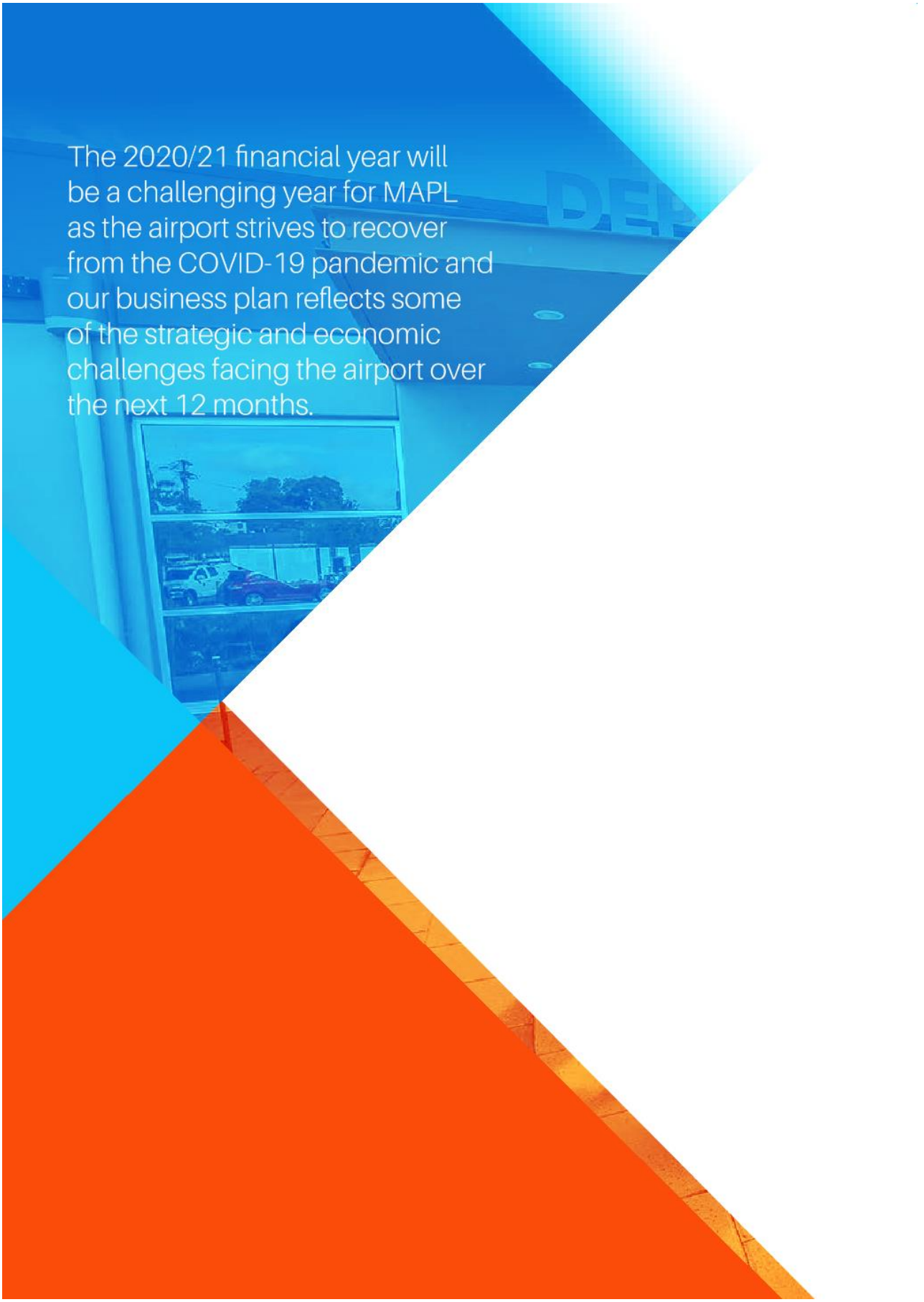
FIRST CLASS COMMUNICATIONS DRAFT 4

Mildura Airport
Business Plan
2020/21



www.milduraairport.com.au

Mildura AIRPORT


The 2020/21 financial year will be a challenging year for MAPL as the airport strives to recover from the COVID-19 pandemic and our business plan reflects some of the strategic and economic challenges facing the airport over the next 12 months.

Contents

1. Executive Summary 4
3. Organisational Structure 6
4. Strategic Objectives for 2020/21 7
5. Pandemic Recovery Plan 8
6. Financially Significant Events 9
7. Projected Passenger Numbers 10
8. Financial Forecasts for 2020/21 12
9. Three Year Forecast 16

1. Executive Summary

MAPL's charter is to operate, manage and develop the Airport on behalf of the community through it's Board of Directors and Executive Management Team. The airport provides a vital link connecting the community for business, social and medical needs and is one of the core pillars of the local economy.

