



Ordinary Council Meeting

31 July 2019

Council Chamber, Town Hall, Sturt Street, Ballarat

AGENDA

Public Copy

NOTICE IS HEREBY GIVEN THAT A MEETING OF BALLARAT CITY COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 31 JULY 2019 AT 7:00PM.

This meeting is being broadcast live on the internet and the recording of this meeting will be published on council's website www.ballarat.vic.gov.au after the meeting.

Members of the public attending this meeting may be filmed. By remaining in the public gallery once the meeting commences, members of the public give their consent to being filmed, and for the recording of them to be made publicly available and used by council.

Information about the broadcasting and publishing recordings of council meetings is available in council's broadcasting and publishing recordings of council meetings procedure is available on the council's website.

AGENDA

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The next Ordinary Meeting of the Ballarat City Council will be held on Wednesday 21 August 2019.

1. OPENING DECLARATION

Councillors: *"We, the Councillors of the City of Ballarat, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance."*

Mayor: *"I respectfully acknowledge the Wadawurrung and Dja Dja Wurrung People, the traditional custodians of the land, and I would like to welcome members of the public in the gallery."*

2. APOLOGIES FOR ABSENCE

3. DISCLOSURE OF INTEREST

4. CONFIRMATION OF MINUTES

5. MATTERS ARISING FROM THE MINUTES

6. PUBLIC QUESTION TIME

Note – all public representations will be heard before each item on the agenda.

QUESTION TIME

- Question Time will be for a period of 30 minutes;
- Questions submitted must begin with the submitters name and suburb;
- No person may submit more than two questions at any one meeting;
- If two questions are submitted, the second question may be deferred until all other questions have been asked, or may not be asked if the time allotted for public question time has expired.
- A question may be disallowed if the chair determines that it:
 - Relates to a matter outside of Councils responsibility;
 - Is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - Deals with a subject matter already answered;
 - Is aimed at embarrassing a Councillor or a member of Council Staff;
 - Relates to personnel matters;
 - Relates to the personal hardship of any resident or rate payer;
 - Relates to industrial matters;
 - Relates to contractual matters;
 - Relates to proposed developments;
 - Relates to legal advice;
 - Relates to matters affecting the security of Council property: and/or
 - Relates to any other matter which Council considers would prejudice Council or any other person.
- A Councillor or the Chief Executive Officer may require a question to be put on notice. If a question is taken on notice, the answer to it must be incorporated in the minutes of Council and a written copy of the answer sent to the person who asked the question: and
- A Councillor or the Chief Executive Officer may advise Council that an answer should be given in a meeting closed to members of the public and why.

PUBLIC SUBMISSIONS

1. Representatives must register by 4:30pm on the day of a Council meeting by contacting the City of Ballarat on (03) 5320 5875. No unregistered public representative will be allowed to speak.
2. The Representative will be given three to five minutes to address the meeting, with extension of time at the discretion of the Chair.
3. Any Councillor can ask questions of the Representative.
4. The Chair may limit the number of representatives on any particular Agenda item.
5. All representations must relate to items on the Agenda and will be heard prior to each respective Agenda item.

7. REPORTS FROM COMMITTEES/COUNCILLORS**8. CHIEF EXECUTIVE OFFICER REPORT**

Division: Executive Unit
Director: Justine Linley
Author/Position: Justine Linley – Chief Executive Officer

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Receive and note the CEO's Operational Report.**

EXECUTIVE SUMMARY

1. The CEO's Operational Report highlights issues and outcomes affecting the organisation's performance as it delivers services and implements the Council's strategies and policy decisions.

RATIONALE

The Council of the City of Ballarat is responsible for setting the municipality's strategic direction. The CEO of the City of Ballarat is the sole employee of the Council and is responsible for establishing the organisational structure and resource implementation to achieve the objectives set by the Council. This operational report provides a greater level of access to not only the organisation's achievements, but also the challenges and issues confronting staff and officers in the delivery of services.

Key achievements, projects and events delivered:Ballarat Winter Festival

This year's Ballarat Winter Festival featured a number of new experiences and events headlined by the Winteractive Arcade and Ballarat Activated Artwalk, which highlighted Ballarat's considerable resources as a creative city, along with the popular ice-skating rink in Armstrong Street South.

Ballarat Research Hub at Eureka

The first stage of the project has the Public Record Office Victoria's Ballarat Archive Centre relocating to the Eureka Centre's new hub and opening to the public in June 2019.

Mount Pleasant Kindergarten official re-opening

The upgraded kindergarten was officially re-opened in June. After receiving confirmation of State Government funding in December 2016 to a total of \$750,000, construction commenced late 2017 and early 2018.

Hearing augmentation installed at City of Ballarat venues

Hearing augmentation equipment was installed /delivered to key City of Ballarat venues - BALC, City Library, Wendouree Library, Town Hall - Council Chambers (where previous equipment was updated), Visitor Information Centre and Customer Service. This equipment

enables community members with a hearing loss to be able to communicate with staff with ease. Other equipment supplied also enables people, even without hearing aids, a more comfortable experience with communication by utilising the hearing receivers.

National Reconciliation Week at Ballarat Libraries

Ballarat Libraries staged a series of successful events over National Reconciliation Week in June, including three presenters sharing their spoken stories celebrating our First Nation Peoples with 75 school children and members of the public.

Ongoing community consultation:

Ballarat Integrated Transport Plan

The first stage of the Ballarat Integrated Transport Plan has been released for community consultation. This includes Ballarat Transport Overview, Rail Network discussion paper, Rail Network background report. During July the community was invited to review the Ballarat Rail discussion paper and Rail background paper and give its feedback via Council's mySay website.

Bakery Hill and Bridge Mall Urban Renewal Project

Stage two of the community engagement process has been completed, and officers are working to prepare a draft of the Urban Renewal Plan. The draft plan and supporting documents will be available for public comment next month.

Affordable Housing Strategy

Background work which will inform a future Affordable Housing Strategy has commenced. A targeted workshop with community housing associations, service providers and developers was held in June. The purpose of the workshop was to understand the barriers associated with providing affordable housing in the City of Ballarat. The findings from this session will be incorporated in a final report prepared by the consultant.

Ongoing projects, initiatives and works:

Girrabanya Integrated Children's Centre Upgrade

Stage 3 building works at the Steinfeld Street site were completed in June. Children are expected to be able to return to their upgraded room in July, pending Education Department approval. Occasional Care will then move into the redeveloped facility. The facility will provide maternal and child health, family and children's administrative services, occasional and long-day childcare. The final stage of the redevelopment will involve minor works and cosmetic improvements to the maternal and child health end of the building.

Melbourne Renegades WBBL side to return to Ballarat

In June, the Melbourne Renegades in conjunction with Cricket Victoria announced that the Melbourne Renegades Women's team will be returning to Ballarat on Saturday 23 November 2019. After a successful match last year against the Adelaide Strikers in front of a crowd of more than 2000 people (despite rain ending the match early) the Melbourne Renegades will play the Melbourne Stars at Eastern Oval this season.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017 – 2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Financial/Resources – No additional financial implications have arisen from the preparation of a CEO Operational Report.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Nil

ATTACHMENTS

Nil

9. PETITION

9.1. SMARTER PARKING

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis – Administration Officer Statutory Compliance

RECOMMENDATION

Council resolves to:

- 1. That the petition be received; and**
- 2. That the petition be referred to the Chief Executive Officer for consideration and response; or**
- 3. That the petition be referred to the Chief Executive Officer for a report to a future Council Meeting.**

EXECUTIVE SUMMARY

A petition was received 12 June 2019 containing 27 signatories requesting Council reject the Smarter Parking Plan.

The petition reads as follows:

“The Residents and Ratepayers of Talbot Street North, Ballarat reject the City of Ballarat Smarter Parking Plan.

The following Residents and Ratepayers of Talbot Street North, Ballarat request that there are no changes to the current parking time limits and number of residential parking permits”

ATTACHMENTS

1. Petition [9.1.1 - 3 pages]

12th June 2019

PETITION from the RESIDENTS of TALBOT STREET NORTH
to the CITY OF BALLARAT

In relation to 'SMARTER PARKING'

The Residents and Ratepayers of Talbot Street North, Ballarat reject the City of Ballarat's Smarter Parking Plan.

The following Residents and Ratepayers of Talbot Street North, Ballarat request that there are no changes to the current parking time limits and number of residential parking permits.

Your personal information is being collected by City of Ballarat for the purposes of Section 68 of Council's Local Law 18, Meeting Procedure. Your information will be stored in Council's Customer Database and used to identify you when communicating with Council and for the delivery of services and information. For further information on how your personal information is handled, refer to Council's Privacy Policy at

The petitioners whose names, addresses and signatures appear hereunder petition the Ballarat City Council as follows:

NAME	ADDRESS	SIGNATURE
		

12th June 2019

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NAME	ADDRESS	SIGNATURE
		

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The petitioners whose names, addresses and signatures appear hereunder petition the Ballarat City Council as follows:

NAME	ADDRESS	SIGNATURE
[Redacted]		

10. ASSEMBLIES OF COUNCILLORS

10.1. ASSEMBLIES OF COUNCILLORS

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION

Council resolves to approve the report on Assemblies of Councillors as listed:

- 17 May 2019 Events and the Arts
- 21 June 2019 Events and the Arts Economic Partnerships
- 26 June 2019 Strategic Briefing
- 28 June 2019 Community Development Councillor Portfolio Meeting
- 28 June 2019 Disability Advisory Committee
- 9 July 2019 Community Development Councillor Portfolio Meeting
- 17 July 2019 Agenda Review

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with copies of Assembly of Councillor Records as required under section 80A(2) of the *Local Government Act 1989*.

RATIONALE

Section 80A(2) of the *Local Government Act 1989* requires the record of an Assembly of Councillors to be reported at an Ordinary Council meeting. Assembly of Councillors Records are attached to this report.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Local Government Act 1989*; and
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights - It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural - The inclusion of the attached Assembly of Councillor Records in the Council Agenda and the availability to the community increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

Risk Management - There are implications with regards to Council's compliance with the *Local Government Act 1989* if Assembly of Councillor Records are not reported to Council.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Nil

ATTACHMENTS

1. 17 May 2019 Events and the Arts [**10.1.1** - 1 page]
2. 21 June 2019 Events and the Arts and Economic Partnerships [**10.1.2** - 1 page]
3. 26 June 2019 Strategic Briefing [**10.1.3** - 1 page]
4. 28 June 2019 Community Development Councillor Portfolio Meeting [**10.1.4** - 1 page]
5. 28 June 2019 Disability Advisory Committee [**10.1.5** - 1 page]
6. 9 July 2019 Community Development Councillor Portfolio Meeting [**10.1.6** - 1 page]
7. 17 July 2019 Agenda Review [**10.1.7** - 2 pages]

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Prosperity Portfolio Meeting – Events and the Arts
Date of meeting:	17 May 2019
Start time:	7.43am
Finish time:	9.15am

Councillors present:	Cr McIntosh, Cr Moloney
Apologies:	Cr Rinaldi, Heidi Zukauskas – Creative Arts & Events Manager, Tara Poole – Coordinator Creative City
Council staff present:	Angelique Lush – Director Development and Planning, Jeff Johnson – Executive Manager Events and the Arts, Daniel Henderson – Manager Her Majesty’s Theatre, Anthony Camm – Eureka Centre Manager, James Guy – Executive Manager Economic Partnership
Other attendees present:	

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil	[Type & details declared]	Left Meeting [Yes/No]	[Time left]	[Time returned]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • Civic Hall Update • Eureka Rush Car Rally • Eureka Centre Update • UNESCO Creative Cities Network application for membership

Record completed by:	
Signed: 	Position: Director Development and Planning
Name: Angelique Lush	Date: 28 June 2019

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Prosperity Portfolio Meeting – Events and the Arts & Economic Partnerships
Date of meeting:	21 June 2019
Start time:	7.40am
Finish time:	9.30am

Councillors present:	Cr McIntosh, Cr Moloney, Cr Rinaldi
Apologies:	James Guy – Executive Manager Economic Partnership
Council staff present:	Angelique Lush – Director Development and Planning, Jeff Johnson – Executive Manager Events and the Arts
Other attendees present:	

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil	[Type & details declared]	Left Meeting [Yes/No]	[Time left]	[Time returned]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • Tourism Event Grant Applications • Events/ Hospitality Meeting – Updates and Outcomes • Tourism Event Strategy Update • Eureka Centre Update • Prisoner of War Memorial – Next Steps • Business Support Grant

Record completed by:	
Signed: 	Position: Director Development and Planning
Name: Angelique Lush	Date: 28 June 2019

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Strategic Briefing
Date of meeting:	26 June 2019
Start time:	6:00pm
Break time:	6.55pm
Recommencement time:	10.20pm
Finish time:	10.28pm

Councillors present: Cr Daniel Moloney Cr Ben Taylor Cr Grant Tillett Cr Jim Rinaldi Cr Amy Johnson Cr Mark Harris Cr Samantha McIntosh Cr Des Hudson Cr Belinda Coates
Apologies: Nil
Council staff present: Justine Linley – Chief Executive Officer Terry Demeo – Director Infrastructure and Environment Glenn Kallio – Director Business Services Neville Ivey – Director Community Development Angelique Lush – Director Development and Planning Cameron Cahill – Director Innovation and Organisational Improvement Jeff Johnson – Executive Manager Events and the Arts
Other attendees present: Helen Bartlett – Vice - Chancellor, Professor Darren Holland – Deputy Vice-Chancellor, Student Services & Support

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
Nil				

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Community Development Councillor Portfolio Meeting
Date of meeting:	Friday, 28 June
Start time:	7.00am
Finish time:	8.30am

Councillors present:
Cr Amy Johnston, Cr Belinda Coates

Apologies: Cr Des Hudson

Council staff present:
Neville Ivey, Director Community Development
Mark Patterson, Executive Manager Sport & Active Living
Mark Powell, Manager Major Projects
Michael Hynes, Senior Adviser Strategy & Planning
Michael Riseley, Manager Ballarat Aquatic & Lifestyle Centre

Other attendees present:
Nil

Conflict of Interests:

Pursuant to Sections 77, 78 and 79 of the *Local Government Act 1989* (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Nil		Left Meeting [No]	[Time left]	[Time returned]
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Matters Considered: **Provide dots points of matters discussed.*

- Minutes of Meeting 31 May 2019
- 2018/19 Sport & Active Living Capital Program Update
- Active Ballarat Update
- Ballarat Aquatic & Lifestyle Centre Update
- Upcoming Strategic Briefings
- Upcoming Council Reports
- Family Day Care Review
- Sate 3 Update for Girrabanya Children Centre

Record completed by: Helen McIntosh

Signed: 	Position: Director Community Development
Name: Neville Ivey	Date: 4 July 2019

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Disability Advisory Committee
Date of meeting:	28 June 2019
Start time:	12.30pm
Finish time:	2.00pm

Councillors present:
Cr Belinda Coates
Apologies:
Council staff present:
Pete Appleton, Executive Manager Engaged Communities
Phil Cutts, Rural Access Officer
Andrew Gray, Deaf Access Officer
Other attendees present:
Vincent McDonald, Ken Gunning, Rebecca Paton, Cathryn Ryan, Sharon Eacott, Faye Baxter, Narelle Mason

Conflict of Interests:
<p>Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.</p> <p>A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.</p> <p>Vincent advised he had been employed as a contractor to draw up a design for the North Gardens Adult Changing Place and did not take place in that discussion item.</p>

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • Confirmation of Minutes 3 May 2019 • Civic Hall Tour • Marveloo at Mars Stadium • Her Majesty's Access • Correspondence from Jan McIvor submitting her resignation from DAC • Update from Julie-Ann Zajac provided via email re recruitment of Diversity & Inclusion Officer • DAC Survey Presentation • Future Funding • Ballarat Disability Parking Permits Simplifying • Deaf Access Update • Woovookarung Regional Park – Trailrider • Ballarat Public Transport • Mobility Map • Other Business

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Community Development Councillor Portfolio Meeting
Date of meeting:	Tuesday, 9 July 2019
Start time:	3.30pm
Finish time:	5.00pm

Councillors present:
Cr Amy Johnston, Cr Belinda Coates, Cr Des Hudson

Apologies:

Council staff present:
Neville Ivey, Director Community Development
Mark Patterson, Executive Manager Sport & Active Living
Pete Appleton, Executive Manager Engaged Communities
Jenny Fink, Executive Manager Learning & Community Hubs

Other attendees present:
Nil

Conflict of Interests:

Pursuant to Sections 77, 78 and 79 of the *Local Government Act 1989* (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Nil		Left Meeting [No]	[Time left]	[Time returned]
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Matters Considered: **Provide dots points of matters discussed.*

- Minutes of Meeting 28 June 2019
- Emergency Management Plan
- Outdoor Pools Update
- January 26 Celebrations
- Upcoming Council Reports
- Upcoming Council Strategic Briefings
- Meeting Dates and Times
- Soccer

Record completed by:	
Signed: 	Position: Director Community Development
Name: Neville Ivey	Date: 10 July 2019

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Council Agenda Review Briefing
Date of meeting:	17 July 2019
Start time:	7.07pm
Finish time:	8.51pm

Councillors present: Cr Jim Rinaldi Cr Grant Tillett Cr Des Hudson Cr Daniel Moloney Cr Mark Harris Cr Samantha McIntosh
Apologies: Cr Belinda Coates Cr Amy Johnson Cr Ben Taylor
Council staff present: Glenn Kallio – Acting Chief Executive Officer Terry Demeo – Director Infrastructure and Environment Neville Ivey – Director Community Development Cameron Cahill – Director Innovation and Organisational Improvement James Guy – Acting Director Development and Planning
Other attendees present: Nil

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
Nil				

Matters Considered: <i>*Provide dots points of matters discussed.</i>
External Advocacy Requests <ul style="list-style-type: none"> • Ban on Recreational Duck Shooting • Support for Container Deposit Scheme in Victoria • Golden Plains Request regarding School Crossing Supervisors • Murray Darling Basin Membership
Portfolio Matters
Updates for Councillors <ul style="list-style-type: none"> • Power Purchasing Update


Review of Draft Council Agenda 31 July 2019

- Chief Executive Officer Report
- Smarter Parking
- Assemblies of Councillors
- Clemente Partnership
- Adoption of Municipal Emergency Management Plan 2019 – 2021
- Loan Report
- Adoption of 2019 General Valuation
- Community Impact Special Committee
- Contracts Special Committee of Council Minutes – 29 May and 19 June 2019
- Audit Advisory Committee Minutes – 20 February 2019 and 1 May 2019
- S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)
- S6 Instrument of Delegation – Members of Staff
- Outstanding Question Time Items

Items in Camera

- Contracts Special Committee of Council – 29 May and 19 June 2019
- Audit Advisory Committee Agenda – 20 February 2019 and 1 May 2019
- Waste to Energy
- Business Case for Purchasing 100% Renewable Energy

Record completed by:

Signed: 	Position: Acting Chief Executive Officer
Name: Glenn Kallio	Date: 19 July 2019

11. OFFICER REPORTS

11.1. CLEMENTE PARTNERSHIP

Division: Community Development
Director: Neville Ivey
Author/Position: Lesley Morgan - Coordinator Community Engagement and Partnerships

OFFICER RECOMMENDATION

Council resolves to:

Approve a five-year Strategic Partnership Agreement with Clemente Ballarat for \$15,000 per year as outlined in the Clemente Partnership Agreement

EXECUTIVE SUMMARY

Clemente Ballarat is a free tertiary educational program for local adults facing multiple forms of disadvantage, including but not limited to mental illness, unemployment, domestic violence and substance abuse. It is a formal partnership between Australian Catholic University, Federation University, Centacare, The Smith Family, The Ballarat Foundation and the City of Ballarat.

