



Ordinary Council Meeting

20 November 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 20 NOVEMBER 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 which 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 11 December 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

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:

Children's Week Activities

Children's Week 2019 in Ballarat included 48 activities from 25 different providers, including seven City of Ballarat departments, community partners, local sports clubs and some private providers/businesses. Activities were run across the nine-day festival, with a spread of weekday morning and afternoons as well as weekend offerings. City of Ballarat Family and Children's Services presented a Family Fun Day at Ballarat Wildlife Park.

Protecting endangered local plants for the future

The City of Ballarat Parks and Gardens team is currently working with four threatened or rare local plants including the nationally endangered Stiff Groundsel (*Senecio behrianus*). The Stiff Groundsel is found in the Miners Rest Wetlands and is one of only five wild populations known to exist. The Ballarat Botanical Gardens has now successfully propagated and planted a 'back up' population of the Miners Rest plant in the Ballarat Botanical Gardens to help future safeguarding of the species. The Trails and Waterways team have also undertaken mapping and monitoring of the wild plant at the Miners Rest wetlands.

Tram Track Replacement at Wendouree Parade

300 metres of Wendouree Parade tramway track was completed in September with trams from the Tramway museum now operating on the new section. The Tramway Museum has advised there is a dramatic difference in the new rail compared with the old, which is better for the operation and upkeep of their historic trams

Keep Victoria Beautiful Sustainable Cities Awards 2019

City of Ballarat received three awards from the Keep Victoria Beautiful Sustainable Cities Awards 2019.

- Sustainable Cities Cultural Heritage Award 2019 Winner: City of Ballarat Avenue of Honour and Arch of Victory beautification.
- Sustainable Cities Environmental Sustainability Award 2019 Highly Commended: City of Ballarat Creating a Cooler Ballarat.
- Sustainable Cities Resource Recovery & Waste Management Award 2019 Finalist: City of Ballarat SmART competition

Ongoing community consultation:

Consultation with Children

Child and Family Services and Strategic Planning units worked to develop some questions to ask children and their families around various aspects of play, their thoughts on Children's Week as well as additional questions about play spaces. City of Ballarat staff and volunteer committee members are attending a range of events and activities using an iPad and an online survey to get their thoughts and feedback.

Engaging Communities Program

The Engaging Communities Program has commenced in three new locations at Delacombe, Ballarat East and Ballarat North. Enhancing East started in October with a community leadership think-tank session looking at priorities and deliverables in the Ballarat East Local Area Plan. Making Delacombe started with a community listening post session in September at the Delacombe Community Market. The Engaging Communities Program in Ballarat North began in November with a community listening post at Midlands Reserve.

Latrobe Saleyards Precinct Urban Renewal Plan

A Background Analysis Paper containing community feedback and desktop research was released earlier this year for community consultation and submissions have been received. Council officers have worked with consultants to address input from stakeholders with a view to preparing Summary Paper outlining consultation updates, preferred land uses and recommended actions prior to the production of a draft Latrobe St Saleyards Framework plan and wider community consultation.

Miners Rest Township Plan

A character survey closed at the end of September. This survey invited community members to tell the City of Ballarat what they value about the character of Miners Rest, north of Cummins Road. Council officers have been processing the 114 responses received from the community to help work out options for protecting these values through planning controls.

Ongoing projects, initiatives and works:

Recycling changes

In September the City of Ballarat announced major changes to recycling in Ballarat. Glass is no longer accepted in yellow lidded recycling bins to prevent contamination of either recyclable materials. Instead residents can take glass to eight free drop off sites located across the city. The major change was backed by a significant communications campaign to residents, the

success of which can be measured in the significant volumes of glass deposited at each of the drop off sites since the change took effect at the end of September.

Ballarat is Open – Public Engagement

Community consultation and engagement on the Ballarat is Open project began in October and into November. The cornerstone of the engagement approach is human-centred creative design thinking – with two-hour workshops held throughout the city for community members.

Visitor Economy

In October the Visitor Economy industry and City of Ballarat councillors and staff met to discuss the ways we can work together and to set and achieve ambitious objectives. Positive psychology practitioner Mel Neil led the group through some neuroscience principles around change and its effects on our behaviour and decision making. The group worked together then to flesh out strengths, risk, opportunities and hopes for Ballarat and its visitor economy. The conversation on the day and the feedback since has been very positive and optimistic.