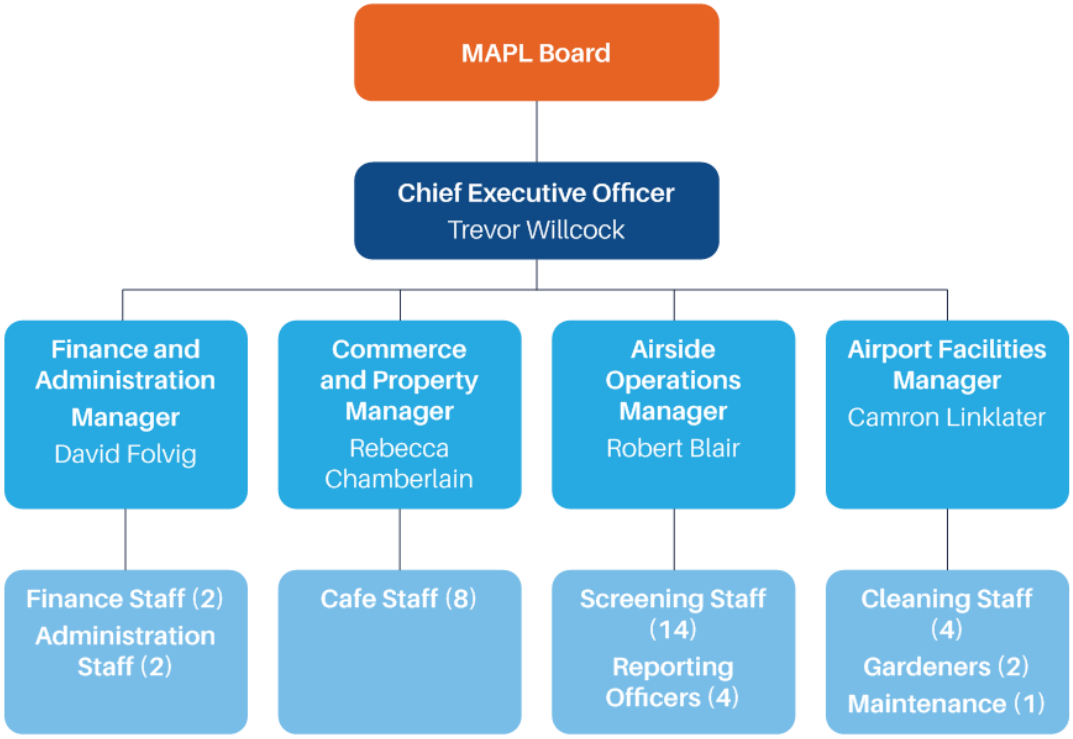
The 2020/21 financial year will be a challenging year for MAPL as the airport strives to recover from the COVID-19 pandemic and our business plan reflects some of the strategic and economic challenges facing the airport over the next 12 months. In particular MAPL does not qualify for Jobkeeper and/or other Federal Government support packages due to it's ownership structure.

The Board, Executive team and staff remain committed to ensuring that the recovery phase will be managed in an efficient and controlled manner in order to serve the needs of our region whilst maintaining a safe and compliant airport at all times.




Regional Expr
VH-TRX
TRX

3. Organisational Structure





4. Strategic Objectives for 2020/21

Mildura Airport has identified the following strategic objectives for the 2020/21 year:

1. **Business Recovery** – effective recovery from the COVID-19 pandemic and resumption of all routes
2. **Business Resilience** – improve the airport's ability to withstand business interruption, major events, pandemics etc.
3. **Stakeholder Engagement and relationships** – maintain positive relationships with all stakeholders through an effective engagement process
4. **Safe and Compliant Airport** – operate the airport to the highest levels of safety and compliance at all times
5. **Drive Growth** – drive growth and development in both the aviation and non-aviation sectors of the airport
6. **Sustainability** – improve environmental controls within the airport precinct
7. **High Performing team** – develop and retain a high performing team to deliver the airport's strategic plans



5. Pandemic Recovery Plan

The COVID-19 pandemic has had an unprecedented impact on the aviation industry and airports (in particular regional airports) have been one of the worst affected areas of aviation. Mildura Airport's regular passenger transport flights have reduced from 13 per day down to 1 per day during the pandemic and the number of passengers travelling on these reduced flights has also decreased considerably – reducing airport revenue by over 95%.

To mitigate the effects of this, we have put measures in place whilst ensuring that we maintain compliance and safety levels such as:

- Cost Control – cut operational spending wherever possible without compromising compliance or safety
- Personnel – applied a combination of stand downs, re-structuring and reduced hours to ensure that staff costs are minimized
- Capital Projects – deferred capital projects wherever possible
- Business units – certain business units such as the Café have been closed temporarily to reduce costs

Throughout the pandemic, the airport is still required to remain operational for the movement of essential personnel and equipment, medical flights and cargo and MAPL has ensured that the airport remains fully functional during this crisis.

The road to recovery for the aviation industry will be a long and slow process and in anticipation of this Mildura Airport has put in place a recovery plan which will target the following main areas:

- **Strategic Partnerships** – Work closely with our partner airlines to ensure that vital routes through to Melbourne, Sydney, Broken Hill and Adelaide are restored as soon as possible
- **Financial Sustainability** – Maintain strict cost controls throughout the recovery period to ensure liquidity
- **Marketing** – Effective marketing to promote the resumption of flights and services over the recovery period
- **Communication** – Ensure that our shareholder, stakeholders and the wider region are kept up to date with changes during the recovery process
- **Facilities** – Continue to maintain and improve our facilities over the recovery period to ensure that we are in a position to take advantage of opportunities that arise
- **Compliance/Safety** – maintain the highest levels of safety and compliance at all times
- **Personnel** – ensure that key personnel are retained and developed to meet the needs of the airport post pandemic.