The formal partners contribute funding in various ways including:

- ACU and Federation University provide academic staff offering in kind teaching services;
- Centacare and Smith Family carry out recruitment and ongoing support of Learning Partners;
- All partners participate in marketing; and
- A monetary contribution to the salaries of the Clemente program coordinator and assistant staff member.

The proposed City of Ballarat funds will be part of the overall operating budget and are used for various purposes including contribution to salary costs, costs of catering for students, advertising and marketing, some program delivery expenses and contribution to insurance expenses.

Clemente Ballarat is the only model nationally that has strong partnerships with local government, Library, two universities and three support agencies. Local Government in line with Council Plans has a responsibility to ensure Ballarat is a better place for all to live.

Clemente strives to provide a range of accessible and integrated educational programs which support all people, to achieve improved wellbeing and build stronger relationships within the Ballarat community. Success of the program is measured through research, outcomes and qualitative feedback.

Key performance indicators are the number of students who participate, the tangible positive outcomes for each student and their families and benefits to the wider community.

Clemente is a program with international origins beginning in the USA in the 1990's and coming to Australia in 2003. Ballarat Clemente began in 2008 with a strong partnership and support from the City of Ballarat.

Since 2008 over 250 local people have taken part in the program. The expected number of participants for 2019 is 26.

Those who complete the four semesters of study receive a Certificate in Liberal arts, accredited by Australian Catholic University and attend graduation with the other students.

RATIONALE

In February 2017 Council adopted the City of Ballarat Grants Policy (R66/17). The purpose of the Grants Policy is to ensure the recipients can deliver quality programs, events, products and services which are of great benefit to Ballarat and which bring a wide range of social, environmental and economic returns to the City. Included in the Grants Policy was the Strategic Partnerships Grant Program, a noncompetitive process to fund organisations or business to deliver Council identified initiatives which must align with community needs and Council's Strategic Objectives, as articulated in the Council Plan.

Clemente Ballarat was formed in 2008 with original signatories Australian Catholic University, Federation University, Centacare, The Smith Family, The Ballarat Foundation and the City of Ballarat. Since this time all partners have continued to support the program. In 2015 the City of Ballarat signed to continue as a support partner to Clemente Ballarat until 2020.

Clemente Ballarat is seeking to enter into a Strategic Partnership with the City of Ballarat and has requested \$15,000 (excl GST) per year for five years.

An alternative option is to approve \$15,000 for the 2019/20 financial year and an application be submitted for each sequential year.

Continued funding from the City of Ballarat is essential for the continuance of the program in its present form.

Funds from the City of Ballarat are an investment with proven results in the lives of Ballarat people who have suffered hardship and have been left behind by mainstream society. The work of the Clemente program has a positive flow-on effect for Ballarat families struggling with social exclusion and inequality.

The ethos of the Ballarat Clemente program is consistent with the City of Ballarat Council Plan; in part, Livability and believing in making Ballarat a better place for all.

The Strategic Partnership will be managed and monitored via a formal 5-year written agreement signed by all partners.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- Municipal Public Health and Wellbeing Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	No
Evaluation and Review	Yes	No

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural – Through research the indications are that the Clemente program assists in breaking down the cycle of poverty, inequality and social injustice for marginalised and disadvantaged people in Ballarat.

Economic – The program is seen as a highly effective method of addressing poverty, inequality and social injustices, that are faced by some in the Ballarat community. In this way the program can have a positive impact on the economics of a community and can reduce costs.

Financial/Resources – Monetary funding is sourced through a budget allocation from the City of the Ballarat and in-kind contribution from each of the partners.

Risk Management – The program will not be able to operate in its present form without this strategic partnership.

A formal written partnership agreement will be updated and signed by all parties to ensure the obligations of all parties are clearly articulated and understood.

Implementation and Marketing – The University partners and Centacare strongly promote the program and run publicity campaigns online and through traditional methods.

The implementation of the program is professional and timely, and all decisions are made by a Steering Committee comprising of one person from each partner organisation, the Clemente Ballarat Program Academic Coordinator, the Day to Day Coordinator and current students.

Evaluation and Review – The agreement provides a point of review for monitoring the performance of the partnership and a formal review is carried out every year by the National Director of Clemente, Professor Peter Howard.

Four steering committee meetings are held each year and are used to evaluate and review the program.

CONSULTATION

There is regular communication between all partners through emails, Skype and face to face meetings, which ensures that Clemente meet several objectives within the Council Plan including “Improve our community’s quality life by providing quality services” and improvement measured in the four socioeconomic indexes for areas (SEIFA) and building a community of respect and equality.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- <https://www.acu.edu.au/about-acu/faculties-directorates-and-staff/directorates/first-peoples-and-equity-pathways-directorate/clemente-australia>
- Shifting perspectives: the Clemente anthology edited by Michael Griffiths, Peter Howard and John Murray (2016)
- We're part of Our Own Solution: Social Inclusion Through Community Embedded, Socially Supported Unity Education, Peter Howard et. al., p54).

ATTACHMENTS

Nil

11.2. ADOPTION OF MUNICIPAL EMERGENCY MANAGEMENT PLAN 2019- 2021

Division: Community Development
Director: Neville Ivey
Author/Position: Pete Appleton – Executive Manager Engaged Communities
Bill Cook – Municipal Emergency Manager

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Endorse the City of Ballarat Municipal Emergency Management Plan 2019-2021.**
- 2. Submit the plan for audit to the Victorian State Emergency Service.**
- 3. Acknowledge the partnerships between Council and the Municipal Emergency Management Planning Committee members that contributed to the development of the new plan.**

EXECUTIVE SUMMARY

This report seeks Council's endorsement of a draft Municipal Emergency Management Plan (MEMP) prior to an audit by the Victorian State Emergency Service scheduled for September 2019. The draft 2019-2021 plan which details agreed prevention, response and recovery arrangements has been updated and approved by members of the City of Ballarat Municipal Emergency Management Planning Committee which includes representatives from Victoria Police, State Emergency Service (SES), Department of Health & Human Services, CFA, DELWP, Ambulance Victoria, Ballarat Base Hospital, Red Cross, Victorian Council of Churches, Ballarat Community Health and City of Ballarat.

RATIONALE

Council is required to prepare and maintain a Municipal Emergency Management Plan (MEMP) every 3 years as per the *Emergency Management Act 1986*. The draft plan details agreed prevention, response and recovery arrangements from emergencies that could occur in the City of Ballarat as identified in Part 4 of the *Emergency Management Act 1986*.

The broad objectives of the draft plan are to:

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

Whilst the style and structure of the draft plan largely resembles previous versions, a number of key elements have been updated and improved as part of the review process. These include:

- Updated Municipal demographic profile;
- Review and update of Council's resource list;

- Update all internal and external stakeholder contact and distribution lists;
- Review all support arrangements provided by Council;
- Upgrade the Emergency Relief Centre locations and facilities; and
- Revise the list of emergency events that have occurred in the municipality.

Key Improvements in the plan:

- A new agreed process for formally recording and reporting on incidents;
- A new charitable donations sub-plan;
- A new checklist process for key nominated roles during incidents;
- A strengthened internal audit process for Emergency Relief Centres; and
- The introduction of new communication channels to disseminate community preparedness and recovery information.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- *Emergency Management Act 1986*
- Emergency Management Manual Victoria

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	Yes	Yes

Social/Cultural – The overall purpose of the new draft plan is to establish and maintain a high level of community resilience and build an ability to cope with emergencies. It also acknowledges that emergencies impact people’s lives in different ways and recognises that it can require integrated responses from several organisations.

Environmental/Sustainability – The new draft plan seeks to mitigate the impacts of scenarios for drought, heat stress, flood, fire, and extreme weather events by co-operating in joint planning with the agencies responsible for responding to these incidents.

Economic – Efficiently planning for and responding to emergency events seeks to mitigate economic disruption within the municipality.

Financial/Resources – There are no direct financial implications connected to the draft plan, however it should be noted that some positive financial implications exist from improvements made within the revised emergency management arrangements.

These include:

- A new process for charitable donations via a partnership with Bendigo Bank; and
- Strengthened opportunities for Council's to share resources across the Central Highlands region.

Risk Management:

1. Failure to provide an adopted Municipal Emergency Management Plan as part of the Victorian State Emergency Service audit would result in Council failing part of the audit process.
2. The new plan includes a significant component around risk via a Community Emergency Risk Assessment. The risk assessment was formally signed by all agencies at the Municipal Emergency Management Planning Committee meeting held on 7 February 2019.

Evaluation and Review – It is proposed that the plan will be formally audited by the Victorian State Emergency Service on 3 September 2019. After that, the plan will be reviewed by the Municipal Emergency Management Planning Committee on an annual basis.

CONSULTATION

The development of the new draft plan has involved targeted stakeholder engagement with partner agencies on Municipal Emergency Management Planning Committee. These include Victoria Police, State Emergency Service (SES), Department of Health & Human Services, CFA, DELWP, Ambulance Victoria, Ballarat Base Hospital, Red Cross, Victorian Council of Churches, Ballarat Community Health and City of Ballarat.

The need for the development of a new draft plan and associated timeframes were discussed at the Municipal Emergency Management Planning Committee meeting on 7 February 2019.

Key proposed amendments to the new draft plan were discussed at a Municipal Emergency Management Planning Committee workshop on 27 March 2019.

The new draft plan was formally endorsed by the Municipal Emergency Management Planning Committee on 9 May 2019. The Committee also agreed to place the new draft plan on public exhibition prior to seeking Council's formal approval.

The new draft plan was advertised via Council's *My Say* page for comment throughout the month of May 2019. One submission was received from a community member who raised specific questions about how agencies respond to particular emergency events. The comments did not directly advocate for any specific amendments to the plan. In responding to the submission, officers have requested that the responsible agency provide a reply to the community member.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

ATTACHMENTS

Nil

11.3. LOAN REPORT

Division: Business Services
Director: Glenn Kallio
Author/Position: Glenn Kallio - Director Business Services

OFFICER RECOMMENDATION

Council resolves to:

1. Authorise the Chief Executive Officer to seek expressions of interest for loan funds totaling \$10,000,000.
2. Authorise the Chief Executive Officer to accept the terms and conditions of the loan totaling \$10,000,000, sign and seal the documentation on behalf of Council.

EXECUTIVE SUMMARY

This report seeks Council to approve the raising a loan for \$10 million to advance recreation projects as per the 2019/20 Budget.

RATIONALE

The 2019/20 Budget sets down Councils direction to raise \$10 million to bring forward recreation projects. The raising of this loan allows the City of Ballarat to implement a critical \$16 million sporting infrastructure investment over the next two years, bringing forward planned works scheduled for the next five years. As the loan allows the bringing forward of future works, the repayment of the loan will be made from those budget allocations in future years that were set aside to complete these works.

This multi-million-dollar boost will fast-track 32 sporting infrastructure projects across 20 different clubs in 15 different sports at 18 separate venues – benefiting more than 4,500 participants. Projects to be completed cover:

- Lighting projects
- Irrigation, drainage, and pitch upgrades,
- Female Friendly facilities
- Modular Facilities
- Bowls facilities

The proposal to borrow \$10 million for these projects originated from the State Government announcement in August 2018, that a low interest loan would be provided for these purposes. To date the loan has not materialised, with delays in the funds becoming available and additional requirements in both loan documentation and reporting requirements increasing the overall cost of the State Government initiative.

The delay in these funds becoming available has already pushed back the program of works 12 months, it is considered that Council can no longer wait for these funds to become available, in conjunction with the additional requirements of the State Government offer, it is considered that Council will be able to borrow funds from traditional sources at comparable costs.

It is proposed that Council seeks funding from the traditional sources of funds and seeks clarification from the State Government regarding the status of their low interest loan proposal. The Chief Executive Officer will then review all proposals available at that time and accept the best available proposal. If at this time the low interest loan from the State Government is either not ready or the terms and conditions does not exceed that from traditional sources, then a loan from traditional sources will be accepted.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- City of Ballarat Budget 2019/20

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Financial/Resources – The borrowing of the \$10 million loan is set down in the 2019/20 budget and all costs associated with the borrowing of \$10 million has been allowed for.

Should the loan not be carried forward, the proposed recreation projects program will require re-working and the budget revised to reflect that the loan will not be raised and the normal budgets re-instated.

CONSULTATION

Consultation for the borrowing of the \$10 million load has occurred through the revised budget process during the 2018/19 financial year and more recently through the 2019/20 budget process.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- 2019/20 Adopted Budget

ATTACHMENTS

Nil

11.4. ADOPTION OF 2019 GENERAL VALUATION

Division: Business Services
Director: Glenn Kallio
Author/Position: Rod Leith, Manager Revenue & Procurement Services

OFFICER RECOMMENDATION

Council resolves to adopt the 2019 General Valuation.

EXECUTIVE SUMMARY

Following amendments to the Valuation of Land Act 1960 (VLA) in late 2017, the State Government centralised the responsibility for land valuation with Valuer General Victoria and introduce annual valuations for Council rate setting, Land Tax and Fire Services Property Levy purposes.

In a letter to Council's Chief Executive Officer dated 30 May 2018, the Valuer General gave notice under section 6(1) of the VLA to cause a general valuation to be made of rateable and non-rateable leviable land within the City of Ballarat as at 1 January 2019.

The 2019 General Valuation was subsequently returned by the Valuer General in June this year, certified as generally true and correct in accordance with Section 7AD of the VLA. The 2019 General Valuation was then reported to the Minister for Planning, Hon Richard Wynne MP to make a declaration under Section 7AF of the VLA.

Confirmation of the Minister's Declaration was received from the Valuer General by letter to Council's Chief Executive Officer dated 3 July 2019.

The following table shows the average percentage increases in valuations from 2018 to 2019 for each category of property:-

	No of Props	CIV 2018 level	CIV 2019 level	% Chg
Residential	45,169	\$14,686,484,000	\$16,027,596,500	9.1%
Commercial	3,382	\$2,195,921,700	\$2,270,329,200	3.4%
Industrial	1,593	\$845,140,500	\$899,070,500	6.4%
Rural (inc Urban Farm Land)	3,466	\$2,046,184,000	\$2,145,616,000	4.9%
Non-Rateable Leviable	875	\$794,147,500	\$806,890,000	1.6%
	54,485	\$20,567,877,700	\$22,149,502,200	7.7%

RATIONALE

Council should adopt the 2019 General Valuation in order to use those property valuations for levying rates and charges for the 2019/2020 year.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Valuation of Land Act 1960*
- *Valuation Best Practice Guidelines*
- *Local Government Act 1989*
- *Fire Services Property Levy Act 2012*

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights – It is considered that this report does not impact on any human rights identified in the Charter of Human Rights and Responsibilities Act 2006.

Financial/Resources – Valuations are the basis upon which Council levies rates, charges and Fire Services Property Levy. Although a revaluation does not mean an opportunity to increase rate revenue, it can re-distribute the rate burden across and within categories of properties.

CONSULTATION

Nil

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Nil

ATTACHMENTS

1. Form 2 - Summary of 2019 General Valuation [**11.4.1** - 1 page]

11.5. COMMUNITY IMPACT SPECIAL COMMITTEE

Division: Community Development
Director: Neville Ivey
Author/Position: Peter Appleton - Executive Manager Engaged Communities

OFFICER RECOMMENDATION

Council resolves to:

- 1. Endorse Kerry Pask as the new community representative on the Community Impact Committee following the recent expression of interest process.**
- 2. Acknowledge and thank outgoing community committee member Lynne Sheedy for her commitment and participation on the Community Impact Committee over the last four years.**
- 3. Endorse the proposed amendments to the 2019 / 2020 Community Impact Grant Program.**

EXECUTIVE SUMMARY

This report seeks Council's endorsement for a new community member representative on the Community Impact Committee and proposes amendments to the Community Impact Grant Program for 2019 / 2020. The nominated community committee member has been selected by the 3 Councillor representatives on the Committee following a publicly advertised expression of interest process. The proposed amendments to the Community Impact Grant Program for 2019 / 2020 are as a result of a committee workshop held on Tuesday 25 June 2019.

RATIONALE

Created in January 2011, the Community Impact Committee operates as a Special Committee of Council under Section 86 of the Local Government Act 1989. As per the adopted Terms of Reference, membership of the committee consists of four community representatives and three nominated Councillors. One of the community representative positions has become vacant due to completion of the maximum four-year tenure on the committee by Lynne Sheedy. During this time, Lynne has served 2 x 2-year terms on the committee and has been a committed grants assessor, actively participating in funding allocation meetings over the last four years.

An expression of interest process was undertaken between 11 April and 8 May 2019. Four submissions were received. The three Councillor committee representatives reviewed the submissions and nominated Kerry Pask as their preferred option to join the committee. If endorsed, Kerry would be appointed to the committee for an initial 2-year term, with an option for a further two years.

The Community Impact Committee met on Tuesday 25 June 2019 to review and reflect on the 2018 / 2019 grant program. Committee members agreed on the following proposed amendments to the program for 2019 / 2020.

- **Relax the applicant requirements for requests under \$2,000 (excl GST).** This proposal is based on streamlining the application form and reducing the level of background documentation required for smaller grant requests.
- **Accept applications for up to \$20,000 (excl GST) providing applicants include a cash contribution based on a 2:1 match ratio for all requests over \$10,000 - (\$2 CIGP to \$1 Applicant).** Lifting the maximum grant allocation is seen as a way of broadening the potential scope and impact of the program. Committee members recognised the need for higher level scrutiny and review as part of the assessment and were unanimous in confirming the need for applicants to genuinely demonstrate commitment to a partnership model via a cash ratio contribution.
- **Accept funding requests for minor capital projects to upgrade infrastructure at venues not owned by Council or State Government.** This inclusion is based on the recognised need by committee members to support minor capital projects where accessibility and sustainability improvements can be implemented at community venues.
- **Accept partnership applications between local community organisations and schools that demonstrate broad community benefit.** Community members acknowledged the lack of children's and youth-based applications over the last few years and believe broadening the guidelines to include community organisation and school partnership applications is a way of stimulating interest for projects with these age cohorts.

If endorsed, these amendments would be made to the grant program guidelines for 2019 / 2020 with the intention to commence round one of the program in August 2019.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

Human Rights – The process provided community members with an opportunity to participate in public life as per the Charter of Human Rights and Responsibilities Act 2006.

Social/Cultural – The proposed grant program amendments are intended to lift and broaden the scope of projects and recipients being funded.

Financial/Resources – There are no additional financial implications attached to the proposed amendments to the program.

Risk Management – Raising the maximum grants available to \$20,000 potentially increases the level of risk of misappropriation of the funds by groups and organisations. To mitigate this risk, officers are proposing a two staged payment process for grants over \$10,000. It is proposed that 50% of the grant funding be provided to groups on signing of the funding agreement, with the remaining 50% being provided on receipt of a satisfactory acquittal report. The Community Impact Committee noted their support for this operational enhancement at the 25 June 2019 meeting.

Implementation and Marketing – The Expression of Interest process was advertised on the 11 and 18 of April 2019 in The Ballarat Times Noticeboard.

Evaluation and Review – The Community Impact Committee traditionally meets at the end of each financial year to review the grant program. The basis of this report is from the recent review process.