Staff achievements and presentations

AUSTSWIM World Conference

Aquatics Education Team Leader Leanne White presented at the AUSTSWIM ‘Soak it Up’ World Conference in October on the Sunshine Coast. Leanne presented on Simulated Open Water Activities (SOWA) and how to bring the outside aquatic environment into aquatic facilities and provide a more holistic approach to swimming and water safety.

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	Yes	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. ASSEMBLIES OF COUNCILLORS

9.1. ASSEMBLIES OF COUNCILLORS

Division: Business Services
Director: Glenn Kallio
Author/Position: Ali Evans - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION

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

- 1 October 2018 Ballarat Heritage Advisory Committee
- 3 December 2018 Ballarat Heritage Advisory Committee
- 4 February 2019 Ballarat Heritage Advisory Committee
- 1 April 2019 Ballarat Heritage Advisory Committee
- 20 June 2019 Ballarat and Greater Bendigo Heritage Advisory Committee
- 2 September 2019 Ballarat Heritage Advisory Committee
- 15 October 2019 Finance Committee Meeting
- 16 October 2019 Prosperity Portfolio Meeting – Events and the Arts and Economic Partnerships
- 23 October 2019 Ballarat Municipal Observatory Advisory Committee Meeting
- 23 October 2019 Strategic Briefing
- 30 October 2019 Infrastructure and Environment Portfolio Meeting No 204
- 6 November 2019 Council Agenda Review Briefing

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. 1 October 2018 Ballarat Heritage Advisory Committee [9.1.1 - 2 pages]
2. 3 December 2018 Ballarat Heritage Advisory Committee [9.1.2 - 2 pages]
3. 4 February 2019 Ballarat Heritage Advisory Committee [9.1.3 - 2 pages]
4. 1 April 2019 Ballarat Heritage Advisory Committee [9.1.4 - 2 pages]
5. 20 June 2019 Ballarat and Greater Bendigo Heritage Advisory Committee [9.1.5 - 2 pages]
6. 2 September 2019 Ballarat Heritage Advisory Committee [9.1.6 - 2 pages]
7. 15 October 2019 Finance Committee Meeting [9.1.7 - 1 page]
8. 16 October 2019 Prosperity Portfolio Meeting - Events and the Arts and Economic Partnerships [9.1.8 - 1 page]
9. 23 October 2019 Ballarat Municipal Observatory Advisory Committee Meeting [9.1.9 - 1 page]
10. 23 October 2019 Strategic Briefing [9.1.10 - 2 pages]
11. 30 October 2019 Infrastructure and Environment Portfolio Meeting No 204 [9.1.11 - 2 pages]
12. 6 November 2019 Council Agenda Review Briefing [9.1.12 - 2 pages]


APPENDIX 1



Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee
Date of meeting:	01/10/2018
Start time:	12:00pm
Finish time:	2:00pm
Councillors present:	Cr Samantha McIntosh
Apologies:	Ailsa Brackley du Bois Cr Daniel Maloney Jodie Gillet John Dyke (Council staff member) Mark Bruty (Council staff member) Merrick Morris Neil Huybregts Noel Dempsey Prof. Keir Reeves
Council Staff present:	Catherine McLay Lisa Kendal Susan Fayad
Other people present:	Amy Tsilemanis Anne Beggs-Sunter Dianne Gow Jillian Marsh Marie Kau Travis Hurst
Any conflict of interest disclosed?	No
Matters considered: <i>*Provide dots points of matters discussed.</i>	1. Present & Apologies 2. Confirmation of Previous Minutes 3. Matters arising from minutes 4. Correspondence In-NIL 5. Correspondence Out-NIL 6. Reports 6.1 League of Historical Cities

	<p>6.2 Heritage Plan delivery 6.3 Management Subcommittee grants 6.4 Project Officer Report 6.5 Strategic Planning projects</p> <p>7. General Business 7.1 Bendigo Heritage Advisory Committee visit 7.2 Learmonth Bus Shelter</p>
<p>Signed: </p>	<p>Position: Coordinator Heritage and Cultural Landscapes</p>
<p>Name: Susan Fayad</p>	<p>Date: 04/10/2019</p>