6. Financially Significant Events

The following financially significant events are expected to be commenced/completed during the course of the 2020/21 year:

1. **Pandemic Recovery** – as discussed in section 5 the recovery period post COVID-19 will be a long and slow process for the aviation industry and we expect that the pandemic will have an impact on the airport's business and operations for the full year. It is difficult to estimate the full extent of the pandemic's effect on the airport but it already is and will continue to be extensive.

2. **Instrument Landing System (ILS) Installation** – whilst this is still in the negotiation stage, the airport plans to install a Category 1 ILS to further enhance and improve safety landing systems at the airport. The capital outlay of this project is significant and in the region of 4 million dollars.

3. **New Aviation Fuel Facility** – The new fuel facility will be completed during the early part of the financial year and whilst there is minimal capital outlay for the airport, the airport will receive significant revenue from operating the bowser and inter-plane refueling function of the new facility.



7. Projected Passenger Numbers

Budget Assumptions

2020-21

ORIGINAL PAX RECOVERY RATE	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
COVID-19 Impact	9%	9%	25%	35%	50%	60%	70%	70%	80%	80%	80%	90%

REVISED PAX RECOVERY RATE	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
COVID-19 Impact - Wave 2	3%	3%	5%	10%	30%	40%	40%	50%	60%	70%	70%	70%

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Total Passengers	609	620	2,060	4,283	8,124	9,607	8,297	10,234	13,973	12,853	15,488	16,114	102,262


QANTASLINK
QANTASLINK
QANTASLINK
Page 11

8. Financial Forecasts for 2020/21

Budgeted Income Statement

For the Year ended 30 June 2021

	FORECAST 2021 $	BUDGET 2021 $	BUDGET 2020 $
INCOME			
Aviation Income	2,050,639	2,865,486	5,016,143
Car Parking Revenue	249,729	357,593	637,107
Rent	369,875	369,875	392,028
Cafe Sales	272,978	402,709	728,292
Other Income	203,520	212,565	137,462
Total Income	**3,146,741**	**4,208,228**	**6,911,032**
EXPENSES			
Employee Costs	2,205,862	2,444,046	2,959,566
Materials and Services	1,818,634	1,866,218	2,102,204
Depreciation	1,411,895	1,411,895	1,546,398
Borrowing Costs	89,819	89,819	173,641
Total Expenses	**5,526,211**	**5,811,979**	**6,781,809**
Operating Result for the Year	**(2,379,470)**	**(1,603,751)**	**129,223**
CAPITAL FUNDING			
Grants and Contributions	3,000,000	3,000,000	-
Net Result for the Year	**620,530**	**1,396,249**	**129,223**

Budgeted Balance Sheet

As at 30 June 2021

	2021 $	2020 $
ASSETS		
Current Assets		
Cash and Cash Equivalents	3,254,952	2,856,855
Trade and Other Receivables	447,354	911,778
Prepayments	48,284	49,212
Inventories	9,996	8,408
Total Current Assets	**3,760,587**	**3,826,253**
Non-Current Assets		
Property, Infrastructure, Plant and Equipment	54,424,166	51,306,207
Other Assets	140,466	109,620
Total Non-Current Assets	**54,564,632**	**51,415,827**
Total Assets	**58,325,218**	**55,242,080**
LIABILITIES		
Current Liabilities		
Trade and Other Payables	120,224	223,427
Provisions	133,751	196,323
Interest Bearing Loans and Borrowings	381,299	356,773
Other Liabilities	110,256	
Total Current Liabilities	**745,530**	**776,522**
Non Current Liabilities		
Provisions	86,067	90,861
Interest Bearing Loans and Borrowings	3,816,397	4,870,122
Total Non-Current Liabilities	**3,902,464**	**4,960,983**
Total Liabilities	**4,647,995**	**5,737,506**
Net Assets	**53,677,224**	**49,504,574**
EQUITY		
Issued Capital	10	10
Reserves	17,322,105	17,322,106
Accumulated Surplus	36,355,109	32,182,458
Total Equity	**53,677,224**	**49,504,574**

Budget Statement of Cash Flows

For the Year ended 30 June 2021

	2021 INFLOWS (OUTFLOWS) $	2020 INFLOWS (OUTFLOWS) $
CASH FLOWS FROM OPERATING ACTIVITIES		
Inflows from Operations		
Aviation Income	2,865,486	5,016,143
Car Parking Revenue	357,593	637,107
Rental & Lease Fees	369,875	392,028
Cafe Sales	402,709	728,292
Other Income	212,565	137,462
Grant / Contributions Income	3,000,000	-
Outflows From Operations		
Employee Expenses	(2,444,046)	(2,959,566)
Operating	(732,557)	(851,897)
Facilities	(645,245)	(762,286)
Administration	(488,416)	(488,021)
Financing Expenses	(89,819)	(173,641)
Net cash used in operating activities	**2,808,144**	**1,675,621**
CASH FLOWS FROM INVESTING ACTIVITIES		
Payments for property, plant & equipment	(4,541,000)	(594,000)
Net cash used in investing activities	**(4,541,000)**	**(594,000)**
CASH FLOWS USED IN FINANCING ACTIVITIES		
Repayment of interest bearing loans and borrowings:		
- principal	(203,740)	(350,159)
Net cash used in financing activities	**(203,740)**	**(350,159)**
Net increase in cash and cash equivalents held for year	(1,936,596)	731,462
Cash and cash equivalents at beginning of financial year	5,191,548	2,125,393
Cash and cash equivalents at end of financial year	**3,254,952**	**2,856,855**