CONSULTATION

In implementing an expression of interest process, the Committee directly followed the adopted Terms of Reference for recruiting new community members onto the committee. The expression of interest was externally advertised providing an opportunity for all community members to respond.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

ATTACHMENTS

1. CIC Minutes Meeting (S 86) June 2019 [**11.5.1** - 2 pages]

Meeting Minutes: Community Impact Committee

Date:	25 June 2019	Time Open: 3.45pm	Time Close: 5.05pm
Location:	Committee Room 2, Town Hall		
PRESENT:	Matt Jenkins David Harris Sofia Fiusco Cr Grant Tillett Cr Des Hudson	CEO United Way Ballarat and The Ballarat Foundation Community Representative Community Representative City of Ballarat City of Ballarat	
IN ATTENDANCE	Pete Appleton Sandra Kennedy Stephen Bigarelli	Executive Manager, Engaged Communities, City of Ballarat Support Officer, Engaged Communities, City of Ballarat Manager, Finance, City of Ballarat	
APOLOGIES:	Cr Belinda Coates	City of Ballarat	
NON ADVISED NON ATTENDANCE	Nil		

WELCOME AND INTRODUCTION	David Harris chaired this meeting of the Committee (CIC)
MINUTES FROM PREVIOUS MEETINGS	Minutes of the meeting of <ul style="list-style-type: none"> • 28 May 2019 (S86) • 28 May 2019 (S89) <p>MOVED: David Harris Seconded: Sofia Fiusco CARRIED</p>
DECLARATION OF CONFLICTS OF INTEREST	One member of the committee declared a perceived conflict of interest in relation to items that may be discussed at this meeting.

VARIATION REQUESTS	<p>BALLARAT SYMPHONY ORCHESTRA: Request seeking approval from the Community Impact Committee to revise the grant allocation budget and allow the funds to be spent on:</p> <ul style="list-style-type: none"> • Piano Tuning - \$150 • Music Hire - \$540 • Marketing and Promotion - \$1,931 <p>The request is to spend more than original on marketing, there is no change to the aims or objectives of the project, this remains the same. The committee approved the request.</p>
PUBLIC SUBMISSIONS	Nil
COMMUNITY IMPACT GRANT PROGRAM 2018/2019 REVIEW	<p>The committee reviewed the outcomes of the current grant program and discussed changes/improvements to the 2019/2020 program.</p> <p>The changes are:</p> <ul style="list-style-type: none"> • Relax the applicant requirements for requests under \$2,000 (excl GST). • Accept applications for up to \$20,000 (excl GST) providing applicants include a cash contribution based on a 2:1 match ratio for requests over \$10,000 (\$2 CIGP to \$1 Applicant)

	<ul style="list-style-type: none"> • Accept funding requests for minor capital projects to upgrade infrastructure at venues not owned by Council or State Government. • Accept partnership applications between local community organisations and schools that demonstrate broad community benefit.
GENERAL BUSINESS	<p>CIC MEMBERSHIP APPOINTMENT OF 1 POSITION: Councillors on the Community Impact Committee are to advise of their decision shortly.</p> <p>Action: Councillors to advise</p> <p>BUDGET UPDATE: Completed as part of the review discussion.</p> <p>CORRESPONDENCE: Nil received</p>
S86 MEETING – COMPLETED	MOVED: SOFIA FIUSCO SECONDED: DAVID HARRIS CARRIED

11.6. CONTRACTS SPECIAL COMMITTEE OF COUNCIL MINUTES - 29 MAY AND 19 JUNE 2019

Division: Director Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Note, as per the *Local Government Act 1989* Section 88(2) that this matter is designated confidential information under section 89(2) as Contractual Matters and has been considered in making this recommendation.**
- 2. Endorse the Special Contracts Committee minutes of the meetings held on 29 May and 19 June 2019.**

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with copies of minutes of Council's section 86 Special Contracts Committee in accordance with the *Local Government Act 1989*. At the meeting of these Committees held on 29th May and 19th June, 2019, one Contract and one variation to a Contract was endorsed by the Committee. This report provides a copy of the minutes of this meeting as well as detailing summary information in relation to this Contract.

RATIONALE

Section 92 of the *Local Government Act 1989* (the Act) requires that copies of minutes of meetings of the Special committees of Council are kept. Part 5 of the Act also lists minutes of section 86 Committees as a prescribed matter and therefore should be made available to the public. This report advises that minutes of the Special Contracts Committee (the Committee) are attached to this report for the meetings held on 29th May and 19th June, 2019.

The Committee has been established to more effectively facilitate Council's Capital Works Program. To that end, the Committee has been established and will meet weekly, as required, in order to provide Council Officers with necessary decisions of Council to enable procurement processes to be completed.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 1989*
- City of Ballarat Council Plan 2017-21
- City of Ballarat Industry Participation Program
- City of Ballarat Purchasing/Procurement Policies and Procedures

LOCAL CONTENT

Contract	Endorsed with recommendation to Council	Value	Outcomes	Local Content Outcome
2017/18-148	Variation to Contract	\$168,243.37 (excluding GST)	Restoration of Ballarat Civic Hall	Yes
2018/19-124	CIQ Construction Management	\$484,678.80 (excluding GST)	Refurbishments of Existing Changerooms at Mount Clear Reserve	Yes

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights - It is considered that this Report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural - The inclusion of the minutes in the Council agenda and their availability to the public will increase awareness of the activities of the Special Contracts Committee and could increase community involvement in decision making at Council.

Risk Management – The Act requires that minutes of Committees established under Section 86 are kept and are made available to the public. There are implications if minutes of Special Committees are not presented to Council.

Financial – As contained within the report.

OFFICER' DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- City of Ballarat Purchasing/Procurement Policy
- Contracts Approval Special Committee Terms of Reference

ATTACHMENTS

1. Contracts Minutes Wednesday 29 May 2019 [**11.6.1** - 4 pages]
2. Contracts Minutes Wednesday 19 June 2019 [**11.6.2** - 4 pages]



CONTRACTS SPECIAL COMMITTEE

MINUTES

29 May 2019

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 1,
TOWN HALL, STURT STREET, BALLARAT
ON WEDNESDAY 29 MAY 2019 AT 4:32PM**

**Justine Linley
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Mark Harris (Chair)
Cr Grant Tillett
Cr Ben Taylor

IN ATTENDANCE

Mr Glenn Kallio (Director Business Services)
Ms Angelique Lush (Director Development and Planning)
Mr Mark Powell (Executive Manager Major Projects)
Mr Matthew Dent (Project Officer)

DECLARATIONS OF INTEREST

No declarations of interest were received.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 1 May, 2019 as circulated, be confirmed.

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

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5.1 VARIATION TO CONTRACT 2017/18-148 CIVIC HALL
(RO – Angelique Lush / Matthew Dent)

SUMMARY

This report recommends that the Contracts Committee endorse the variations to a contract for the Civic Hall.

RESOLUTION

That the Contracts Approval Special Committee resolves that it:

- 1. Note variations to Contract 2017/18-148 Restoration of Ballarat Civic Hall from 12th December 2018 to project completion totalling \$168,243-37 (3.65% of contract value) (GST exclusive).**
- 2. Acknowledge final contract position of contract 2017/18-148 Restoration of Ballarat Civic Hall from project start to project completion: \$5,399,215-88 (GST exclusive) including variations totalling \$791,728-99 (17.18% of contract value) (GST exclusive).**

Moved Cr Ben Taylor
Seconded Cr Grant Tillett

CARRIED

General Business:

No general business was discussed.

RESOLUTION

That the Contracts Approval Special Committee resolve to come out of Section 89 and adopt the resolutions made therein.

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

There being no further business, the Chairperson declared the meeting closed at 4.44pm

Confirmed this 19th day of June, 2019

.....
Cr Mark Harris
Chairperson



CONTRACTS SPECIAL COMMITTEE

MINUTES

19 June 2019

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 1,
TOWN HALL, STURT STREET, BALLARAT
ON WEDNESDAY 19 JUNE 2019 AT 4:30PM**

Justine Linley
(Chief Executive Officer)

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Mark Harris (Chair)
Cr Grant Tillett

IN ATTENDANCE

Mr Glenn Kallio (Director Business Services)
Ms Angelique Lush (Director Development and Planning)

APOLOGIES

Cr Ben Taylor

CARRIED

RECOMMENDATION

That the apology from Cr Ben Taylor be received.

Moved Cr Grant Tillett
Seconded Cr Mark Harris

CARRIED

DECLARATIONS OF INTEREST

No declarations of interest were received.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 29 May, 2019 as circulated, be confirmed.

Moved Cr Grant Tillett
Seconded Cr Mark Harris

CARRIED

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Grant Tillett
Seconded Cr Mark Harris

CARRIED

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**5.1 CONTRACT 2018/19-124 REFURBISHMENTS OF EXISTING CHANGE ROOMS
AT MOUNT CLEAR RECREATION RESERVE
(RO ANGELIQUE LUSH / ROBERT POWELL) 4**

5.1 CONTRACT 2018/19-124 REFURBISHMENTS OF EXISTING CHANGE ROOMS AT MOUNT CLEAR RECREATION RESERVE
 (RO – Angelique Lush / Robert Powell)

SUMMARY

This report recommends that the Contracts Committee award a Contract for the refurbishment of existing changerooms at the Mount Clear Recreation Reserve.

RESOLUTION

That the Contracts Approval Special Committee resolves that it:

- 1. Award Tender 2018/19-124 Refurbishments of Existing Changerooms at Mount Clear Recreation Reserve to CiQ Construction Management for the total tendered price of \$484,678.80 (ex GST).**

Moved Cr Grant Tillett
 Seconded Cr Mark Harris

CARRIED

General Business:

No general business was discussed.

RESOLUTION

That the Contracts Approval Special Committee resolve to come out of Section 89 and adopt the resolutions made therein.

Moved Cr Grant Tillett
 Seconded Cr Mark Harris

CARRIED

There being no further business, the Chairperson declared the meeting closed at 4.35pm

Confirmed this day of , 2019

.....
Cr Mark Harris
Chairperson

11.7. AUDIT ADVISORY COMMITTEE MINUTES - 20 FEBRUARY 2019 AND 1 MAY 2019

Division: Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

OFFICER RECOMMENDATION

Council resolves to:

1. Note, in accordance with the *Local Government Act 1989* section 77(2), that Confidential report on this matter is designated confidential information under Section 89(2) as any other matter which the Council or Special Committee consider would prejudice the Council or any person and has been considered in making this recommendation.
2. Endorse the minutes of the Audit Advisory Committee for 20 February 2019 and 1 May 2019 and adopt the resolutions made therein.

EXECUTIVE SUMMARY

This report provides Council with the Minutes of the meeting of Council's Audit Advisory Committee (the Committee) meetings held on 20 February 2019 and 1 May, 2019.

RATIONALE

The Committee Terms of Reference states:-

The Audit Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.

This report provides Council with the full Agenda and attachments of the Audit Committee as a confidential attachment. The items considered by the Committee at this meeting were as follows:-

20 February, 2019

AC598	Waste to Energy Update
AC599	Pitcher Partners – Internal Audit Report – IT Environment
AC600	Safety, Risk and Compliance
AC601	Victorian Auditor General's Office – Management Letter
AC602	Matrix of Outstanding Items

1 May, 2019

AC603	Victorian Auditor General's Office – Interim Management Letter
AC604	Victorian Auditor General's Office – Audit Strategy 2018/19
AC605	Changes to Accounting Standards (AASB)
AC606	Pitcher Partners – Internal Audit Report – Major Projects Management Follow up report
AC607	Pitcher Partners – Internal Audit Report – Recommendations Follow Up Audit
AC608	Pitcher Partners – 2018/19 – 2019/2020 Internal Audit Program Status Report
AC609	Pitcher Partners – Internal Audit Plan 2019/20 – 2021/22

AC610 Waste to Energy Update

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights Act 2006*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 1989*
- City of Ballarat Council Plan 2013-17

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	Yes
Social/cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights - It is considered that this Report does not impact on any human rights identified in the *Charter of Human Rights Act 2006*.

Social/Cultural - The inclusion of the attached minutes in the Council Agenda and the availability to the public will increase awareness of the activities of the Committee and could increase community involvement in decision making at Council.

Financial/Resources – As contained with the Confidential Attachment Report.

Risk Management – In accordance with the Terms of Reference, the minutes of the Audit Advisory Committee are to be provided to Council.

OFFICER' DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Audit Advisory Committee – Terms of Reference

ATTACHMENTS

1. Audit Minutes - 20 February 2019 [11.7.1 - 8 pages]
2. Audit Minutes - 1 May 2019 [11.7.2 - 8 pages]



AUDIT ADVISORY COMMITTEE

DRAFT MINUTES

20 February 2019

**DRAFT MINUTES OF THE MEETING OF THE AUDIT ADVISORY COMMITTEE
OF THE BALLARAT CITY COUNCIL HELD IN COMMITTEE ROOM 2
TOWN HALL, STURT STREET, BALLARAT ON
WEDNESDAY 20 FEBRUARY, 2019 AT 10:00AM**

**Justine Linley
Chief Executive Officer**

<i>MINUTES</i>

ORDER OF BUSINESS:

PRESENT

Mr Noel Perry (Chair)
Mr Michael Porter
Mr Shane Bicknell
Mr Peter Le Lievre
Cr Grant Tillett
Cr Samantha McIntosh

IN ATTENDANCE

Ms Natalie James (Client Director, Pitcher Partners)
Mr Joshua Kapolice (Manager, Pitcher Partners)
Mr Glenn Kallio (Director Business Services)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Cr Belinda Coates
Ms Justine Linley (Chief Executive Officer)

RESOLUTION:

That the apologies be accepted.

Moved Mr Michael Porter
Seconded Cr Grant Tillett

CARRIED

DECLARATION OF CONFLICT OF INTERESTS

Mr Le Lievre advised that he would have a perceived conflict in any matters relating to Ballarat Regional Industries.

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with matters, that may include matters that are Commercial in Confidence or that may prejudice Council:-

Moved Mr Michael Porter
Seconded Cr Grant Tillett

CARRIED

FRAUD CONTROL

No items of fraud were reported.

CONFIRMATION OF MINUTES

That the minutes of the Audit Advisory Committee held on 5 December, 2018, as circulated, be adopted subject to amendment to resolution AC589 – Internal Audit Report Developer Contributions – Ballarat West Precinct, being:-

That the Internal Auditor's recommendations be adopted, as follows:-

1. Resourcing

That Officers continue working to reduce the level of reliance on Growth and Development Contributions Co-ordinator. This can be addressed by further encoding organisational knowledge into the DCP manual as well as cross skilling of staff within City of Ballarat.

2. Monitoring and Reporting

.1 Increase the regularity of DCP Committee meetings and enhance the level of reporting on key DCP activities to assist with governance and oversight.

.2 That the DCP meet regularly, possibly quarterly or more often as needed, as suggested by the DCP Terms of Reference.

.3 In relation to DCP reporting:

- Identify key information and reports required. This may consider the DCP cash flow implications, including works in kind agreements and projected growth in the precinct which may be inferred from developer pre-application meetings.
- Determine if the DevCap system is fit for purpose from a reporting perspective or whether there is a need to replace or compliment the system with other mechanisms.

3. Developer Contribution Projects Prioritisation

Establish a model to help prioritise the order and timing of developer contribution projects based on defined criteria and provide documented justification for decisions made.

We recognise that outputs of such a model will still require review and vetting for reasonableness and may need to be re-considered where circumstances change.

The DCP Committee, as per the Terms of Reference may be of assistance with prioritisation and timing decision making and approval. As outlined in point 2 above, it is recommended that the DCP meet more regularly (i.e. quarterly or more frequently if required, as per the Terms of Reference).

Moved
Seconded

CARRIED

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AC599	PITCHER PARTNERS - INTERNAL AUDIT REPORT - IT ENVIRONMENT (RO - Glenn Kallio)	5
AC600	SAFETY, RISK AND COMPLIANCE (RO - Glenn Kallio)	6
AC601	VICTORIAN AUDITOR GENERAL'S OFFICE - MANAGEMENT LETTER (RO - Glenn Kallio)	7
AC602	MATRIX OF OUTSTANDING ITEMS (RO - Glenn Kallio)	7
	GENERAL BUSINESS	7

AC598 WASTE TO ENERGY
(RO – Terry Demeo)

SUMMARY

The Audit Committee at its meeting held on 5 December, 2018 received a verbal briefing from Council's Chief Executive Officer, Ms Justine Linley, in regard to the current status of the Waste to Energy.

A further presentation was requested for the February meeting and in the absence of the Chief Executive Officer, the Director Infrastructure and Environment, Mr Terry Demeo briefed the meeting.

RESOLUTION

That a presentation be prepared for the next Audit Committee meeting and that this presentation also include the Ballarat West Employment Zone.

Moved
Seconded

CARRIED

Mr Demeo was thanked for his attendance and left the meeting.

AC599 PITCHER PARTNERS – INTERNAL AUDIT REPORT - IT ENVIRONMENT
(RO – Glenn Kallio)

SUMMARY

In accordance with the adopted Internal Audit program, Pitcher Partners have completed their report on Council's IT Environment and briefed the meeting on its findings.

Mr Stuart Meerbach, Executive Manager Information Services entered the meeting and answered questions from the Committee.

RESOLUTION

That by 30 June, 2019, management:-

IT Strategy

- 1. Establish an IT Steering Committee to oversee the implementation of security systems and projects relating to IT infrastructure respectively:-**
 - a. Overseeing IT Project implementations;**
 - b. Monitoring progress against the IT strategy; and**
 - c. Re-prioritising IT project pipelines where required by emerging changes.**
- 2. Finalise and adopt IT Strategy;**
- 3. Develop a roadmap for core business systems.**

System Patching

4. Processes should be implemented to isolate servers which have not been recently patched from the IT Environment, reducing the risk they impose on the network. This process should be accompanied by documentation indicating what has been performed to reduce the exposure, a date by which it is planned to be resolved and oversight by a suitably senior staff member to indicate that any residual risk has been accepted.
5. Consider revising the process for creating new servers to ensure that all critical patches are installed prior to use.

IT Cybersecurity Training

6. Establish a cybersecurity awareness training program. This should be mandatory for all staff and required to be undertaken at least once per annum. This should be reviewed periodically to ensure that it remains relevant and updated as required to address emerging cybersecurity threats.
7. Management may consider utilising an eLearning platform as an efficient method of delivering this training and tracking its completion.

Physical Access

8. Improve the reporting functions for swipe card access which may require either purchasing an enhanced reporting module for the current system or implementing a new system. These options should be considered on a cost/benefit basis.
9. Management should implement a process to periodically review the appropriateness of access to the IT server room and the communications room.

Moved

Seconded

CARRIED

Mr Meerbach was thanked for his attendance and left the meeting

AC600 SAFETY, RISK AND COMPLIANCE UPDATE REPORT

(RO – Glenn Kallio)

SUMMARY

Mr Cameron Montgomery, Executive Manager Safety, Risk and Compliance Services entered the meeting and answered questions from the Committee.

This report updated the Audit Committee on Safety, Insurance, Risk and Compliance.

RESOLUTION

That:-

- The high risks be categorised and six high risks be identified at the next Audit Committee meeting for discussion.
- That a graph be prepared in future reports outlining Workcover premiums as a percentage of salary.

Moved

Seconded

CARRIED

Mr Montgomery was thanked for his attendance and left the meeting.

**AC601 VICTORIAN AUDITOR GENERAL
MANAGEMENT LETTER FOR YEAR ENDED 30 JUNE 2018**

(RO: Glenn Kallio)

SUMMARY

The final Management Letter in regard to Council's 2017/18 Financial Audit has been received from the Victorian Auditor General's Office and was provided for information and consideration by the Committee.