Page 14

Budget Statement of Capital Works

For the Year ended 30 June 2021

	2021 $	2020 $
ASSET CATEGORY		
Buildings & Facilities	100,000	40,000
Plant & Equipment	100,000	60,000
Runways, Aprons, Taxiways	4,181,000	263,000
Landscaping & Open Spaces	20,000	130,000
Carpark & Roads	70,000	35,000
IT & Communications	70,000	66,000
TOTAL	4,541,000.00	594,000.00

9. Three Year Forecast

Forecast Income Statement 2022-2024

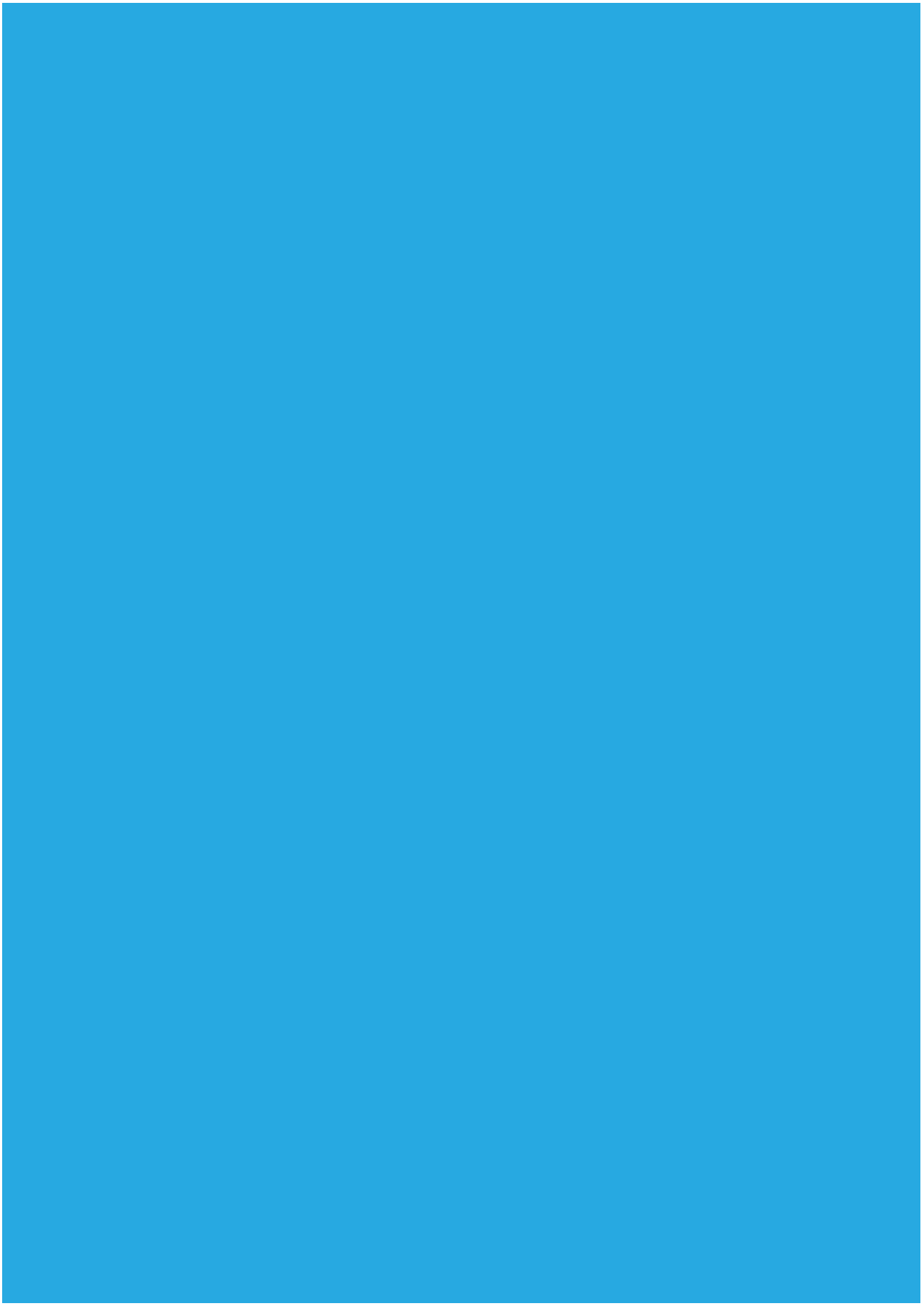
	2022	2023	2024
INCOME			
Aviation Income	4,703,184	4,844,280	4,989,608
Car Parking Revenue	609,951	622,150	634,593
Rent	330,854	337,471	344,221
Cafe Sales	571,504	582,934	594,592
Other Income	237,027	244,138	251,462
Total Income	**6,452,520**	**6,630,972**	**6,814,476**
Expense			
Employee Expenses	2,780,402	2,836,010	2,892,731
Operations Expense	816,825	833,161	849,824
Facilities	654,923	668,022	681,382
Administration	498,185	508,148	518,311
Total Expense	**4,750,335**	**4,845,342**	**4,942,249**
Net Operating Profit (EBITDA)	**1,702,184**	**1,785,630**	**1,872,227**
Financing Expenses	92,514	95,289	98,148
Operating Profit (Loss) before dep'n	**1,609,670**	**1,690,341**	**1,774,079**
Depreciation Expense	**1,426,014**	**1,440,274**	**1,454,677**
Total Comprehensive Result	**183,657**	**250,067**	**319,402**