RESOLUTION

That the Management Letter for the year ended 30 June 2018 be received.

Moved

Seconded

CARRIED

AC602 MATRIX OF OUTSTANDING ITEMS

(RO: Glenn Kallio)

SUMMARY

This report outlined for the information of the Audit Committee the status of outstanding items to date.

For Information only

GENERAL BUSINESS**Future Internal Audit Plan**

The Internal Auditor reported that upon discussion with Management, it was recommended that the two remaining items on the adopted Audit Plan for 18/19 being Accounting/Payroll system post implementation and Knowledge and Records Management be deferred until the 2019/20 year due to implementation of the new Financial system and a recently appointed Manager to the Records Unit.

It was agreed that the Internal Auditor will progress the follow up of outstanding recommendations to be presented to the next Audit Meeting.

The Internal Auditor advised that they will present a draft audit plan for the ensuing two years to the next meeting for discussion and approval, along with two reports on audits currently being conducted, being; Tendering and Contract Management and the follow up of Major Projects.

Mr Michael Porter

Mr Porter advised that although his appointment does not conclude until end of June, 2019, he will be unable to attend the next two meetings and subsequently will tender his resignation in the near future.

The Chair, Mr Perry, thanked Mr Porter for his contribution over the past 5½ years on the Committee.

RESOLUTION:

That the Committee resolves to come out of Section 89.

Moved Mr Peter Le Lievre
Seconded Mr Michael Porter

CARRIED

There being no further business, the Chairperson declared the meeting closed at 12:03pm

Please note that due to no formal resolutions to items at this meeting, these resolutions will be put to the Committee at the 1 May 2019 meeting in order to form the minutes of this meeting.



AUDIT ADVISORY COMMITTEE

MINUTES

1 May 2019

MINUTES OF THE MEETING OF THE AUDIT ADVISORY COMMITTEE
OF THE BALLARAT CITY COUNCIL HELD IN COMMITTEE ROOM 2
TOWN HALL, STURT STREET, BALLARAT ON
WEDNESDAY 1 MAY, 2019 AT 10:03AM

Justine Linley
Chief Executive Officer

MINUTES

ORDER OF BUSINESS:

PRESENT

Mr Noel Perry (Chair)
Mr Peter Le Lievre
Cr Samantha McIntosh
Cr Grant Tillett

IN ATTENDANCE

Mr Joshua Kapolice (Manager, Pitcher Partners)
Ms Natalie James (Client Director, Pitcher Partners)
Mr Jonathon Kyvelidis, (Sector Director Local Govt and Planning, Victorian Auditor General's Office)
Mr Anh Ha, (Senior Manager Engagement Leader, Victorian Auditor General's Office)
Ms Justine Linley (Chief Executive Officer)
Mr Glenn Kallio (Director Business Services)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Mr Shane Bicknell
Cr Belinda Coates

That the apologies be received.

Moved Mr Peter Le Lievre
Seconded Cr Samantha McIntosh

CARRIED

DECLARATION OF CONFLICT OF INTERESTS

Mr Le Lievre advised that he would have a perceived conflict in any Ballarat Regional Industries matters

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with matters, that may include matters that are Commercial in Confidence or that may prejudice Council:-

Moved Cr Samantha McIntosh
Seconded Cr Grant Tillett

CARRIED

FRAUD CONTROL

No items of fraud were reported

CONFIRMATION OF RECOMMENDATIONS MADE AT 20 FEBRUARY 2019 MEETING

That the resolutions made at the Audit Advisory Committee meeting held on Wednesday 20 February, 2019 as circulated, be confirmed and form the minutes of the 20 February, 2019 Meeting.

Moved Cr Grant Tillett
Seconded Mr Peter Le Lievre

CARRIED

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AC607 PITCHER PARTNERS - INTERNAL AUDIT REPORT - RECOMMENDATIONS FOLLOW UP AUDIT (RO - Glenn Kallio).....	5
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AC609 PITCHER PARTNERS - INTERNAL AUDIT PLAN 2019/20 - 2021/22 (RO - Glenn Kallio).....	7
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**AC603 VICTORIAN AUDITOR GENERAL'S OFFICE
INTERIM MANAGEMENT LETTER FOR THE YEAR ENDING 30 JUNE 2019
(RO – Glenn Kallio)**

SUMMARY

The Interim Management letter for Council's Financial Audit 2018/19 has been received from the Victorian Auditor General's Office and was presented to the Committee for its consideration.

Mr Jonathon Kyvelidis, Sector Director Local Government and Planning and Ahn Ha, Senior Management Engagement Leader from Victorian Auditor General's Office will be in attendance to answer any questions that the Committee may have.

RESOLUTION

That the Audit Advisory Committee note the issues and comments contained in the Victorian Auditor General's Interim Management Letter and that the high to moderate risk items be added to the outstanding audit items register.

Moved Mr Peter Le Lievre
Seconded Cr Grant Tillett

CARRIED

**AC604 VICTORIAN AUDITOR GENERAL'S OFFICE
- AUDIT STRATEGY 2018/19
(RO – Glenn Kallio)**

SUMMARY

The Audit Strategy from the Victorian Auditor General's Office for the year ending 30 June 2019 was presented to the Committee.

RESOLUTION

That the Audit Strategy be received.

Moved Mr Peter Le Lievre
Seconded Cr Grant Tillett

CARRIED

**AC605 CHANGES TO ACCOUNTING STANDARDS
(RO – Glenn Kallio)**

SUMMARY

This report provided the Committee with an overview of the new and revised accounting standards relevant to Councils.

For information only

**AC606 PITCHER PARTNERS –INTERNAL AUDIT REPORT
- MAJOR PROJECT MANAGEMENT (FOLLOW UP REPORT
(RO – Glenn Kallio)**

SUMMARY

Council's Internal Audit provider, Pitcher Partners, provided a follow up report to its internal audit report on major project management which was presented to the Committee in September 2018.

Ms Angelique Lush (Director Development and Planning) and Ms Amanda Western (Executive Manager Project Management Office) entered the meeting and answered questions from the Committee.

RESOLUTION

That the report be received and that 'Project Management Post-Implementation' be placed on the outstanding audit items register with a further report to be presented back to the Audit Committee in six months.

Moved Mr Peter Le Lievre
Seconded Cr Grant Tillett

CARRIED

Ms Western left the meeting.

**AC607 PITCHER PARTNERS – INTERNAL AUDIT REPORT
- RECOMMENDATIONS FOLLOW UP
(RO: Glenn Kallio)**

SUMMARY

Following consideration of an Internal audit report on Outstanding Recommendations by the Committee on 5 December 2018 whereby the Committee resolved for Pitcher Partners to prepare a report outlining outstanding items rating from high to low risk and a list of recommended items be closed out be prepared for the consideration of the Audit Committee.

RESOLUTION

That a report be presented to the next Audit Committee meeting by Management highlighting high and medium risk items and providing a status on these outstanding items, highlighting the Director/Officer responsible and dates for completion.

Moved Mr Peter Le Lievre
Seconded Cr Grant Tillett

CARRIED

**AC608 PITCHER PARTNERS
2018/19 – 2019/20 INTERNAL AUDIT PROGRAM STATUS REPORT
(RO: Glenn Kallio)**

Council’s Internal Audit provider, Pitcher Partners provided the following current internal audit program status report for the information of the Audit Committee.

#	Internal Audit Projects	Status of Activities	Timing of Activities											
			Q1 2018/19 July - Sept	Q2 2018/19 Oct - Dec	Q3 2018/19 Jan - Mar	Q4 2018/19 Apr - June								
2018/19 Internal Audit Program														
1	Major Projects Post Project Assessment and Follow Up of Prior Recommendations	✓ Scope developed July 2018	○											
		✓ Fieldwork completed August 2018		◆										
		✓ Audit Committee presentation September 2018			*									
2	Developer Contributions	✓ Scope developed September 2018		○										
		✓ Fieldwork undertaken October 2018			◆									
		✓ Audit Committee presentation December 2018				*								
3	IT Environment	✓ Scope developed July 2018	○											
		✓ Fieldwork undertaken Oct/Nov 2018			◆									
		✓ Audit Committee presentation February 2019					*							
4	Tendering and Contract Management	✓ Scope developed February 2019						○						
		✓ Fieldwork undertaken March 2019							◆					
		● Audit Committee presentation June 2019											*	
5	Follow Up	Follow up of audit recommendations is being performed on an ongoing basis.												

For Information Only

AC609 PITCHER PARTNERS
2018/19 – 2019/20 INTERNAL AUDIT PROGRAM STATUS REPORT
 (RO: Glenn Kallio)

SUMMARY

Council's Internal Audit provider, Pitcher Partners provided a proposed Internal Audit Plan for the next three years; being 2019/20 – 2021/22 for the consideration of the Audit Committee.

RESOLUTION

That the Audit Advisory Committee adopt the following audit program for the next three years:-

Internal Audits	2019/20	2020/21	2021/22	Date Last Audited
				0
Human Resources Management	●			2014/15
Business Continuity and Disaster Recovery Planning	●			2013/14
Knowledge and Records Management	●			> 7 years
Accounting/Payroll System Post Implementation	●			> 7 years
Rates Management		●		> 7 years
Asset Management – Buildings		●		> 7 years
Project Management Framework Post-Implementation		●		2017/18
Grants Management		●		> 7 years
Cyber Security	** Director Business Services to advise at next meeting if this audit can be conducted earlier		●	> 7 years
Payroll			●	2017/18
Procurement and Supplier Management			●	2012/13
Councillor Expenses			●	> 7 years

Moved Cr Grant Tillett
 Seconded Mr Peter Le Lievre

CARRIED

AC610 WASTE TO ENERGY UPDATE

(RO: Justine Linley)

SUMMARY

A briefing paper was tabled on the Waste to Energy and Council's Director Development and Planning, Ms Angelique Lush delivered a presentation on the Ballarat West Employment Zone to the Committee.

RESOLUTION

That the report and presentation be received.

Moved Cr Grant Tillett
Seconded Mr Peter Le Lievre

CARRIED

GENERAL BUSINESS

No general business was discussed

RESOLUTION:

That the Committee resolves to come out of Section 89 and adopt the resolutions made therein.

Moved Cr Grant Tillett
Seconded Mr Peter Le Lievre

CARRIED

There being no further business, the Chairperson declared the meeting closed at 11:47am

Confirmed this day of , 2019

.....
**Mr Noel Perry
Chairperson**

11.8. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987)

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Kimberley Purvis R344/15, effective as at 31 July 2019.**
- 2. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Vanessa O'Shea, effective as at 31 July 2019.**
- 3. Sign and affix Council's Common Seal to the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).**

EXECUTIVE SUMMARY

The purpose of this report is to enable Council to revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Kimberley Purvis.

This report is also to endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) to Vanessa O'Shea.

RATIONALE

At the Council Meeting held on 23 September 2015, Council resolved R344/15 to endorse the authorisation of Kimberley Purvis under the *Planning and Environment Act 1987*. Kimberley Purvis is no longer in the role of Strategic Planner and the authorisation requires revocation by Council resolution, to be effective as at 31 July 2019.

Vanessa O'Shea holds the position of Strategic Planner and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the Officer to undertake duties authorised by Council, to be effective as at 31 July 2019.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Local Government Act 1989*;
- *Planning and Environment Act 1987*; and
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	Yes	Yes

Human Rights - It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Risk Management - It is essential that Council's authorisations are constantly maintained and periodically monitored so that appropriate Officers have the power to carry out their duties lawfully. This is a key component in Council meetings, through its legislative compliance obligations.

Evaluation and Review - Council's authorisations are reviewed and updated upon changes to the role of a Council Officer, legislative changes and at cessation of employment.

CONSULTATION

There has been consultation with relevant Council Officers to ensure the correct legislation has been adhered to.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

ATTACHMENTS

1. S11A Vanessa O'Shea [11.8.1 - 2 pages]

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Ballarat City Council

**Instrument of Appointment and Authorisation
for Vanessa O'Shea**

(Planning and Environment Act 1987 only)

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

In this instrument "officer" means -

Vanessa O'Shea

By this instrument of appointment and authorisation Ballarat City/Shire Council -

1. under s 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 s 232 of the *Local Government Act 1989* authorises the officer generally 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.

This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
was affixed by authority of the Council in the)
presence of:)

..... Mayor/Councillor

..... Councillor

..... Chief Executive Officer

11.9. S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION

Council resolves to:

- 1. Revoke the S6. Instrument of Delegation - Members of Staff endorsed on 12 June 2019 R142/19.**
- 2. Exercise Councils power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached S6. Instrument of Delegation – Members of Staff.**
- 3. Delegate 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.**
- 4. Authorise the S6. Instrument of Delegation – Members of Staff (Attachment 1) to:**
 - a. Come into force immediately once the Common Seal of Council is affixed;**
 - b. Remain in force until varied or revoked;**
 - c. Be subject to any conditions and limitations set out in sub-paragraph 3.3 of the delegation and the Schedule; and**
 - d. Be exercised in accordance with any guidelines or policies which Council, from time to time, adopts.**
- 5. Sign and affix Council’s Common Seal to the S6. Instrument of Delegation - Members of Staff.**

EXECUTIVE SUMMARY

The purpose of this report is to present the revised changes to the S6 Instrument of Delegation – Members of Staff for Council’s considerations. Changes to the Instrument of delegation since the last approved iteration include:

- Removal of the position Director Development and Planning (DDP) and Executive Manager Economic Partnerships (EMEP) from sections within the *Planning and Environment Act 1987*, *Rail Safety (Local Operations) Act 2006*, *Residential Tenancies Act 1997* and *Road Management Act 2004*, as they are no longer required following a review of position requirements. The specific changes are detailed in attachment two.
- Removal of the position Strategic Planning Administration Officer (SPA0) from sections with the *Planning and Environment Act 1987*, as they are no longer required

following a review of the position requirements. The position Administration Officer Statutory Planning (AOSTP) has replaced these sections within the *Planning and Environment 1987*. The specific changes are detailed in attachment three.

- Inclusion of the position Coordinator Compliance and Parking Enforcement (CCPE) and Executive Manager Regulatory Services (EMRS) to sections within the *Planning and Environment Act 1987*, following a review of the position requirements. The specific changes are detailed in attachment four.
- Inclusion of the position Growth Areas Facilitation Officer (GAFO), Coordinator Growth Areas Facilitation (CGAF), Administration Officer Growth Areas Facilitation (AOGAF) to sections within the *Planning and Environment Act 1987*, following a review of the position requirements. The positions Coordinator Statutory Planning (CSTP), Manager Statutory Planning (MSTP) and Principal Statutory Planning (PSTP) have been removed from these sections within the *Planning and Environment Act 1987*, as they are no longer required. The specific changes are detailed in attachment five.
- Inclusion of the new position Coordinator Statutory Planning Operations (CSTPO) to sections within the *Environment Protection Act 1970*, *Planning and Environment Act 1987* and *Planning and Environment Regulations 2015*, following a review of the position requirements. The specific details are identified in attachment six.
- A legislative update was received in relation to the *Local Government Act 1989*. The item has not been delegated, as the power remains with the Chief Executive Officer. The details of the change can be found in attachment seven.

The revised Instrument of Delegation has been reviewed at officer level and is considered appropriate for the ongoing administrative efficiency of Council. The draft revised Instrument is presented at attachment one.

RATIONALE

Section 98 of the *Local Government Act 1989* (the Act) enables Councils, by an Instrument of Delegation, to delegate to a member of staff, any *duty and/or function and/or power* under the Act or any other Act other than:

- This power of delegation;
- The power to declare a rate or charge;
- The power to borrow money;
- The power to approve any expenditure not contained in a budget approved by the Council;
- Any power, duty or function of the Council under section 223; and
- Any prescribed power*.

** A prescribed power is the ability to establish rules, laws, guides or directions or to assert a title or right to something on the grounds of prescription.*

Council is a legal entity composed of its Councillors, which acts in one of two ways – by resolution or through another acting on Council's behalf. Where Council chooses to act through others, this must be formalised through a written means known as an *Instrument of Delegation* wherever practical, which articulates the nature of the delegation, and any condition or limitation under which the delegation is to be exercised.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006;*
- *Planning and Environment Act 1987;*
- *Rail Safety (Local Operations) Act 2006;*
- *Residential Tenancies Act 1997;*
- *Road Management Act 2004;*
- *Local Government Act 1989;*
- *Local Government (General) Regulations 2015;* and
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in report	Implications Identified
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

Human Rights - It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Risk Management - Council delegations need to be constantly maintained to ensure that appropriate Officers have the power to carry out their duties lawfully. This is a key component in Council meeting its essential legislative compliance obligations.

Implementation/Marketing - As per Section 12(d) of the *Local Government (General) Regulations 2015* Council will make the details of current delegations under section 87 and 98 of the Act available for public inspection.

Evaluation and Review - Council reviews Instruments within 12 months of Local Government Elections and completes a review every six months thereafter.

CONSULTATION

There has been consultation with relevant Officers to ensure the correct delegations have been appointed.

The revocation and conferring of delegations does not require any public consultation, however, Council is required to keep registers of all delegations and authorisations made and revoked.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

- Council report and resolution 12 June 2019 R142/19.

ATTACHMENTS

1. S6 Instrument of Delegation - Members of Staff [**11.9.1** - 94 pages]
2. Changes to DDP and EMEP [**11.9.2** - 17 pages]
3. Changes to SPAO and AOSTP [**11.9.3** - 5 pages]
4. Changes to EMRS and CCPE [**11.9.4** - 1 page]
5. Changes to CGAF, AOGAF and GAFO [**11.9.5** - 2 pages]
6. New Position CSTPO [**11.9.6** - 35 pages]
7. Legislative Update [**11.9.7** - 1 page]

S6. Instrument of Delegation - Members of Staff

Ballarat City Council

Instrument of Delegation

to

Members of Council Staff

S6 Instrument of Delegation - Members of Staff

Preamble

Instrument of Delegation

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

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

2. record that references in the Schedule are as follows:

- AOBs: Administration Officer Building Services
- AOEH: Administration Officer Environmental Health
- AOGAF: Administration Officer Growth Areas Facilitation
- AOLLT: Administration Officer Local Laws and Traffic
- AOSC: Administration Officer Statutory Compliance
- AOSTP: Administration Officer Statutory Planning
- CAM: Coordinator Asset Management
- CBS: Coordinator Building Services
- CCPE: Coordinator Compliance and Parking Enforcement
- CEH: Coordinator Environmental Health
- CGAF: Coordinator Growth Areas Facilitation
- CID: Coordinator Infrastructure Delivery
- CIT: Coordinator Integrated Transport
- CO: Compliance Officer
- CPG: Coordinator Parks and Gardens
- CRC: Coordinator Risk and Compliance
- CRM: Coordinator Road Maintenance
- CSS: Construction Site Supervisor
- CSTP: Coordinator Statutory Planning
- CSTPO: Coordinator Statutory Planning Operations
- DBS: Director Business Services
- DDP: Director Development and Planning
- DFAO: Development Facilitation Administration Officer
- DIE: Director Infrastructure and Environment
- DWWMPO: Domestic Waste Water Management Project Officer -
- EHO: Environmental Health Officer
- EMDF: Executive Manager Development Facilitation
- EMEP: Executive Manager Economic Partnerships
- EMI: Executive Manager Infrastructure
- EMOE: Executive Manager Operations and Environment
- EMPSFM: Executive Manager Property Services and Facilities Management
- EMRS: Executive Manager Regulatory Services
- EMSRCS: Executive Manager Safety, Risk and Compliance Services
- GAFO: Growth Areas Facilitation Officer
- HSO: Health Services Officer
- LLEO: Local Laws Events Officer
- MBS: Municipal Building Surveyor
- MED: Manager Economic Development
- MSP: Manager Strategic Planning

- MSTP: Manager Statutory Planning
- Not Applicable: Not Applicable
- Not Delegated: Not Delegated
- PMUR: Project Manager Urban Renewal
- POC: Project Officer Compliance
- PPSP: Principal Planner Strategic Projects
- PSTP: Principal Statutory Planner
- RMCS: Road Maintenance Contract Supervisor
- RMS: Road Maintenance Scheduler
- RSSO: Regulatory Services Support Officer
- SAO: Subdivision Administration Officer
- SASO: Senior Asset Surveillance Officer
- SASU: Supervisor Asset Surveillance
- SCO: Statutory Compliance Officer
- SO: Subdivision Officer
- SP: Strategic Planner
- SPAO: Strategic Planning Administration Officer
- SSTP: Senior Statutory Planner
- STP: Statutory Planner
- TLEH: Team Leader Environmental Health
- TLPD: Team Leader Pathways and Drainage
- TLPSE: Team Leader Parking Services
- TLRs: Team Leader Road Safety
- TLRsATS: Team Leader Regulatory Services Administration/Technical Support
- TLRsR: Team Leader Sealed Roads
- TLRsUR: Team Leader Unsealed Roads
- TOEH: Technical Officer Environmental Health
- TSODF: Technical Support Officer Development Facilitation

3. declares that:

3.1 this Instrument of Delegation is authorised by [#insert "a resolution" or "resolutions"#] of Council passed on [#date#] [#add "and [date]", if appropriate#]; and

3.2 the delegation:

3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

3.3 the delegate must not determine the issue, take the action or do the act or thing:

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or

3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy

adopted by Council; or

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

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

The Common Seal of Ballarat City Council
was affixed by authority of the Council in the
presence of:

)
)
)

.....

Mayor/Councillor

.....

Councillor

.....

Chief Executive Officer

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Rail Safety (Local Operations) Act 2006
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	CPG, DIE, EMOE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	Where Council is a Class B cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	CPG, DIE, EMOE, EMPSFM	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	CPG, DIE, EMOE, EMPSFM	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	CPG, DIE, EMOE, EMPSFM	
s 15(4)	Duty to keep records of delegations	CRC, DBS, EMSRCS	
s 17(1)	Power to employ any persons necessary	DIE, EMPSFM	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	CPG, DIE, EMOE, EMPSFM	
s 17(3)	Power to determine the terms and conditions of employment or engagement	DIE, EMPSFM	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 19	Power to carry out or permit the carrying out of works	CPG, DIE, EMOE, EMPSFM	
s 20(1)	Duty to set aside areas for the interment of human remains	CPG, DIE, EMOE, EMPSFM	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	CPG, DDP, DIE, EMOE, EMPSFM	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	CPG, DDP, DIE, EMOE, EMPSFM	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	CPG, DIE, EMOE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	CPG, DIE, EMOE, EMPSFM	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	CPG, DIE, EMOE, EMPSFM	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	DBS	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	CPG, DIE, EMOE, EMPSFM	Report must contain the particulars listed in s 57(2)

Cemeteries and Crematoria Act 2003

##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

s 59	Duty to keep records for each public cemetery	CPG, DIE, EMOE, EMPSFM	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	CRC, EMSRCS	
s 60(2)	Power to charge fees for providing information	DBS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	CPG, DIE, EMOE, EMPSFM	
s 64B(d)	Power to permit interments at a reopened cemetery	CPG, DIE, EMOE, EMPSFM	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CPG, DIE, EMOE, EMPSFM	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	DIE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	
s 70(2)	Duty to make plans of existing place of interment available to the public	CPG, DIE, EMOE, EMPSFM	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	CPG, DIE, EMOE, EMPSFM	
s 71(2)	Power to dispose of any memorial or other structure removed	CPG, DIE, EMOE, EMPSFM	
s 72(2)	Duty to comply with request received under s 72	CPG, DIE, EMOE, EMPSFM	
s 73(1)	Power to grant a right of interment	CPG, DIE, EMOE, EMPSFM	
s 73(2)	Power to impose conditions on the right of interment	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003

[[#The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

s 75	Power to grant the rights of interment set out in s 75(a) and (b)	CPG, DIE, EMOE, EMPSFM	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	CPG, DIE, EMOE, EMPSFM	
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	DIE, EMPSFM	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	CPG, DIE, EMOE, EMPSFM	
s 80(2)	Function of recording transfer of right of interment	CPG, DIE, EMOE, EMPSFM	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DBS	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DBS	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	CPG, DIE, EMOE, EMPSFM	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	CPG, DIE, EMOE, EMPSFM	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	CPG, DIE, EMOE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	Does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;	DIE, EMPSFM	May only be exercised where right of interment

Cemeteries and Crematoria Act 2003

[[#The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

	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.		relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
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	DIE, EMPSFM	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DIE, EMPSFM	
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	DIE, EMPSFM	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DIE, EMPSFM	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	DIE, EMPSFM	
s.86(5)	duty to provide notification before taking action under s.86(4)	DIE, EMPSFM	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DIE, EMPSFM	
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	DIE, EMPSFM	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DIE, EMPSFM	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DIE, EMPSFM	
s 91(3)	Duty to publish notice of intention to cancel right of interment	CPG, DIE, EMOE, EMPSFM	
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	CPG, DBS, DIE, EMOE, EMPSFM	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003

[[#The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	CPG, DIE, EMOE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	
s 100(1)	Power to require a person to remove memorials or places of interment	DIE, EMPSFM	
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)	DIE, EMPSFM	
s 100(3)	Power to recover costs of taking action under s 100(2)	CPG, DIE, EMOE, EMPSFM	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	CPG, DIE, EMOE, EMPSFM	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	CPG, DIE, EMOE, EMPSFM	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	CPG, DIE, EMOE, EMPSFM	
s 103(1)	Power to require a person to remove a building for ceremonies	CPG, DIE, EMOE, EMPSFM	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	CPG, DIE, EMOE, EMPSFM	
s 103(3)	Power to recover costs of taking action under s 103(2)	CPG, DIE, EMOE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	CPG, DIE, EMOE, EMPSFM	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DIE, EMPSFM	
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	DIE, EMPSFM	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
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	DIE, EMPSFM	
s 108	Power to recover costs and expenses	CPG, DIE, EMOE, EMPSFM	
s 109(1)(a)	Power to open, examine and repair a place of interment	DIE, EMPSFM	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DIE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	
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	DBS	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	CPG, DIE, EMOE, EMPSFM	
s 112	Power to sell and supply memorials	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003			
[[[The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	CPG, DIE, EMOE, EMPSFM	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	CPG, DIE, EMOE, EMPSFM	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	CPG, DIE, EMOE, EMPSFM	
s 119	Power to set terms and conditions for interment authorisations	DIE, EMPSFM	
s 131	Function of receiving an application for cremation authorisation	DIE, EMPSFM	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	CPG, DIE, EMOE, EMPSFM	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	CPG, DIE, EMOE, EMPSFM	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DIE, EMPSFM	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	DIE, EMPSFM	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DIE, EMPSFM	
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	DIE, EMPSFM	
s 151	Function of receiving applications to inter or cremate body parts	DIE, EMPSFM	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	CPG, DIE, EMOE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	
sch 1 cl 8(8)	Power to regulate own proceedings	CPG, CSS, DIE, EMOE, EMPSFM	Subject to cl 8

Domestic Animals Act 1994			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	CCPE, DIE, EMRS	Council may delegate this power to a Council authorised officer
Environment Protection Act 1970			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 53M(3)	Power to require further information	CEH, CSTP, CSTPO, DDP, DIE, DWWMPO, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP, TLEH, TOEH	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CEH, CSTP, CSTPO, DDP, DIE, DWWMPO, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP, TLEH, TOEH	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	CEH, DWWMPO, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect

Environment Protection Act 1970			
s 53M(6)	Power to refuse to issue septic tank permit	CEH, DWWMPO, EHO, TLEH, TOEH	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)	CEH, DWWMPO, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect
Food Act 1984			
Provision	Item 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	CEH, EHO, TLEH	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	CEH, EHO, TLEH	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	CEH, DIE, EHO, TLEH	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	DIE	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CEH, EHO, TLEH	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	CEH, EHO, TLEH	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).	CEH, EHO, TLEH	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	CEH, EHO, TLEH	Note: the power to direct the matters under s 19AA(4)(a) and

Food Act 1984			
			(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	CEH, EHO, TLEH	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEH, EHO, TLEH	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEH, EHO, TLEH	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	CEH, EHO, TLEH	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Not Delegated	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA	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	Not Delegated	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEH, EMRS	Except for an assessment required by a declaration under s 19C or an inspection under

Food Act 1984			
			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	CEH, DIE, EHO, TLEH	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	CEH, TLEH	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	CEH, TLEH	Where Council is the registration authority
	Power to register, renew or transfer registration	CEH, DIE, EHO, TLEH	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA	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)	CEH, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	AOBS, AOEH, AOLLT, CEH, EHO, HSO,	Where Council is the registration authority

Food Act 1984			
		LLEO, RSSO, TLEH, TLRSA TS	
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEH, DIE, EHO, TLEH	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	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA TS	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEH, DIE, EHO, TLEH	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	CEH, DIE, EHO, TLEH	Where Council is the registration authority

Food Act 1984			
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CEH, DIE, EHO, TLEH	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	CEH, DIE, EHO, TLEH	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEH, TLEH	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH, TLEH	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	CEH, EHO, TLEH	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	CEH, EHO, TLEH	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEH, DIE, EHO, TLEH	Where Council is the registration authority
Heritage Act 2017			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DDP, DIE	Must first obtain Executive

Heritage Act 2017			
			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	Item 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	DIE, EMDF	
s 185L(4)	Power to declare and levy a cladding rectification charge	Not Delegated	
Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 4H	Duty to make amendment to Victoria Planning Provisions available	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR,	

Planning and Environment Act 1987			
		PPSP, PSTP, SP, SPAO, SSTP, STP	
s 41	Duty to keep Victorian Planning Provisions and other documents available	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 8A(5)	Function of receiving notice of the Minister's decision	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
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	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PSTP	
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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PSTP	

Planning and Environment Act 1987			
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)	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PSTP	
s 12B(1)	Duty to review planning scheme	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 17(2)	Duty of giving copy s 173 agreement	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSTP, CSTPO, DDP, DIE, EMDF,	

Planning and Environment Act 1987			
		EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 18	Duty to make amendment etc. available	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
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	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CSTP, CSTPO, DDP, DIE, EMDF,	

Planning and Environment Act 1987			
		E MEP, MSP, MSTP, PSTP	
s 21(2)	Duty to make submissions available	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 21A(4)	Duty to publish notice	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, E MEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 22	Duty to consider all submissions	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, E MEP, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	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	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, E MEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, E MEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSTP, CSTPO, DDP, DIE, EMDF,	

Planning and Environment Act 1987			
		EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP	
s 26(1)	Power to make report available for inspection	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 26(2)	Duty to keep report of panel available for inspection	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 27(2)	Power to apply for exemption if panel's report not received	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 28	Duty to notify the Minister if abandoning an amendment	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	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	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SP, SPAO, SSTP, STP	
s 30(4)(b)	Duty to provide information in writing upon request	CSTP, CSTPO, DDP, DFAO, DIE,	

Planning and Environment Act 1987		
		EMDF, EMEP, MSP, MSTP, PSTP, SP, SPAO, SSTP, STP
s 32(2)	Duty to give more notice if required	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP
s 33(1)	Duty to give more notice of changes to an amendment	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP
s 36(2)	Duty to give notice of approval of amendment	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO
s 38(5)	Duty to give notice of revocation of an amendment	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP
s 40(1)	Function of lodging copy of approved amendment	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP,

Planning and Environment Act 1987			
		PMUR, PPSP, PSTP, SP, SPAO	
s 41	Duty to make approved amendment available	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 42	Duty to make copy of planning scheme available	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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	Not Applicable	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

Planning and Environment Act 1987			
s 46AW	Function of being consulted by the Minister	DDP, DIE, EMDF, EMEP	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	DDP, DIE, EMDF, EMEP	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	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	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	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	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	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DIE, EMDF	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DIE, EMDF	

Planning and Environment Act 1987			
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	AOGAF, CGAF, DIE, EMDF, GAFO	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DIE, EMDF	
s 46GP	Function of receiving a notice under s 46GO	DIE, EMDF	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	AOGAF, CGAF, DIE, EMDF, GAFO	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	AOGAF, CGAF, DIE, EMDF, GAFO	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DIE, EMDF	
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	DIE, EMDF	
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	DIE, EMDF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DIE, EMDF	
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	AOGAF, CGAF, DIE, EMDF, GAFO	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	AOGAF, CGAF, DIE, EMDF, GAFO	
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	AOGAF, CGAF, DIE, EMDF, GAFO	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	DBS, DIE, EMDF	Where Council is the collecting agency

Planning and Environment Act 1987			
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DIE, EMDF	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)	DIE, EMDF	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)	DIE, EMDF	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	DIE, EMDF	
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	DIE, EMDF	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	AOGAF, CGAF, DIE, EMDF, GAFO	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DIE, EMDF	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
			This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, DFAO, DIE, EMDF, GAFO	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
s 46GZ(2)(b)	Function of receiving the monetary component	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the development agency under an approved

Planning and Environment Act 1987			
			<p>infrastructure contributions plan</p> <p>This provision does not apply where Council is also the collecting agency</p>
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DFAO, DIE, EMDF, GAFO, MSTP, PSTP	<p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This provision does not apply where Council is also the relevant development agency</p>
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the development agency specified

Planning and Environment Act 1987			
			<p>in the approved infrastructure contributions plan</p> <p>This provision does not apply where Council is also the collecting agency</p>
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	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, DFAO, DIE, EMDF, GAFO	<p>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)</p> <p>Where Council is the collecting agency under an approved</p>

Planning and Environment Act 1987			
			<p>infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>
s 46GZA(1)	Duty to keep proper and separate accounts and records	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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 1989	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP	Where Council is a development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP	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)	AOGAF, CGAF, DIE, EMDF, GAFO	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)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	AOGAF, CGAF, DIE, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP	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 46GZE(2)	Function of receiving the unexpended land equalisation amount	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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			
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)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency

Planning and Environment Act 1987			
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)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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	AOGAF, CGAF, DIE, EMDF, GAFO	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	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)	AOGAF, CGAF, DBS, DIE, EMDF, GAFO	

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s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, CSTPO, DDP, DFAO, DIE, EMDF, GAFO, MSTP, PSTP, SSTP, STP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP	
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	AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF,	

Planning and Environment Act 1987			
		GAFO, MSTP, PSTP	
s 46Q(1)	Duty to keep proper accounts of levies paid	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DFAO, DIE, EMDF, GAFO, MSTP, PSTP	
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	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DFAO, DIE, EMDF, GAFO, MSTP, PSTP	
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	AOGAF, CGAF, CSTP, CSTPO, DDP, DFAO, DIE, EMDF, GAFO, MSTP, PSTP	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DFAO, DIE, EMDF, GAFO, MSTP, PSTP	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

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			approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP	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	AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP	
s 46QD	Duty to prepare report and give a report to the Minister	CGAF, DIE, EMDF, GAFO	Where Council is a collecting agency or development agency
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CO, CSTP, CSTPO, DIE, EMDF, MSTP, POC, PSTP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO,	

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		SSTP, STP, TSODF	
s 49(2)	Duty to make register available for inspection	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 50(4)	Duty to amend application	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 50(45)	Power to refuse to amend application	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 50(6)	Duty to make note of amendment to application in register	AOSC, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, STP, TSODF	
s 50A(1)	Power to make amendment to application	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP,	

Planning and Environment Act 1987			
			PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF
s 50A(4)	Duty to note amendment to application in register		CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 51	Duty to make copy of application available for inspection		CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
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		AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate		AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme		AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
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		AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO,

Planning and Environment Act 1987			
		SSTP, STP, TSODF	
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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 52(3)	Power to give any further notice of an application where appropriate	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO,	

Planning and Environment Act 1987			
		SSTP, STP, TSODF	
s 54(1)	Power to require the applicant to provide more information	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, CSTPO, DIE, EMDF, MSTP, PMUR, PPSP, PSTP, SO, SSTP, STP, TSODF	
s 54(1B)	Duty to specify the lapse date for an application	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF,	

Planning and Environment Act 1987			
		MSTP, PSTP, SSTP, STP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 57(5)	Duty to make available for inspection copy of all objections	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 57A(5)	Power to refuse to amend application	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57A(6)	Duty to note amendments to application in register	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	

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s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57C(1)	Duty to give copy of amended application to referral authority	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 58	Duty to consider every application for a permit	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 58A	Power to request advice from the Planning Application Committee	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 60	Duty to consider certain matters	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 60(1A)	Duty to consider certain matters	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	

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s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
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	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not Delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not Delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 62(2)	Power to include other conditions	CSTP, CSTPO, DIE, EMDF,	

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		MSTP, PSTP, SO, SSTP, STP, TSODF	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
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	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
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)	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
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)	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	

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s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, 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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, 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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP,	

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		SAO, SO, SSTP, STP, TSODF	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP	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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP	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(46)	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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	If the recommending referral authority did not object to the grant of the

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			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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 69(1A)	Function of receiving application for extension of time to complete development	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 69(2)	Power to extend time	AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 70	Duty to make copy permit available for inspection	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 71(1)	Power to correct certain mistakes	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO,	

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		SSTP, STP, TSODF	
s 71(2)	Duty to note corrections in register	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 73	Power to decide to grant amendment subject to conditions	AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 74	Duty to issue amended permit to applicant if no objectors	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF,	If the recommending referral authority objected to the

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		MSTP, PSTP, SAO, SSTP, STP	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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	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(46)	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	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a

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			condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 83	Function of being respondent to an appeal	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 83B	Duty to give or publish notice of application for review	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
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	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
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	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CSTP, CSTPO, DIE, EMDF,	

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		MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84AB	Power to agree to confining a review by the Tribunal	AOGAF, CGAF, DBS, DIE, EMDF, GAFO, SO, TSODF	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 91(2)	Duty to comply with the directions of VCAT	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO,	

Planning and Environment Act 1987			
		SSTP, STP, TSODF	
s 93(2)	Duty to give notice of VCAT order to stop development	CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 95(3)	Function of referring certain applications to the Minister	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 95(4)	Duty to comply with an order or direction	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, CSTPO, DIE, EMDF, MSP, MSTP, PSTP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 96F	Duty to consider the panel's report under s 96E	Not Delegated	
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)	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	

Planning and Environment Act 1987			
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 96J	Power to issue permit as directed by the Minister	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
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	CO, CSTP, CSTPO, DIE, EMDF, MSTP, POC, PSTP	
s 97C	Power to request Minister to decide the application	DDP, DIE, EMDF	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
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	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP	

Planning and Environment Act 1987			
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 97Q(4)	Duty to comply with directions of VCAT	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 101	Function of receiving claim for expenses in conjunction with claim	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	

Planning and Environment Act 1987			
s 103	Power to reject a claim for compensation in certain circumstances	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s.107(1)	function of receiving claim for compensation	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 107(3)	Power to agree to extend time for making claim	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 114(1)	Power to apply to the VCAT for an enforcement order	CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP	Except Crown Land
s 129	Function of recovering penalties	CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP	