Forecast Balance Sheet 2022-2024

	2022	2023	2024
CURRENT ASSETS	3,492,725	3,684,873	3,781,753
NON-CURRENT ASSETS	53,816,417	53,284,157	52,707,252
TOTAL ASSETS	**57,309,141**	**56,969,030**	**56,489,005**
CURRENT LIABILITIES	760,441	775,650	791,163
NON-CURRENT LIABILITIES	3,804,903	3,709,780	3,617,036
TOTAL LIABILITIES	**4,565,344**	**4,485,430**	**4,408,198**
NET ASSETS	52,743,798	52,483,600	52,080,807
TOTAL EQUITY	**52,743,798**	**52,483,600**	**52,080,807**

Forecast Cash Flows 2022-2024

	2022	2023	2024
INFLOWS			
Net Forecast Income	183,657	250,067	319,402
Add back non-cash items	1,426,014	1,440,274	1,454,677
TOTAL INFLOWS	**1,609,670**	**1,690,341**	**1,774,079**
OUTFLOWS			
Loan repayments (prin & int)	405,891	527,199	527,199
Asset Renewal Fund	-	600,000	600,000
Capital Expenditure	451,000	986,000	550,000
TOTAL OUTFLOWS	**856,891**	**2,113,199**	**1,677,199**
Net Cash Flow	**752,779**	**(422,858)**	**96,880**
Opening Cash	3,254,952	4,007,731	3,584,873
Forecast Closing Balance	**4,007,731**	**3,584,873**	**3,681,753**



Mildura Airport
Alan Mathews Drive Mildura
PO Box SM356 Mildura South Vic 3501
T: 03 5055 0500
E: info@milduraairport.com.au
www.milduraairport.com.au



Mildura
AIRPORT

2020/0199

ADJOURNMENT 7:58PM

Moved: Cr Jason Modica
Seconded: Cr Min Poole

That standing orders be suspended to facilitate a short break.

CARRIED

The meeting resumed at 8:10pm.

14.28 COVID-19 IMMEDIATE COMMUNITY RELIEF AND ASSISTANCE RESPONSE PACKAGE

Summary

The COVID-19 pandemic is continuing to evolve and Council recognises it is impacting our community. In the face of the current unprecedented issues facing many within our community stemming from the impact of COVID-19, Council can initiate a first round of financial assistance and support provisions for the community as contained within the Budget.

The purpose of this report therefore seeks Council's approval to introduce several key financial support initiatives at this critical point in time. The package includes a number of measures to help ease the financial pressure that households, businesses and community/sporting groups are facing.

Relief and Recovery is a long term proposition. Council has been working with other agencies and community groups on planning for relief and recovery as part of Council's emergency management role, and that work will provide an umbrella of supports for the community and business.

2020/0200

Moved: Cr Gavin Sedgmen
Seconded: Cr Min Poole

That Council:

(i) endorse the response actions detailed within this report to address those within our community experiencing hardship as a result of the current emergency;

(ii) approve the following specific measures as outlined in the report:

- **(a) 2020/21 Cultural and Recreation Rating Category Rates Waiver**
- **(b) 2020/21 Food Surveillance Fees Waiver**
- **(c) 2020/21 Outdoor Furniture ('A' frames, display signs and tables and chairs) Fees Waiver**
- **(d) 2020/21 Community and Recreation Lease / License Waiver**
- **(e) Waiver of the first 6 months of 2020/21 financial year overdue Rates interest for approved financial hardship applicants**
- **(f) Establishment of $20,000 'Spend Local' marketing budget;**

(iii) resolve to waiver of up to $190k for Council's commercial lease tenants claiming financial hardship in accordance with Government requirements;

(iv) continue the deferral of 4th quarter 2019/20 instalment rate payment to 31 December 2020 for all eligible hardship applicants;

(v) provides for deferral of 2020/21 rates to 31 December 2020 for all eligible hardship applicants;

(vi) note that of the measures included with in this report, that $111k shall be derived from Council's previously adopted community recovery fund, with remainder contained within current operational budget;

(vii) note that Government programs, relief packages and Ministerial/Chief Health Officer directives may require Council to respond in accordance with those directions, beyond the current scope of the CP035 Hardship Policy;

(viii) acknowledge the rapidly changing economic situation being experienced by all within our community and accordingly review this current strategic approach in dealing with such financial hardship before 31 January 2021; and

(ix) note that planning for longer term relief and recovery is significantly advanced and that further information on this strategy and additional relief and recovery measures will be reported to Council in coming months.

CARRIED

14.29 DISPOSAL OF CHAFFEY LANEWAY (BETWEEN 93 & 95 CHAFFEY AVENUE) MILDURA

Summary

The purpose of this report is for Council to resolve to dispose of Chaffey Laneway (being Lot 2 TP20821H), between 93 and 95 Chaffey Avenue Mildura, to the adjoining landowner, which will require advertising via a public notice for at least four weeks of Council's intention to sell.

2020/0201

Moved: Cr Jason Modica
Seconded: Cr Helen Healy

That Council resolve to:

(i) advertise the Intention to Sell Chaffey Laneway located between 93 and 95 Chaffey Avenue, Mildura, as required by Section 189(2)(a) of the *Local Government Act 1989;*
(ii) consider all public submissions stemming from such advertising pursuant to Section 223 of the *Local Government Act 1989*; and
(iii) in the event no submissions are received, authorise the Chief Executive Officer, to execute such documents as are necessary to give effect to the sale of the land for $30,000 plus applicable GST to the adjoining landowner.

CARRIED

14.30 RECYCLING VICTORIA INFRASTRUCTURE FUND BUSINESS CASE SUBMISSION

Summary

The purpose of this report is to seek approval to submit a business case for the proposed glass sorting and processing facility as part of Council's submission to the Recycling Victoria Infrastructure Fund (RVIF).

2020/0202

Moved: Cr Min Poole
Seconded: Cr Helen Healy

That Council:

(i) approve the submission of the business case for the Glass Sorting and Processing Facility as part of the Recycling Victoria Infrastructure Fund 2020; and
(ii) commit 2021/22 capital works funding to the value of $754,875 from Council's Waste Management Reserve if required.

CARRIED

14.31 USE AND DEVELOPMENT OF A SERVICE STATION AND CREATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1 - CALDER HIGHWAY, RED CLIFFS

Summary

Date Received:	16 October 2019
Subject Property:	Calder Highway, Red Cliffs Lot 3 PS633249E Parish of Mildura, County of Karkarooc
Proposed Use/Development:	Use and development of a service station and creation of access to a Road in a Road Zone, Category 1
Zone:	Farming Zone (FZ)
Overlays:	Specific Controls Overlay – Schedule 1 (SCO1)
Applicant:	Roy Costa Planning and Development
Application Triggers:	Clause 35.07-1 – A permit is required for the use of the land for a service station. Clause 35.07-4 – A permit is required to construct a building or construct or carry out works associated with a use in Section 2 of Clause 35.07-1 and within 100 metres of a road in a Road Zone, Category 1. Clause 52.29-2 – A permit is required to create or alter access to a road in a Road Zone, Category 1.
Relevant Provisions:	Clause 11.01-1S – Settlement Clause 13.05-1S – Noise abatement Clause 14.01-1S – Protection of agricultural land Clause 14.01-2S – Sustainable agricultural land use

	Clause 14.02-3S – Protection of declared irrigation districts Clause 15.01-2S – Building design Clause 15.01-6S – Design for rural areas Clause 18.02-3S – Road system Clause 21.02-1 – Key influences and issues Clause 21.03-1 – Vision Clause 21.06-1 – Protection of rural land Clause 21.08-1 – Agriculture Clause 21.10-6 – Red Cliffs Clause 35.07 – Farming Zone Clause 45.12 – Specific Controls Overlay Clause 52.06 – Car Parking Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road Clause 65.01 – Approval of an Application or Plan Clause 71.02 – Operation of the Planning Policy Framework
Objections Received	0

The application seeks approval for the use and development of the subject land for a service station at Calder Highway, Red Cliffs. The subject land comprises a single parcel of 4014m² and is currently vacant, save for stands of what appears to be plane trees with drippers. Surrounding the land is primarily agricultural activity, with scattered rural residential properties in the broader area. The site is approximately 1.2km north of the Red Cliffs town centre.

The application was received by Council on 16 October 2019, with further information sought a number of times to address outstanding issues. The application has been placed on public notice pursuant to Section 52 of the *Planning and Environment Act 1987* from 22 January – 7 February 2020. No objections to the application have been received.

The key issues relating to this proposal are the introduction of non-agricultural uses into the Farming Zone (particularly the MOIA), as well as the standard of information provided to support same. The use and development of non-agricultural uses in the MOIA distorts land values, creates land use conflicts, limits the likelihood of such land being returned to productive agricultural use and creates incentives for removing land from agricultural production. While the proposal does not directly claim to remove land from agricultural production, the encroachment of urban land uses into these areas often results in such outcomes, as recognised by State and Local Planning Policy and many decisions of the Tribunal relating to land in the MOIA. The proposed use is strongly discouraged in MOIA through the Mildura Planning Scheme, and there is no exceptional circumstance that would warrant variation from such policy to support a use that otherwise finds no support in the Scheme. It is noted that the subject land would not meet the requirements of the current MOIA document for dwelling development, indicating that it is not considered to be lost to agriculture by the Mildura Planning Scheme.