Planning and Environment Act 1987			
s 130(5)	Power to allow person served with an infringement notice further time	CCPE, CSTP, CSTPO, DBS, DIE, EMDF, EMRS, MSTP, PSTP	
s 149A(1)	Power to refer a matter to the VCAT for determination	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP	
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)	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 171(2)(g)	Power to grant and reserve easements	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, STP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DBS, DIE, EMDF	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)	DBS, DIE, EMDF	Where Council is a collecting agency specified in an approved

Planning and Environment Act 1987			
			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)	DBS, DIE, EMDF	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	CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP	
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	DBS, DDP, DIE, MED	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP	
	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	CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	
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	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	
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	CSTP, CSTPO, DBS, DDP, DIE,	

Planning and Environment Act 1987			
		EMDF, MSTP, PSTP	
s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178A(5)	Power to propose to amend or end an agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	

Planning and Environment Act 1987			
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
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	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	If no objections are made under s 178D Must consider STP

Planning and Environment Act 1987			
			matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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)	CSTP, CSTPO, DDP, DFAO, DIE,	

Planning and Environment Act 1987			
		EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PSTP	
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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMPSFM, MSP, MSTP, PMUR, PPSP,	

Planning and Environment Act 1987			
		PSTP, SP, SPAO, SSTP, STP	
s 179(2)	Duty to make available for inspection copy agreement	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSTP, PSTP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	
s 182	Power to enforce an agreement	CSTP, CSTPO, DDP, DIE, EMDF, EMRS, MSTP, PSTP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	
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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	

Planning and Environment Act 1987			
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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
s 184G(2)	Duty to comply with a direction of the Tribunal	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 198(1)	Function to receive application for planning certificate	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	
s 199(1)	Duty to give planning certificate to applicant	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSTP,	

Planning and Environment Act 1987			
		PSTP, SPAO, SSTP, STP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 201(3)	Duty to make declaration	CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP	
	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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
	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	CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PPSP, PSTP	
	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	CSTP, CSTPO, DIE, EMDF, MSTP, PSTP	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, CSTPO, DIE, MSTP, PSTP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DDP, EMEP, MSP, PMUR, PPSP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DDP, EMEP, MSP, PMUR, PPSP	

Rail Safety (Local Operations) Act 2006			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 33	Duty to comply with a direction of the Safety Director under s 33	DIE, EMI, EMOE	Where Council is a utility under s 3
s 33A	Duty to comply with a direction of the Safety Director to give effect to arrangements under s 33A	DIE, EMI, EMOE	Duty of Council as a road authority under the Road Management Act 2004
s 34	Duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s 33(1)	DIE, EMI, EMOE	Where Council is a utility under s 3
s 34C(2)	Function of entering into safety interface agreements with rail infrastructure manager	DIE, EMI, EMOE	Where Council is the relevant road authority
s 34D(1)	Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	CRM, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34D(2)	Function of receiving written notice of opinion	DIE, EMOE	Where Council is the relevant road authority
s 34D(4)	Function of entering into safety interface agreement with infrastructure manager	DIE, EMOE	Where Council is the relevant road authority
s 34E(1)(a)	Duty to identify and assess risks to safety	CAM, CRM, DIE, EMI, EMOE, SASO, SASU	Where Council is the relevant road authority
s 34E(1)(b)	Duty to determine measures to manage any risks identified and assessed having regard to items set out in s 34E(2)(a)-(c)	CRM, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34E(3)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	DIE, EMI, EMOE	Where Council is the relevant road authority

Rail Safety (Local Operations) Act 2006			
s 34F(1)(a)	Duty to identify and assess risks to safety, if written notice has been received under s 34D(2)(a)	CRM, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34F(1)(b)	Duty to determine measures to manage any risks identified and assessed, if written notice has been received under s 34D(2)(a)	CRM, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34F(2)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	CRM, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34H	Power to identify and assess risks to safety as required under s 34B, 34C, 34D, 34E or 34F in accordance with s 34H(a)-(c)	CAM, CRM, DIE, EMI, EMOE, SASO, SASU	Where Council is the relevant road authority
s 34I	Function of entering into safety interface agreements	DIE, EMI, EMOE	Where Council is the relevant road authority
s 34J(2)	Function of receiving notice from Safety Director	DIE, EMI, EMOE	Where Council is the relevant road authority
s 34J(7)	Duty to comply with a direction of the Safety Director given under s 34J(5)	DIE, EMI, EMOE	Where Council is the relevant road authority
s 34K(2)	Duty to maintain a register of items set out in s 34K(a)-(b)	DIE, EMI	Where Council is the relevant road authority
Residential Tenancies Act 1997			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 142D	Function of receiving notice regarding an unregistered rooming house	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS, TOEH	

Residential Tenancies Act 1997			
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	CEH, EMRS, TLEH	
s 142G(2)	Power to enter certain information in the Rooming House Register	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS, TOEH	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS, TOEH	
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	DIE, EMPSFM	Where Council is the landlord
s 262(1)	Power to give tenant a notice to vacate rented premises	DIE, EMPSFM	Where Council is the landlord
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	DIE, EMOE, EMPSFM	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEH, EHO, EMPSFM, EMRS, TLEH, TOEH	
s 522(1)	Power to give a compliance notice to a person	CBS, CEH, EHO, EMRS, MBS., TLEH, TOEH	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DIE	
s 525(4)	Duty to issue identity card to authorised officers	AOSC, CRC, EMSRCS	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CBS, CEH, EHO, EMPSFM, EMRS, MBS., TLEH, TOEH	

Residential Tenancies Act 1997			
s 526A(3)	Function of receiving report of inspection	AOEH, CEH, EHO, HSO, TLEH, TLRATS, TOEH	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CBS, CEH, EHO, EMPSFM, EMRS, MBS., TLEH, TOEH	
Road Management Act 2004			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DIE, EMDF, EMI, EMOE	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	DIE, EMDF, EMI, EMOE	
s 11(9)(b)	Duty to advise Registrar	DIE, EMDF, EMI, EMOE	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DIE, EMDF, EMI, EMOE	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	DIE, EMDF, EMI, EMOE	Power of coordinating road authority where it is the discontinuing body

Road Management Act 2004			
			Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	DIE, EMDF, EMI, EMOE	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	DIE, EMDF, EMI, EMOE	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DIE, EMDF, EMI, EMOE	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	DFAO, DIE, EMDF, EMI, EMOE	Duty of coordinating road authority where it is the discontinuing

Road Management Act 2004			
			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	DIE, EMDF, EMI, EMOE	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 VicRoads	CIT, DIE, EMDF, EMI, EMOE	
s 14(7)	Power to appeal against decision of VicRoads	CAM, CIT, DIE, EMDF, EMI, EMOE	
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	CAM, DIE, EMDF, EMI, EMOE	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CAM, DIE, EMDF, EMI	
s 15(2)	Duty to include details of arrangement in public roads register	CAM, DFAO, DIE, EMDF, EMI	
s 16(7)	Power to enter into an arrangement under s 15	CAM, DIE, EMDF, EMI	
s 16(8)	Duty to enter details of determination in public roads register	CAM, DFAO, DIE, EMDF, EMI	

Road Management Act 2004			
s 17(2)	Duty to register public road in public roads register	CAM, DFAO, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CAM, DIE, EMDF, EMI	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	CAM, DFAO, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	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	CAM, DFAO, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CAM, DIE, EMDF, EMI	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	CAM, DFAO, DIE, EMDF, EMI	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	CAM, DFAO, DIE, EMDF, EMI	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAM, DFAO, DIE, EMDF, EMI	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAM, DFAO, DIE, EMDF, EMI	

Road Management Act 2004			
s 21	Function of replying to request for information or advice	CAM, DIE, EMDF, EMI	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CAM, DIE, EMDF, EMI	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DIE, EMOE	
s 22(5)	Duty to give effect to a direction under s 22	DIE, EMOE	
s 40(1)	Duty to inspect, maintain and repair a public road.	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	
s 42(1)	Power to declare a public road as a controlled access road	CAM, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	Power of coordinating road authority and sch 2 also applies

Road Management Act 2004			
s 42A(3)	Duty to consult with VicRoads before road is specified	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CIT, DIE, EMDF, EMI, EMOE	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)	DIE, EMDF, EMI, EMOE	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	DIE, EMDF, EMI, EMOE	
s 49	Power to develop and publish a road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 51	Power to determine standards by incorporating the standards in a road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	

Road Management Act 2004			
s 54(2)	Duty to give notice of proposal to make a road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 54(6)	Power to amend road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 54(7)	Duty to incorporate the amendments into the road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 63(1)	Power to consent to conduct of works on road	CAM, CRM, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	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	CAM, CEH, CRM, EMI, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority

Road Management Act 2004			
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 67(3)	Power to request information	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 68(2)	Power to request information	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CAM, CID, CIT, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLPSE, TLRs, TLRs, TLRs, TLUR	
s 72	Duty to issue an identity card to each authorised officer	AOSC, CRC, DBS, EMSRCS, SCO	
s 85	Function of receiving report from authorised officer	DIE, EMDF, EMI	
s 86	Duty to keep register re s 85 matters	DIE, EMDF, EMI	
s 87(1)	Function of receiving complaints	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLRs, TLUR	
s 87(2)	Duty to investigate complaint and provide report	CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLRs, TLUR	
s 112(2)	Power to recover damages in court	CRC, CRM, DIE, EMDF, EMI,	

Road Management Act 2004			
		EMOE, EMSRCS, RMCS, TLPD, TLRs, TLSR, TLUR	
s 116	Power to cause or carry out inspection	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
s 119(2)	Function of consulting with VicRoads	DIE, EMDF, EMI, EMOE	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of VicRoads)	DIE, EMDF, EMI, EMOE	
s 120(2)	Duty to seek consent of VicRoads to exercise road management functions before exercising power in s 120(1)	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
s 121(1)	Power to enter into an agreement in respect of works	CAM, DIE, EMDF, EMI, EMOE	
s 122(1)	Power to charge and recover fees	CAM, DIE, EMDF, EMI, EMOE	
s 123(1)	Power to charge for any service	CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CAM, DIE, EMDF, EMI	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Not Delegated	

Road Management Act 2004			
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Not Delegated	
sch 2 cl 4	Function of receiving details of proposal from VicRoads	CAM, DIE, EMDF, EMI	
sch 2 cl 5	Duty to publish notice of declaration	CAM, DIE, EMDF, EMI	
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	CAM, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CAM, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority

Road Management Act 2004			
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CAM, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CAM, DIE, EMDF, EMI	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)	CAM, DIE, EMDF, EMI	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority

Road Management Act 2004			
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CAM, DIE, EMDF, EMI, EMOE	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	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CAM, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	DIE, EMDF, EMI	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	DIE, EMDF, EMI	Where Council is the responsible road authority

Road Management Act 2004			
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	DIE, EMDF, EMI	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	DIE, EMDF, EMI	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			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DIE, EMPSFM	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DIE, EMPSFM	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DIE, EMPSFM	
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	DIE, EMPSFM	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	DIE, EMPSFM	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	DIE, EMPSFM	
r 30(2)	Power to release cremated human remains to certain persons	DIE, EMPSFM	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	DIE, EMPSFM	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	DIE, EMPSFM	

Cemeteries and Crematoria Regulations 2015

##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	DIE, EMPSFM	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	DIE, EMPSFM	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	CPG, EMOE, EMPSFM	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	CPG, EMOE, EMPSFM	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	CPG, EMOE, EMPSFM	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	CPG, EMOE, EMPSFM	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	CPG, EMOE, EMPSFM	
r 40	Power to approve a person to play sport within a public cemetery	DIE, EMPSFM	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DIE, EMPSFM	
r 42(1)	Power to approve hunting within a public cemetery	DIE, EMPSFM	
r 43	Power to approve camping within a public cemetery	DIE, EMPSFM	
r 45(1)	Power to approve the removal of plants within a public cemetery	CPG, DIE, EMPSFM	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CPG, DIE, EMOE, EMPSFM	
r 47(3)	Power to approve the use of fire in a public cemetery	DIE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	CPG, DIE, EMOE, EMPSFM	
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	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015

##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	CPG, DIE, EMOE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	CPG, DIE, EMOE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	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	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CPG, DIE, EMOE, EMPSFM	See note above regarding model rules
Planning and Environment Regulations 2015			
Provision	Item 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	DDP, DIE, EMDF, EMEP, MSP, MSTP	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	CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PSTP, SAO, SP, SSTP, STP	

Planning and Environment Regulations 2015			
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PSTP, SAO, SP, SSTP, STP	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	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SAO, SP, SSTP, STP	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	DDP, DIE, EMDF, EMEP, MSP, MSTP	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	Item Delegated	Delegate	Conditions and Limitations

Planning and Environment (Fees) Regulations 2016			
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DDP, DIE, EMDF, EMEP, MSP, MSTP	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DDP, DIE, EMDF, EMEP, MSP, MSTP	
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	DDP, DIE, EMDF, EMEP, MSP, MSTP	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	CEH, EHO, EMPSFM, TLEH, TOEH	
r 11	Function of receiving application for registration	AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO, RSSO, TLEH, TLRSATS, TOEH	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH, TOEH	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH, TOEH	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH	
r 13(4) & (5)	Duty to issue certificate of registration	CEH, EHO, TLEH, TOEH	
r 15(1)	Function of receiving notice of transfer of ownership	AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO,	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
		RSSO, TLEH, TLRSATS, TOEH	
r 15(3)	Power to determine where notice of transfer is displayed	CEH, EHO, TLEH, TOEH	
r 16(1)	Duty to transfer registration to new caravan park owner	CEH, EHO, TLEH, TOEH	
r 16(2)	Duty to issue a certificate of transfer of registration	CEH, EHO, TLEH, TOEH	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, EHO, EMPSFM, TLEH	
r 18	Duty to keep register of caravan parks	CEH, TLEH	
r 19(4)	Power to determine where the emergency contact person's details are displayed	CEH, EHO, TLEH, TOEH	
r 19(6)	Power to determine where certain information is displayed	CEH, EHO, TLEH, TOEH	
r 22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEH, EHO, TLEH, TOEH	
r 22A(2)	Duty to consult with relevant emergency services agencies	CEH, EHO, TLEH, TOEH	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, EHO, TLEH, TOEH	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEH, EHO, TLEH, TOEH	
r 25(3)	Duty to consult with relevant floodplain management authority	CEH, EHO, TLEH, TOEH	
r 26	Duty to have regard to any report of the relevant fire authority	CEH, EHO, TLEH, TOEH	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEH, EHO, TLEH, TOEH	
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	AOBS, AOEH, AOLLT, CBS, CEH, EHO,	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
		EMPSFM, EMRS, HSO, LLEO, MBS., RSSO, TLEH, TLRSATS, TOEH	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CBS, DIE, EMPSFM, EMRS, MBS.	
r 40(4)	Function of receiving installation certificate	CBS, DIE, EMPSFM, EMRS, MBS.	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CBS, DIE, EMPSFM, EMRS, MBS.	
sch 3 cl4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DIE, EMRS	
Road Management (General) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
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)	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	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	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	

Road Management (General) Regulations 2016			
r 13(1)	Duty to publish notice of amendments to road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	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	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
r 16(3)	Power to issue permit	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CAM, DIE, EMDF, EMI, EMOE	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))	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
Road Management (Works and Infrastructure) Regulations 2015			
Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.			
Provision	Item Delegated	Delegate	Conditions and Limitations

Road Management (Works and Infrastructure) Regulations 2015

Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.

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	CRC, DIE, EMDF, EMI, EMOE, EMSRCS	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	CRC, DIE, EMDF, EMI, EMOE, EMSRCS	Where Council is the coordinating road authority

Changes Include:

- Removal of the position Director Development and Planning (DDP)
- Removal of the position Executive Manager Economic Partnerships (EMEP)

Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
s 46GI(2)(b)(i)	Planning and Environment Act 1987	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	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency	AOGAF, CGAF, DBS, DIE, EMDF, GAFO
s 46GX(1)	Planning and Environment Act 1987	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Where Council is the collecting agency	AOGAF, CGAF, DIE, EMDF, GAFO
s 46GZ(2)(b)	Planning and Environment Act 1987	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	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	AOGAF, CGAF, DFAO, DIE, EMDF, GAFO
s 46GZ(9)	Planning and Environment Act 1987	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	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	AOGAF, CGAF, DFAO, DIE, EMDF, GAFO
s 46GZD(5)	Planning and Environment Act 1987	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Where Council is the collecting agency under an approved infrastructure contributions plan	AOGAF, CGAF, DIE, EMDF, GAFO
s 46GZI	Planning and Environment Act 1987	Duty to prepare and give a report to the Minister at the times required by the Minister	Where Council is a collecting agency or development agency	AOGAF, CGAF, DIE, EMDF, GAFO

s 46QD	Planning and Environment Act 1987	Duty to prepare report and give a report to the Minister	Where Council is a collecting agency or development agency	CGAF, DIE, EMDF, GAFO
s 47	Planning and Environment Act 1987	Power to decide that an application for a planning permit does not comply with that Act		CO, CSTP, DIE, EMDF, MSTP, POC, PSTP
s 49(1)	Planning and Environment Act 1987	Duty to keep a register of all applications for permits and determinations relating to permits		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 49(2)	Planning and Environment Act 1987	Duty to make register available for inspection		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 50(4)	Planning and Environment Act 1987	Duty to amend application		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 50(45)	Planning and Environment Act 1987	Power to refuse to amend application		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 50(6)	Planning and Environment Act 1987	Duty to make note of amendment to application in register		AOSC, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, STP, TSODF
s 50A(4)	Planning and Environment Act 1987	Duty to note amendment to application in register		CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 51	Planning and Environment Act 1987	Duty to make copy of application available for inspection		CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 52(1)(a)	Planning and Environment Act 1987	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		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 52(1)(b)	Planning and Environment Act 1987	Duty to give notice of the application to other municipal Council where appropriate		AOSTP, CSTP, DFAO, DIE, EMDF,