Furthermore, on the information available there are significant doubts as to whether the proposal can be accommodated on the subject land, and if it can be the extent of modifications required to make this happen. The most recent stormwater report highlights that to accommodate stormwater, the building is required to be moved, car parking lost and a number of bowsers changed. Council's Environmental Health Department are not satisfied that the proposal can adequately treat and retain wastewater on the current information, and further information may show further modifications to the development are required to accommodate wastewater treatment. All available information suggests that the application as proposed cannot work in its current form, and the extent of changes required to potentially cater for the proposal would result in a transformation of the proposal, which would require its own assessment; therefor being inappropriate to try and address through conditions. The applicant has been given numerous opportunities to resolve these issues,

however has requested the application be determined on the current information.

Based on the above, the application is presented to Council for decision, with a recommendation for refusal by Officers on the grounds listed below.

Moved: Cr Jason Modica

That Council, having caused notice of Planning Application 005.2019.00000332.001 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the relevant matters under Section 60 of the *Planning and Environment Act 1987*, determines to issue a Notice of Decision to Refuse to Grant a Permit in respect of the land known and described as Calder Highway, Red Cliffs; being Lot 3 PS633249E Parish of Mildura, for the use and development of the land for a service station and creation of access to a Road in a Road Zone, Category 1, for the following reasons:

(i) The proposal is inconsistent with the Planning Policy Framework in relation to agricultural land and rural development, specifically Clauses 14.01-1S, 14.01-2S and 14.02-3S, which aim to manage development in rural areas to protect and enhance agriculture and protect land in declared irrigation districts. The proposed use does not have a tangible connection to agriculture and could prevent the expansion of genuine farming activities.

(ii) The proposal is inconsistent with the Local Planning Policy Framework in relation to agricultural land, specifically Clauses 21.06-1 and 21.08-1, which seek to protect the land for agriculture and horticulture and prevent agricultural land within the Mildura Older Irrigation Area from incremental loss and fragmentation by intrusion of non-agricultural uses. The proposed use has no connection to agriculture and may encourage other non-agricultural uses to establish in active, working Farming Zone areas.

(iii) The proposal is inconsistent with the objectives and decision guidelines of the Farming Zone, which seek to encourage the retention of productive agricultural land and to ensure that non-agricultural uses do not adversely affect the use of the land for agriculture. The proposal would result in the removal of agricultural land from the areas agricultural base, prevent the expansion of nearby agricultural activities and could constrain adjoining and nearby agricultural activities.

(iv) Insufficient information has been provided to ensure that all wastewater and stormwater emanating from the proposal can be treated and retained on the site. The Responsible Authority cannot undertake an informed assessment on the information provided, with there being real potential that the development cannot be accommodated on the land in the form proposed.

(v) Insufficient information has been provided with respect to the extent of modifications required as detailed in the submitted stormwater reports and whether such modifications can be appropriately catered for on site without leading to adverse outcomes in relation to car parking and vehicular movements. Council cannot undertake a proper and informed assessment of the proposal in the absence of such information.

The Motion lapsed for the want of a seconder.

14.32 USE OF THE LAND FOR A WAREHOUSE - 44-56 CURETON AVENUE, MILDURA

Summary

Date Received:	11 May 2020	
Subject Property:	44-56 Cureton Avenue MILDURA (Lot 2 PS 444714G Sec 12 Blk F)	
Proposed Use/Development:	Use of the land for a warehouse	
Zone:	Farming Zone Urban Floodway Zone	
Overlays:	Land Subject to Inundation Overlay Environmental Significance Overlay Schedule 1 Development Contributions Plan Overlay Schedule 2	
Applicant:	Urban Synergistic	
Application Triggers:	Clause 35.07-1 Clause 37.03-1	Uses of the land for a Warehouse Use of the land for a warehouse is prohibited under the provisions of this zone
Relevant Provisions:	Clause 14.01-1S Clause 14.01-2 Clause 21.08-1 Clause 35.07 Clause 37.03 Clause 45.06 Clause 42.01 Clause 44.04 Clause 52.06 Clause 65	Protection of Agricultural land Sustainable Agricultural use Agriculture Farming Zone Urban Floodway Zone Development Contributions Plan Overlay Schedule 2 Environmental Significance Overlay Schedule 1 Land Subject to Inundation Overlay Car parking Decision Guidelines
Objections Received	One	