				MSTP, PSTP, SSTP, STP
s 52(1)(c)	Planning and Environment Act 1987	Duty to give notice of the application to all persons required by the planning scheme		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 52(1)(ca)	Planning and Environment Act 1987	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		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 52(1)(cb)	Planning and Environment Act 1987	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		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 52(1)(d)	Planning and Environment Act 1987	Duty to give notice of the application to other persons who may be detrimentally effected		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s.52(1AA)	Planning and Environment Act 1987	Duty to give notice of an application to remove or vary a registered restrictive covenant		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 52(3)	Planning and Environment Act 1987	Power to give any further notice of an application where appropriate		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 53(1)	Planning and Environment Act 1987	Power to require the applicant to give notice under s 52(1) to persons specified by it		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 53(1A)	Planning and Environment Act 1987	Power to require the applicant to give the notice under s 52(1AA)		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 54(1)	Planning and Environment Act 1987	Power to require the applicant to provide more information		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF

s 54(1A)	Planning and Environment Act 1987	Duty to give notice in writing of information required under s 54(1)		CSTP, DIE, EMDF, MSTP, PMUR, PPSP, PSTP, SO, SSTP, STP, TSODF
s 54(1B)	Planning and Environment Act 1987	Duty to specify the lapse date for an application		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 54A(3)	Planning and Environment Act 1987	Power to decide to extend time or refuse to extend time to give required information		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 54A(4)	Planning and Environment Act 1987	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 55(1)	Planning and Environment Act 1987	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 57(2A)	Planning and Environment Act 1987	Power to reject objections considered made primarily for commercial advantage for the objector		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 57(3)	Planning and Environment Act 1987	Function of receiving name and address of persons to whom notice of decision is to go		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 57(5)	Planning and Environment Act 1987	Duty to make available for inspection copy of all objections		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 57A(4)	Planning and Environment Act 1987	Duty to amend application in accordance with applicant's request, subject to s 57A(5)		CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 57A(5)	Planning and Environment Act 1987	Power to refuse to amend application		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF

s 57A(6)	Planning and Environment Act 1987	Duty to note amendments to application in register		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 57B(1)	Planning and Environment Act 1987	Duty to determine whether and to whom notice should be given		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 57B(2)	Planning and Environment Act 1987	Duty to consider certain matters in determining whether notice should be given		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 57C(1)	Planning and Environment Act 1987	Duty to give copy of amended application to referral authority		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 58	Planning and Environment Act 1987	Duty to consider every application for a permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 58A	Planning and Environment Act 1987	Power to request advice from the Planning Application Committee		CSTP, DIE, EMDF, MSTP, PSTP
s 60	Planning and Environment Act 1987	Duty to consider certain matters		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 60(1A)	Planning and Environment Act 1987	Duty to consider certain matters		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 60(1B)	Planning and Environment Act 1987	Duty to consider number of objectors in considering whether use or development may have significant social effect		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 61(1)	Planning and Environment Act 1987	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	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006	CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 61(2)	Planning and Environment Act 1987	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 61(4)	Planning and Environment Act 1987	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF

s 62(1)	Planning and Environment Act 1987	Duty to include certain conditions in deciding to grant a permit		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 62(2)	Planning and Environment Act 1987	Power to include other conditions		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 62(4)	Planning and Environment Act 1987	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)		AOSTP, CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 62(5)(a)	Planning and Environment Act 1987	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 62(5)(b)	Planning and Environment Act 1987	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		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 62(5)(c)	Planning and Environment Act 1987	Power to include a permit condition that specified works be provided or paid for by the applicant		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 62(6)(a)	Planning and Environment Act 1987	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)		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 62(6)(b)	Planning and Environment Act 1987	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)		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 63	Planning and Environment Act 1987	Duty to issue the permit where made a decision in favour of the application (if no one has objected)		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 64(1)	Planning and Environment Act 1987	Duty to give notice of decision to grant a permit to applicant and objectors	This provision applies also to a decision to grant an amendment to a permit - see s 75	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 64(3)	Planning and Environment Act 1987	Duty not to issue a permit until after the specified period	This provision applies also to a decision to grant an amendment to a permit - see s 75	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 64(5)	Planning and Environment Act 1987	Duty to give each objector a copy of an exempt decision	This provision applies also to a decision to grant an amendment to a permit - see s 75	AOSTP, CSTP, DFAO, DIE, EMDF,

				MSTP, PSTP, SO, SSTP, STP, TSODF
s 64A	Planning and Environment Act 1987	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	This provision applies also to a decision to grant an amendment to a permit - see s 75A	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 65(1)	Planning and Environment Act 1987	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 66(1)	Planning and Environment Act 1987	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 66(2)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to grant a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 66(4)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to refuse a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 66(46)	Planning and Environment Act 1987	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	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 69(1)	Planning and Environment Act 1987	Function of receiving application for extension of time of permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 69(1A)	Planning and Environment Act 1987	Function of receiving application for extension of time to complete development		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF

s 69(2)	Planning and Environment Act 1987	Power to extend time		AOSTP, CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 70	Planning and Environment Act 1987	Duty to make copy permit available for inspection		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 71(1)	Planning and Environment Act 1987	Power to correct certain mistakes		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 71(2)	Planning and Environment Act 1987	Duty to note corrections in register		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 73	Planning and Environment Act 1987	Power to decide to grant amendment subject to conditions		AOSTP, CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 74	Planning and Environment Act 1987	Duty to issue amended permit to applicant if no objectors		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 76	Planning and Environment Act 1987	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 76A(1)	Planning and Environment Act 1987	Duty to give relevant determining referral authorities copy of amended permit and copy of notice		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 76A(2)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP

s 76A(4)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to refuse a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 76A(46)	Planning and Environment Act 1987	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	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 76D	Planning and Environment Act 1987	Duty to comply with direction of Minister to issue amended permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 83	Planning and Environment Act 1987	Function of being respondent to an appeal		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 83B	Planning and Environment Act 1987	Duty to give or publish notice of application for review		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 84(1)	Planning and Environment Act 1987	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 84(2)	Planning and Environment Act 1987	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		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF
s 84(3)	Planning and Environment Act 1987	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		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 84(6)	Planning and Environment Act 1987	Duty to issue permit on receipt of advice within 3 working days		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 86	Planning and Environment Act 1987	Duty to issue a permit at order of Tribunal within 3 working days		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 87(3)	Planning and Environment Act 1987	Power to apply to VCAT for the cancellation or amendment of a permit		CSTP, DIE, EMDF, MSTP, PSTP, SO, TSODF

s 90(1)	Planning and Environment Act 1987	Function of being heard at hearing of request for cancellation or amendment of a permit		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 91(2)	Planning and Environment Act 1987	Duty to comply with the directions of VCAT		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 91(2A)	Planning and Environment Act 1987	Duty to issue amended permit to owner if Tribunal so directs		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 92	Planning and Environment Act 1987	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90		CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 93(2)	Planning and Environment Act 1987	Duty to give notice of VCAT order to stop development		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP, SO, SSTP, STP, TSODF
s 95(3)	Planning and Environment Act 1987	Function of referring certain applications to the Minister		CSTP, DIE, EMDF, MSTP, PSTP
s 95(4)	Planning and Environment Act 1987	Duty to comply with an order or direction		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 96(1)	Planning and Environment Act 1987	Duty to obtain a permit from the Minister to use and develop its land		CSTP, DIE, EMDF, MSTP, PSTP
s 96(2)	Planning and Environment Act 1987	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land		CSTP, DIE, EMDF, MSTP, PSTP
s 96A(2)	Planning and Environment Act 1987	Power to agree to consider an application for permit concurrently with preparation of proposed amendment		CSTP, DIE, EMDF, MSP, MSTP, PSTP
s 96C	Planning and Environment Act 1987	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C		CSTP, DIE, EMDF, MSTP, PSTP
s 96G(1)	Planning and Environment Act 1987	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)		CSTP, DIE, EMDF, MSTP, PSTP

s 96H(3)	Planning and Environment Act 1987	Power to give notice in compliance with Minister's direction		CSTP, DIE, EMDF, MSTP, PSTP
s 96J	Planning and Environment Act 1987	Power to issue permit as directed by the Minister		CSTP, DIE, EMDF, MSTP, PSTP
s 96K	Planning and Environment Act 1987	Duty to comply with direction of the Minister to give notice of refusal		CSTP, DIE, EMDF, MSTP, PSTP
s 96Z	Planning and Environment Act 1987	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate		CO, CSTP, DIE, EMDF, MSTP, POC, PSTP
s 97D(1)	Planning and Environment Act 1987	Duty to comply with directions of Minister to supply any document or assistance relating to application		CSTP, DIE, EMDF, MSTP, PSTP
s 97G(3)	Planning and Environment Act 1987	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister		CSTP, DIE, EMDF, MSTP, PSTP
s 97G(6)	Planning and Environment Act 1987	Duty to make a copy of permits issued under s 97F available for inspection		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 97L	Planning and Environment Act 1987	Duty to include Ministerial decisions in a register kept under s 49		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 97MH	Planning and Environment Act 1987	Duty to provide information or assistance to the Planning Application Committee		CSTP, DFAO, DIE, EMDF, MSTP, PSTP
s 97MI	Planning and Environment Act 1987	Duty to contribute to the costs of the Planning Application Committee or subcommittee		CSTP, DIE, EMDF, MSTP, PSTP
s 97O	Planning and Environment Act 1987	Duty to consider application and issue or refuse to issue certificate of compliance		CSTP, DIE, EMDF, MSTP, PSTP
s 97P(3)	Planning and Environment Act 1987	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 97Q(2)	Planning and Environment Act 1987	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP

s 97Q(4)	Planning and Environment Act 1987	Duty to comply with directions of VCAT		CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 97R	Planning and Environment Act 1987	Duty to keep register of all applications for certificate of compliance and related decisions		CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 98(1)&(2)	Planning and Environment Act 1987	Function of receiving claim for compensation in certain circumstances		CSTP, DIE, EMDF, MSTP, PSTP
s 98(4)	Planning and Environment Act 1987	Duty to inform any person of the name of the person from whom compensation can be claimed		CSTP, DIE, EMDF, MSTP, PSTP
s 101	Planning and Environment Act 1987	Function of receiving claim for expenses in conjunction with claim		CSTP, DIE, EMDF, MSTP, PSTP
s 103	Planning and Environment Act 1987	Power to reject a claim for compensation in certain circumstances		CSTP, DIE, EMDF, MSTP, PSTP
s.107(1)	Planning and Environment Act 1987	function of receiving claim for compensation		CSTP, DIE, EMDF, MSTP, PSTP
s 107(3)	Planning and Environment Act 1987	Power to agree to extend time for making claim		CSTP, DIE, EMDF, MSTP, PSTP
s 114(1)	Planning and Environment Act 1987	Power to apply to the VCAT for an enforcement order		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 117(1)(a)	Planning and Environment Act 1987	Function of making a submission to the VCAT where objections are received		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 120(1)	Planning and Environment Act 1987	Power to apply for an interim enforcement order where s 114 application has been made		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 123(1)	Planning and Environment Act 1987	Power to carry out work required by enforcement order and recover costs		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 130(5)	Planning and Environment Act 1987	Power to allow person served with an infringement notice further time		CCPE, CSTP, DBS, DIE, EMDF, EMRS, MSTP, PSTP

s 149A(1)	Planning and Environment Act 1987	Power to refer a matter to the VCAT for determination		CSTP, DIE, EMDF, MSTP, PSTP
s 149A(1A)	Planning and Environment Act 1987	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 156	Planning and Environment Act 1987	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)	Where Council is the relevant planning authority	CSTP, DIE, EMDF, MSTP, PSTP
s 171(2)(f)	Planning and Environment Act 1987	Power to carry out studies and commission reports		CSTP, DIE, EMDF, MSTP, PSTP
s 178C(4)	Planning and Environment Act 1987	Function of determining how to give notice under s 178C(2)		CSTP, DIE, EMDF, MSTP, PSTP
	Planning and Environment Act 1987	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		CSTP, DIE, EMDF, MSTP, PSTP
	Planning and Environment Act 1987	Power to give written authorisation in accordance with a provision of a planning scheme		CSTP, DIE, MSTP, PSTP
s 33	Rail Safety (Local Operations) Act 2006	Duty to comply with a direction of the Safety Director under s 33	Where Council is a utility under s 3	DIE, EMI, EMOE
s 33A	Rail Safety (Local Operations) Act 2006	Duty to comply with a direction of the Safety Director to give effect to arrangements under s 33A	Duty of Council as a road authority under the Road Management Act 2004	DIE, EMI, EMOE
s 34	Rail Safety (Local Operations) Act 2006	Duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s 33(1)	Where Council is a utility under s 3	DIE, EMI, EMOE
s 34C(2)	Rail Safety (Local Operations) Act 2006	Function of entering into safety interface agreements with rail infrastructure manager	Where Council is the relevant road authority	DIE, EMI, EMOE

s 34D(1)	Rail Safety (Local Operations) Act 2006	Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Where Council is the relevant road authority	CRM, DIE, EMI, EMOE
s 34D(2)	Rail Safety (Local Operations) Act 2006	Function of receiving written notice of opinion	Where Council is the relevant road authority	DIE, EMOE
s 34D(4)	Rail Safety (Local Operations) Act 2006	Function of entering into safety interface agreement with infrastructure manager	Where Council is the relevant road authority	DIE, EMOE
s 34E(1)(a)	Rail Safety (Local Operations) Act 2006	Duty to identify and assess risks to safety	Where Council is the relevant road authority	CAM, CRM, DIE, EMI, EMOE, SASO, SASU
s 34E(1)(b)	Rail Safety (Local Operations) Act 2006	Duty to determine measures to manage any risks identified and assessed having regard to items set out in s 34E(2)(a)-(c)	Where Council is the relevant road authority	CRM, DIE, EMI, EMOE
s 34E(3)	Rail Safety (Local Operations) Act 2006	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	Where Council is the relevant road authority	DIE, EMI, EMOE
s 34F(1)(a)	Rail Safety (Local Operations) Act 2006	Duty to identify and assess risks to safety, if written notice has been received under s 34D(2)(a)	Where Council is the relevant road authority	CRM, DIE, EMI, EMOE
s 34F(1)(b)	Rail Safety (Local Operations) Act 2006	Duty to determine measures to manage any risks identified and assessed, if written notice has been received under s 34D(2)(a)	Where Council is the relevant road authority	CRM, DIE, EMI, EMOE
s 34F(2)	Rail Safety (Local Operations) Act 2006	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	Where Council is the relevant road authority	CRM, DIE, EMI, EMOE
s 34H	Rail Safety (Local Operations) Act 2006	Power to identify and assess risks to safety as required under s 34B, 34C, 34D, 34E or 34F in accordance with s 34H(a)-(c)	Where Council is the relevant road authority	CAM, CRM, DIE, EMI, EMOE, SASO, SASU

s 34I	Rail Safety (Local Operations) Act 2006	Function of entering into safety interface agreements	Where Council is the relevant road authority	DIE, EMI, EMOE
s 34J(2)	Rail Safety (Local Operations) Act 2006	Function of receiving notice from Safety Director	Where Council is the relevant road authority	DIE, EMI, EMOE
s 34J(7)	Rail Safety (Local Operations) Act 2006	Duty to comply with a direction of the Safety Director given under s 34J(5)	Where Council is the relevant road authority	DIE, EMI, EMOE
s 142G(1)	Residential Tenancies Act 1997	Duty to enter required information in Rooming House Register for each rooming house in municipal district		CEH, EMRS, TLEH
s 262(3)	Residential Tenancies Act 1997	Power to publish its criteria for eligibility for the provision of housing by Council		DIE, EMOE, EMPSFM
s 11(1)	Road Management Act 2004	Power to declare a road by publishing a notice in the Government Gazette	Obtain consent in circumstances specified in s 11(2)	DIE, EMDF, EMI, EMOE
s 11(8)	Road Management Act 2004	Power to name a road or change the name of a road by publishing notice in Government Gazette		DIE, EMDF, EMI, EMOE
s 11(9)(b)	Road Management Act 2004	Duty to advise Registrar		DIE, EMDF, EMI, EMOE
s 11(10)	Road Management Act 2004	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Subject to s 11(10A)	DIE, EMDF, EMI, EMOE
s 11(10A)	Road Management Act 2004	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Where Council is the coordinating road authority	DIE, EMDF, EMI, EMOE
s 12(2)	Road Management Act 2004	Power to discontinue road or part of a road	Where Council is the coordinating road authority	DIE, EMDF, EMI, EMOE
s 12(4)	Road Management Act 2004	Power to publish, and provide copy, notice of proposed discontinuance	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DIE, EMDF, EMI, EMOE

s 12(5)	Road Management Act 2004	Duty to consider written submissions received within 28 days of notice	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DIE, EMDF, EMI, EMOE
s 12(6)	Road Management Act 2004	Function of hearing a person in support of their written submission	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DIE, EMDF, EMI, EMOE
s 12(7)	Road Management Act 2004	Duty to fix day, time and place of meeting under s 12(6) and to give notice	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DIE, EMDF, EMI, EMOE
s 12(10)	Road Management Act 2004	Duty to notify of decision made	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	DFAO, DIE, EMDF, EMI, EMOE
s 13(1)	Road Management Act 2004	Power to fix a boundary of a road by publishing notice in Government Gazette	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate	DIE, EMDF, EMI, EMOE
s 14(4)	Road Management Act 2004	Function of receiving notice from VicRoads		CIT, DIE, EMDF, EMI, EMOE
s 14(7)	Road Management Act 2004	Power to appeal against decision of VicRoads		CAM, CIT, DIE, EMDF, EMI, EMOE
s 15(1)	Road Management Act 2004	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		CAM, DIE, EMDF, EMI, EMOE
s 22(4)	Road Management Act 2004	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.		DIE, EMOE
s 22(5)	Road Management Act 2004	Duty to give effect to a direction under s 22		DIE, EMOE
s 42A(3)	Road Management Act 2004	Duty to consult with VicRoads before road is specified	Where Council is the coordinating road authority	CAM, DIE, EMDF, EMI, EMOE

			If road is a municipal road or part thereof	
s 42A(4)	Road Management Act 2004	Power to approve Minister's decision to specify a road as a specified freight road	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	CIT, DIE, EMDF, EMI, EMOE
s 48EA	Road Management Act 2004	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)	Where Council is the responsible road authority, infrastructure manager or works manager	DIE, EMDF, EMI, EMOE
s 48M(3)	Road Management Act 2004	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M		DIE, EMDF, EMI, EMOE
s 119(2)	Road Management Act 2004	Function of consulting with VicRoads		DIE, EMDF, EMI, EMOE
s 120(1)	Road Management Act 2004	Power to exercise road management functions on an arterial road (with the consent of VicRoads)		DIE, EMDF, EMI, EMOE
s 121(1)	Road Management Act 2004	Power to enter into an agreement in respect of works		CAM, DIE, EMDF, EMI, EMOE
s 122(1)	Road Management Act 2004	Power to charge and recover fees		CAM, DIE, EMDF, EMI, EMOE
sch 7 cl 16(4)	Road Management Act 2004	Duty to consult	Where Council is the coordinating road authority, responsible authority or infrastructure manager	CAM, DIE, EMDF, EMI, EMOE
sch 7 cl 16(5)	Road Management Act 2004	Power to consent to proposed works	Where Council is the coordinating road authority	CAM, DIE, EMDF, EMI, EMOE
sch 7 cl 16(6)	Road Management Act 2004	Power to set reasonable conditions on consent	Where Council is the coordinating road authority	CAM, DIE, EMDF, EMI, EMOE
sch 7 cl 16(8)	Road Management Act 2004	Power to include consents and conditions	Where Council is the coordinating road authority	CAM, DIE, EMDF, EMI, EMOE

Changes include:

- Removal of the position Strategic Planning Administration Officer (SPA0)
- Inclusion of the position Administration Officer Statutory Planning (AOSTP)

Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
s 49(1)	Planning and Environment Act 1987	Duty to keep a register of all applications for permits and determinations relating to permits		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 49(2)	Planning and Environment Act 1987	Duty to make register available for inspection		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 50(4)	Planning and Environment Act 1987	Duty to amend application		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 52(1)(a)	Planning and Environment Act 1987	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		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 52(1)(b)	Planning and Environment Act 1987	Duty to give notice of the application to other municipal Council where appropriate		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 52(1)(c)	Planning and Environment Act 1987	Duty to give notice of the application to all persons required by the planning scheme		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 52(1)(ca)	Planning and Environment Act 1987	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		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 52(1)(cb)	Planning and Environment Act 1987	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		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 52(1)(d)	Planning and Environment Act 1987	Duty to give notice of the application to other persons who may be detrimentally effected		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP

s.52(1AA)	Planning and Environment Act 1987	Duty to give notice of an application to remove or vary a registered restrictive covenant		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 52(3)	Planning and Environment Act 1987	Power to give any further notice of an application where appropriate		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 53(1)	Planning and Environment Act 1987	Power to require the applicant to give notice under s 52(1) to persons specified by it		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 53(1A)	Planning and Environment Act 1987	Power to require the applicant to give the notice under s 52(1AA)		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 54(1)	Planning and Environment Act 1987	Power to require the applicant to provide more information		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 54(1B)	Planning and Environment Act 1987	Duty to specify the lapse date for an application		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 54A(4)	Planning and Environment Act 1987	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 55(1)	Planning and Environment Act 1987	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 57(3)	Planning and Environment Act 1987	Function of receiving name and address of persons to whom notice of decision is to go		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 57(5)	Planning and Environment Act 1987	Duty to make available for inspection copy of all objections		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF

s 57A(6)	Planning and Environment Act 1987	Duty to note amendments to application in register		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 57C(1)	Planning and Environment Act 1987	Duty to give copy of amended application to referral authority		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 58	Planning and Environment Act 1987	Duty to consider every application for a permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 62(4)	Planning and Environment Act 1987	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)		AOSTP, CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 63	Planning and Environment Act 1987	Duty to issue the permit where made a decision in favour of the application (if no one has objected)		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 64(1)	Planning and Environment Act 1987	Duty to give notice of decision to grant a permit to applicant and objectors	This provision applies also to a decision to grant an amendment to a permit - see s 75	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 64(3)	Planning and Environment Act 1987	Duty not to issue a permit until after the specified period	This provision applies also to a decision to grant an amendment to a permit - see s 75	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 64(5)	Planning and Environment Act 1987	Duty to give each objector a copy of an exempt decision	This provision applies also to a decision to grant an amendment to a permit - see s 75	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 64A	Planning and Environment Act 1987	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	This provision applies also to a decision to grant an amendment to a permit - see s 75A	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 65(1)	Planning and Environment Act 1987	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF

s 66(1)	Planning and Environment Act 1987	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 66(2)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to grant a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 66(4)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to refuse a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP
s 66(46)	Planning and Environment Act 1987	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	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 69(1)	Planning and Environment Act 1987	Function of receiving application for extension of time of permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 69(1A)	Planning and Environment Act 1987	Function of receiving application for extension of time to complete development		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 69(2)	Planning and Environment Act 1987	Power to extend time		AOSTP, CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 70	Planning and Environment Act 1987	Duty to make copy permit available for inspection		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 71(1)	Planning and Environment Act 1987	Power to correct certain mistakes		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 71(2)	Planning and Environment Act 1987	Duty to note corrections in register		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF

s 73	Planning and Environment Act 1987	Power to decide to grant amendment subject to conditions		AOSTP, CSTP, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 74	Planning and Environment Act 1987	Duty to issue amended permit to applicant if no objectors		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 76	Planning and Environment Act 1987	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF
s 76A(1)	Planning and Environment Act 1987	Duty to give relevant determining referral authorities copy of amended permit and copy of notice		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF
s 76A(2)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 76A(4)	Planning and Environment Act 1987	Duty to give a recommending referral authority notice of its decision to refuse a permit	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 76A(46)	Planning and Environment Act 1987	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	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	AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP
s 76D	Planning and Environment Act 1987	Duty to comply with direction of Minister to issue amended permit		AOSTP, CSTP, DFAO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF

Changes Include:

- Inclusion of the position Executive Manger Regulatory Services (EMRS)
- Inclusion of the position Coordinator Compliance Parking Enforcement (CCPE)

Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
s 93(2)	Planning and Environment Act 1987	Duty to give notice of VCAT order to stop development		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP, SO, SSTP, STP, TSODF
s 114(1)	Planning and Environment Act 1987	Power to apply to the VCAT for an enforcement order		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 117(1)(a)	Planning and Environment Act 1987	Function of making a submission to the VCAT where objections are received		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 120(1)	Planning and Environment Act 1987	Power to apply for an interim enforcement order where s 114 application has been made		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 123(1)	Planning and Environment Act 1987	Power to carry out work required by enforcement order and recover costs		CCPE, CSTP, DIE, EMDF, EMRS, MSTP, PSTP
s 130(5)	Planning and Environment Act 1987	Power to allow person served with an infringement notice further time		CCPE, CSTP, DBS, DIE, EMDF, EMRS, MSTP, PSTP

Changes Include:

- Removal of the position Coordinator Statutory Planning (CSTP)
- Removal of the position Manager Statutory Planning (MSTP)
- Removal of the position Principal Statutory Planning (PSTP)
- Inclusion of the position Growth Areas Facilitation Officer (GAFO)
- Inclusion of the position Coordinator Growth Areas Facilitation (CGAF)
- Inclusion of the position Administration Officer Growth Areas Facilitation (AOGAF)

Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
s 46GI(2)(b)(i)	Planning and Environment Act 1987	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	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency	AOGAF, CGAF, DBS, DIE, EMDF, GAFO
s 46GX(1)	Planning and Environment Act 1987	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Where Council is the collecting agency	AOGAF, CGAF, DIE, EMDF, GAFO
s 46GZ(2)(b)	Planning and Environment Act 1987	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	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	AOGAF, CGAF, DFAO, DIE, EMDF, GAFO
s 46GZ(9)	Planning and Environment Act 1987	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	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	AOGAF, CGAF, DFAO, DIE, EMDF, GAFO
s 46GZD(5)	Planning and Environment Act 1987	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Where Council is the collecting agency under an approved infrastructure contributions plan	AOGAF, CGAF, DIE, EMDF, GAFO

s 46GZI	Planning and Environment Act 1987	Duty to prepare and give a report to the Minister at the times required by the Minister	Where Council is a collecting agency or development agency	AOGAF, CGAF, DIE, EMDF, GAFO
s 46QD	Planning and Environment Act 1987	Duty to prepare report and give a report to the Minister	Where Council is a collecting agency or development agency	CGAF, DIE, EMDF, GAFO

Coordinator Statutory Planning Operations (CSTPO)

S6 Instrument of Delegation - Members of Staff - Environment Protection Act 1970			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 53M(3)	Power to require further information	CSTP, DWWMPO, DDP, DIE, EHO, EMOE, CEH, MSTP, SP, STP, TLEH, TOEH, PPSP, MSP, SPAO, PSTP, SSTP, PMUR, CSTPO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CSTP, DWWMPO, DDP, DIE, EHO, EMOE, CEH, MSTP, SP, STP, TLEH, TOEH, PPSP, MSP, SPAO, PSTP, SSTP, PMUR, CSTPO	
S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 4H	Duty to make amendment to Victoria Planning Provisions available	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		DFAO, PSTP, SSTP, PMUR, CSTPO	
s 41	Duty to keep Victorian Planning Provisions and other documents available	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 8A(5)	Function of receiving notice of the Minister's decision	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
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	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CSTP, DDP, DIE, MSTP, MSP, EMDF, PSTP, CSTPO	
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	CSTP, DDP, DIE, MSTP, MSP, EMDF, PSTP, CSTPO	
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)	CSTP, DDP, DIE, MSTP, MSP, EMDF, PSTP, CSTPO	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 12B(1)	Duty to review planning scheme	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR, CSTPO	
s 17(2)	Duty of giving copy s 173 agreement	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR, CSTPO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR, CSTPO	
s 18	Duty to make amendment etc. available	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		DFAO, PSTP, PMUR, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR, CSTPO	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR, CSTPO	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 21(2)	Duty to make submissions available	CSTP, DDP, DIE, MSTP, SP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	
s 21A(4)	Duty to publish notice	CSTP, DDP, DIE, MSTP, SP, PPSP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	
s 22	Duty to consider all submissions	CSTP, DDP, DIE, EMOE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR, CSTPO	
s 26(1)	Power to make report available for inspection	CSTP, DDP, DIE, MSTP, SP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	
s 26(2)	Duty to keep report of panel available for inspection	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		PSTP, SSTP, PMUR, CSTPO	
s 27(2)	Power to apply for exemption if panel's report not received	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	
s 28	Duty to notify the Minister if abandoning an amendment	CSTP, DDP, DIE, MSTP, EMEP, MSP, EMDF, PSTP, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, STP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, CSTPO	
s 30(4)(b)	Duty to provide information in writing upon request	CSTP, DDP, DIE, MSTP, SP, STP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, CSTPO	
s 32(2)	Duty to give more notice if required	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR, CSTPO	
s 33(1)	Duty to give more notice of changes to an amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR, CSTPO	
s 36(2)	Duty to give notice of approval of amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		SPAO, EMDF, PSTP, PMUR, CSTPO	
s 38(5)	Duty to give notice of revocation of an amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR, CSTPO	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR, CSTPO	
s 40(1)	Function of lodging copy of approved amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	
s 41	Duty to make approved amendment available	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	
s 42	Duty to make copy of planning scheme available	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	Where Council is a responsible public entity

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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	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR, CSTPO	Where Council is a responsible public entity
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	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF, GAFO, CSTPO	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
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	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	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

			development agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	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 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CSTP, DDP, DIE, MSTP, STP, CGAF, EMDF, DFAO, PSTP, SSTP, AOGAF, GAFO, CSTPO	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	
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	CSTP, DDP, DIE, MSTP, CGAF,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		EMDF, PSTP, AOGAF, GAFO, CSTPO	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	
s 46Q(1)	Duty to keep proper accounts of levies paid	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF, GAFO, CSTPO	
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	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF, GAFO, CSTPO	
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	CSTP, DDP, DIE, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF, GAFO, CSTPO	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF,	Only applies when levy is paid to Council

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		PSTP, AOGAF, GAFO, CSTPO	as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF, GAFO, CSTPO	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	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	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF, GAFO, CSTPO	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CO, CSTP, DIE, MSTP, EMDF, POC, PSTP, CSTPO	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 49(2)	Duty to make register available for inspection	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 50(4)	Duty to amend application	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 50(45)	Power to refuse to amend application	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	
s 50(6)	Duty to make note of amendment to application in register	CSTP, DIE, MSTP, SO, STP, AOSC, EMDF, DFAO, PSTP, TSODF, CSTPO	
s 50A(1)	Power to make amendment to application	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF, CSTPO	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		SSTP, PMUR, TSODF, CSTPO	
s 50A(4)	Duty to note amendment to application in register	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, CSTPO	
s 51	Duty to make copy of application available for inspection	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, CSTPO	
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	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	
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	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
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	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 52(3)	Power to give any further notice of an application where appropriate	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 54(1)	Power to require the applicant to provide more information	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, DIE, MSTP, SO, STP, PPSP, EMDF, PSTP, SSTP, PMUR, TSODF, CSTPO	
s 54(1B)	Duty to specify the lapse date for an application	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP,	

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		SSTP, TSODF, AOSTP, CSTPO	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 57(5)	Duty to make available for inspection copy of all objections	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, CSTPO	
s 57A(5)	Power to refuse to amend application	CSTP, DIE, MSTP, SO, STP, EMDF,	

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		PSTP, SSTP, TSODF, CSTPO	
s 57A(6)	Duty to note amendments to application in register	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 57C(1)	Duty to give copy of amended application to referral authority	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 58	Duty to consider every application for a permit	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 58A	Power to request advice from the Planning Application Committee	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 60	Duty to consider certain matters	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	
s 60(1A)	Duty to consider certain matters	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	

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s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
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	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 62(2)	Power to include other conditions	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	

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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	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
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)	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
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)	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	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	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	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	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	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	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP,	This provision applies also to a decision to grant

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		SSTP, TSODF, AOSTP, CSTPO	an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	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	CSTP, DIE, MSTP, STP, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended

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			that a permit condition be included on the permit
s 66(46)	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	CSTP, DIE, MSTP, STP, SAO, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	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	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 69(1A)	Function of receiving application for extension of time to complete development	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 69(2)	Power to extend time	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 70	Duty to make copy permit available for inspection	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	

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s 71(1)	Power to correct certain mistakes	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 71(2)	Duty to note corrections in register	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 73	Power to decide to grant amendment subject to conditions	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 74	Duty to issue amended permit to applicant if no objectors	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, DIE, MSTP, SO, STP, SAO, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, DIE, MSTP, STP, SAO, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	If the recommending referral authority objected to the amendment of the permit or the responsible authority

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			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	CSTP, DIE, MSTP, STP, SAO, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	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(46)	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	CSTP, DIE, MSTP, STP, SAO, EMDF, DFAO, PSTP, SSTP, AOSTP, CSTPO	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	CSTP, DIE, MSTP, SO, STP, EMDF, DFAO, PSTP, SSTP, TSODF, AOSTP, CSTPO	

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s 83	Function of being respondent to an appeal	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 83B	Duty to give or publish notice of application for review	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
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	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
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	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CSTP, DIE, MSTP, SO, EMDF, PSTP, TSODF, CSTPO	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 91(2)	Duty to comply with the directions of VCAT	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	

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s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CSTP, DIE, MSTP, SO, STP, EMDF, PSTP, SSTP, TSODF, CSTPO	
s 93(2)	Duty to give notice of VCAT order to stop development	CSTP, DIE, MSTP, SO, STP, EMRS, EMDF, PSTP, SSTP, CCPE, TSODF, CSTPO	
s 95(3)	Function of referring certain applications to the Minister	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 95(4)	Duty to comply with an order or direction	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, DIE, MSTP, MSP, EMDF, PSTP, CSTPO	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
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)	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	

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s 96J	Power to issue permit as directed by the Minister	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
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	CO, CSTP, DIE, MSTP, EMDF, POC, PSTP, CSTPO	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
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	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CSTP, DIE, MSTP, EMDF, DFAO, PSTP, CSTPO	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	

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s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	
s 97Q(4)	Duty to comply with directions of VCAT	CSTP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CSTP, DIE, MSTP, STP, SAO, EMDF, DFAO, PSTP, SSTP, CSTPO	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 101	Function of receiving claim for expenses in conjunction with claim	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 103	Power to reject a claim for compensation in certain circumstances	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s.107(1)	function of receiving claim for compensation	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 107(3)	Power to agree to extend time for making claim	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 114(1)	Power to apply to the VCAT for an enforcement order	CSTP, DIE, MSTP, EMRS, EMDF, PSTP, CCPE, CSTPO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CSTP, DIE, MSTP, EMRS, EMDF, PSTP, CCPE, CSTPO	

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s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CSTP, DIE, MSTP, EMRS, EMDF, PSTP, CCPE, CSTPO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CSTP, DIE, MSTP, EMRS, EMDF, PSTP, CCPE, CSTPO	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CSTP, DDP, DIE, DBS, MSTP, EMDF, PSTP, CSTPO	Except Crown Land
s 129	Function of recovering penalties	CSTP, DDP, DIE, DBS, MSTP, EMDF, PSTP, CSTPO	
s 130(5)	Power to allow person served with an infringement notice further time	CSTP, DIE, DBS, MSTP, EMRS, EMDF, PSTP, CCPE, CSTPO	
s 149A(1)	Power to refer a matter to the VCAT for determination	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CSTP, DIE, MSTP, EMRS, EMDF, PSTP, CCPE, CSTPO	
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)	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 171(2)(g)	Power to grant and reserve easements	CSTP, DIE, MSTP, STP, EMDF, PSTP, CSTPO	

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s 173(1)	Power to enter into agreement covering matters set out in s 174	CSTP, DDP, DIE, DBS, MSTP, EMDF, PSTP, CSTPO	
	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	CSTP, DDP, DIE, DBS, MSTP, EMDF, PSTP, CSTPO	
	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	CSTP, DDP, DIE, DBS, MSTP, MSP, EMDF, PSTP, CSTPO	
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	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	
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	CSTP, DDP, DIE, DBS, MSTP, EMDF, PSTP, CSTPO	
s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP,	

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		SSTP, PMUR, CSTPO	
s 178A(5)	Power to propose to amend or end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, DDP, DIE, MSTP, SP, STP,	If no objections are made under

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		PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, DDP, DIE, MSTP, SP, STP,	After considering

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		PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, DDP, DIE, MSTP, MSP, EMDF, PSTP, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR, CSTPO	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, DDP, DIE, MSTP, EMPSFM, SP, STP, PPSP, MSP, SPAO,	

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		EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 179(2)	Duty to make available for inspection copy agreement	CSTP, DDP, DIE, MSTP, EMDF, DFAO, PSTP, CSTPO	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	
s 182	Power to enforce an agreement	CSTP, DDP, DIE, MSTP, EMRS, EMDF, PSTP, CSTPO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP,	

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		SPAO, EMDF, PSTP, SSTP, PMUR, CSTPO	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	
s 184G(2)	Duty to comply with a direction of the Tribunal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 184G(3)	Duty to give notice as directed by the Tribunal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, CSTPO	
s 198(1)	Function to receive application for planning certificate	CSTP, DDP, DIE, MSTP, STP, SAO, EMDF, DFAO, PSTP, SSTP, CSTPO	
s 199(1)	Duty to give planning certificate to applicant	CSTP, DDP, DIE, MSTP, STP, SPAO, EMDF, DFAO, PSTP, SSTP, CSTPO	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, DDP, DIE, MSTP, STP, EMDF, PSTP, SSTP, CSTPO	

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s 201(3)	Duty to make declaration	CSTP, DDP, DIE, MSTP, EMDF, PSTP, CSTPO	
	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR, CSTPO	
	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	CSTP, DDP, DIE, MSTP, PPSP, EMEP, MSP, EMDF, PSTP, CSTPO	
	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	CSTP, DIE, MSTP, EMDF, PSTP, CSTPO	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, DIE, MSTP, PSTP, CSTPO	

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Provision	Item Delegated	Delegate	Conditions and Limitations
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	CSTP, DDP, DIE, MSTP, SP, STP, MSP, SAO, EMDF, PSTP, SSTP, CSTPO	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSTP, DDP, DIE, MSTP, SP, STP, MSP, SAO, EMDF, DFAO, PSTP, SSTP, CSTPO	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	CSTP, DDP, DIE, MSTP, SP, STP, EMEP, MSP, SAO, EMDF,	where Council is not the responsible authority but the

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		DFAO, PSTP, SSTP, CSTPO	relevant land is within Council's municipal district
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NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
261510	Local Government Act 1989	s 185L(4)	Power to declare and levy a cladding rectification charge		

11.10. OUTSTANDING QUESTION TIME ITEMS

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION

1. That Council endorses the Outstanding Question Time report.

EXECUTIVE SUMMARY

This report provides Council with an update of response to questions taken on notice and outstanding unanswered questions from Council Question Time.

As of 3 July 2019, Council Meeting, there are no outstanding questions.

RATIONALE

The City of Ballarat Meeting Procedure Local Law calls for a standard agenda item at each Council Meeting that reflects unanswered questions from Public Question Time.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- Meeting Procedure Local Law

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

ATTACHMENTS

Nil

12. NOTICE OF MOTION

Nil

13. URGENT BUSINESS

14. SECTION 89 (IN CAMERA)

11.6. CONTRACTS SPECIAL COMMITTEE OF COUNCIL - 29 MAY AND 19 JUNE 2019

Division: Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

(Confidential report designated under the Local Government Act 1989 section 77(2)(b))

11.7. AUDIT ADVISORY COMMITTEE AGENDA - 20 FEBRUARY 2019 AND 1 MAY 2019

Division: Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

(Any other matter which the Council or Special Committee considers would prejudice the Council)

14.1. WASTE TO ENERGY

Division: Development and Planning
Director: Angelique Lush
Author/Position: Amanda Western – Executive Manager Project Management Office

(contractual matters)

14.2. BUSINESS CASE FOR PURCHASING 100% RENEWABLE ENERGY

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Quenton Gay – Waste, Water and Energy Officer

(contractual matters)

15. CLOSE