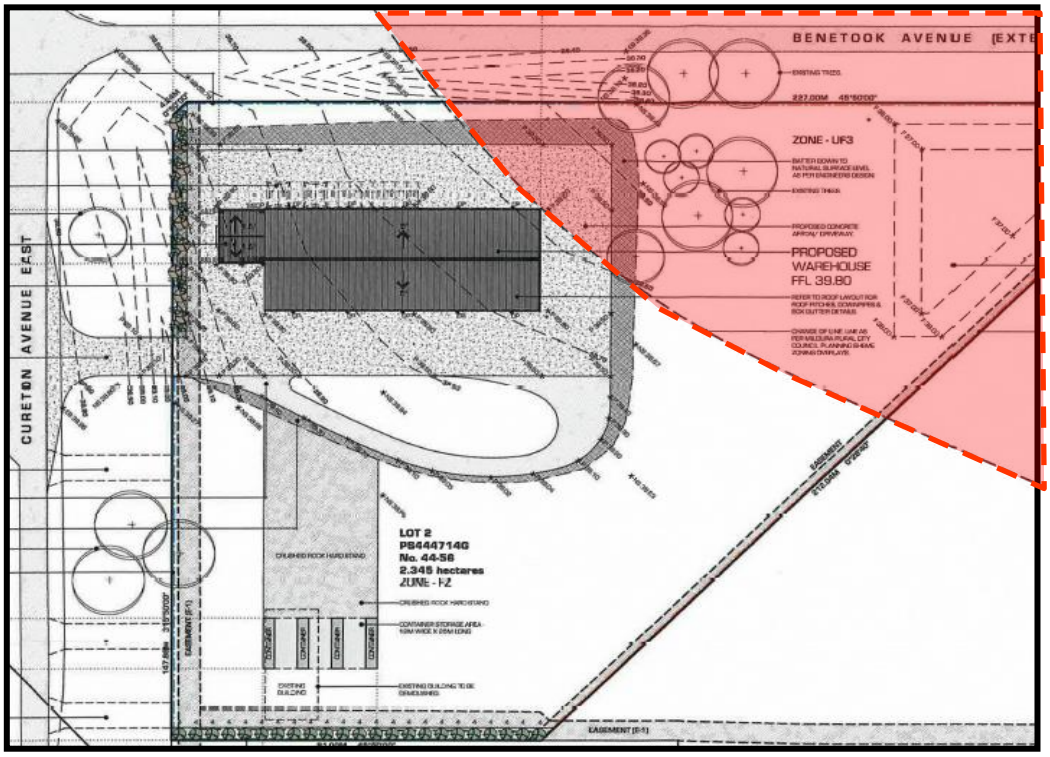
The application seeks approval for the use of the land for a warehouse at 44-56 Cureton Avenue, Mildura. Planning Permit 005.2012.00000161.001 was previously issued to *allow an alternate use under Clause 63.08 (Warehouse associated with a party hire business) and buildings and works.*

The use component of the previous permit has now expired, hence the current application being lodged.

The plans lodged with the current application indicate that a portion of the proposed use is located within the Urban Floodway Zone (see area outlined in red below). A previous permit application appeal (005.2018.00000376.001) was struck out at VCAT on 16 August 2019 with Member Rickards stating

a *The application is for a 'Warehouse'. The land the subject of the application is zoned Farming and Urban Floodway. Under the provisions of the Urban Floodway Zone 'Warehouse' is section 3 prohibited use.*

Given that the current proposal is for the use of the land as warehouse it is determined that the application is prohibited pursuant to Clause 37.03-1 of the Mildura Planning Scheme and no planning permit can be issued.



Plan showing Urban Floodway Area (designated in red)

2020/0203

Moved: **Cr Helen Healy**
Seconded: **Cr Jason Modica**

That Council having directed the application to give notice of Planning Application No. 005.2020.00000132.001 under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Refuse to Grant a Permit under the provisions of Clause 37.03-1 of the Mildura Planning Scheme in respect of the land known and described as 44-56 Cureton Avenue MILDURA (Lot 2 PS 444714G Sec 12 Blk F), for the use of the land for a warehouse , for the following reasons:

(i) Clause 37.03-1 identifies Warehouse as a prohibited land use. The plans provided with the application clearly delineates a portion of the land is within the Urban Floodway Zone.

CARRIED

15 URGENT BUSINESS

Nil

16 PUBLIC QUESTIONS

Nil

17 CONFIDENTIAL BUSINESS

8:38pm

2020/0204

Moved: **Cr Anthony Cirillo**
Seconded: **Cr Helen Healy**

That Council resolve to move into confidential business to deal with the following matters as pursuant to Section 66(2) of the *Local Government Act 2020:*

17.1 MILDURA SOUTH REGIONAL SPORTING PRECINCT AND INTEGRATED WORKS PROJECT BUDGETS

Section 3(1)(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice Council's ability to finalise negotiations of a number of pending variations and provisional sum allowances.

17.2 1920/74 PROJECT MANAGEMENT AND SUPERINTENDENT RIVERFRONT STAGE 2 POWERHOUSE AND VILLAGE SQUARE

Section 3(1)(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council, as various negotiations remain pending.

17.3 TENDER AWARD - MICROSOFT LICENCING SOLUTION PROVIDER

Section 3(1)(g) - Private commercial information, being information provided by a business, commercial or financial undertaking that –
(i) relates to trade secrets; or
(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released the information to be received, discussed or considered in relation to this agenda item, would unreasonably disclose the personal information of unsuccessful applicants.

17.4 AMENDMENT TO CONTRACT - ORGANICS COLLECTION AND PROCESSING - CONTRACT 1819/69

Section 3(1)(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released the information to be received, discussed or considered in relation to this Agenda item, may prejudice the commercial position of Council, as various negotiations remain pending.

CARRIED

18 CLOSURE

There being no further business the meeting closed at 9:07pm.

Date of Confirmation: 23 September 2020

Signed: _____

Chairperson