APPENDIX 1



Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee
Date of meeting:	03/12/2018
Start time:	12:00pm
Finish time:	2:00pm
Councillors present:	Cr Samantha McIntosh Ballarat City Council
Apologies:	Cr Daniel Moloney Dianne Gow Jodie Gillet Marie Kau Merrick Morris Neil Huybregts Noel Dempsey Prof. Keir Reeves Travis Hurst [No quorum]
Council Staff present:	Catherine McLay James Guy John Dyke Mark Bruty Susan Fayad Joanna Cuscaden
Other people present:	Ailsa Brackley du Bois Amy Tsilemanis Anne Beggs-Sunter Geoff Austin (Heritage Victoria) – guest via phone Jillian Marsh
Any conflict of interest disclosed?	No
Matters considered:	1. Present & Apologies 2. Confirmation of Previous Minutes

<p><i>*Provide dots points of matters discussed.</i></p>	<ol style="list-style-type: none"> 3. Matters arising from minutes 4. Correspondence In-NIL 5. Correspondence Out-NIL 6. Reports <ol style="list-style-type: none"> 6.1 Organisation of World Heritage Cities, Suzhou 6.2 Heritage Plan delivery: <ol style="list-style-type: none"> 6.2.1 Management Subcommittee report 6.2.2 Project Officer Report (Eureka Centre) 6.3 Strategic Planning Report (Bakery Hill and Bridge Mall Renewal Precinct, Latrobe Street Saleyards) 6.4 Economic Partnerships Report (Creative City Strategy and Masterplan; Sturt Street Gardens) 7. General Business <ul style="list-style-type: none"> • Online Ballarat researchers guide • Public interaction policy statement for Ballarat Heritage Watch facebook group • Bendigo Heritage Advisory Committee visit • Proposed 2019 BHAC meeting dates
<p>Signed: </p>	<p>Position: Coordinator Heritage and Cultural Landscapes</p>
<p>Name: Susan Fayad</p>	<p>Date: 04/10/2019</p>


APPENDIX 1



Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee
Date of meeting:	04/02/2019
Start time:	12.00 pm
Finish time:	2.00 pm
Councillors present:	Cr Samantha McIntosh (chair)
Apologies:	Amy Tsilemanis Cr Daniel Maloney Keir Reeves Mark Bruty (Council Officer) Susan Fayad (Council Officer)
Council Staff present:	Anthony Camm Catherine McLay Elizabeth Mangnall James Guy John Dyke
Other people present:	Ailsa Brackley du Bois Anne Beggs-Sunter Dianne Gow Lucy Bracey (guest presenter) Maree Kau Serena Eldridge Stuart Kelly (community observer) Travis Hurst
Any conflict of interest disclosed?	No
Matters considered: <i>*Provide dots points of matters discussed.</i>	1. Present & Apologies 2. Confirmation of Previous Minutes 3. Matters arising from minutes 4. Correspondence In-NIL 5. Correspondence Out-NIL 6. Reports

	<ul style="list-style-type: none"> • Eureka Interpretation Plan (workshop) <p>7. General Business</p> <ul style="list-style-type: none"> • Civic Hall opening • Talking shop at BMI • Grants and loans targeting • Ballarat Evolve.
<p>Signed: </p>	<p>Position: Coordinator Heritage and Cultural Landscapes</p>
<p>Name: Susan Fayad</p>	<p>Date: 04/10/2019</p>


APPENDIX 1



Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee
Date of meeting:	01/04/2019
Start time:	12:00pm
Finish time:	2:00pm
Councillors present:	Cr Samantha McIntosh
Apologies:	Ailsa Brackley du Bois Cr Daniel Maloney Maree Kau Keir Reeves
Council Staff present:	Anthony Camm Catherine McLay Elizabeth Mangnall James Guy Jenny Fink Joanna Cuscaden John Dyke Mark Bruty Susan Fayad
Other people present:	Anne Beggs-Sunter Dianne Gow Stuart Kelly Travis Hurst [No quorum]
Any conflict of interest disclosed?	No
Matters considered: <i>*Provide dots points of matters</i>	1. Present & Apologies 2. Confirmation of Previous Minutes 3. Matters arising from minutes 4. Correspondence In-NIL

<i>discussed.</i>	5. Correspondence Out-NIL 6. Reports <ul style="list-style-type: none"> • World heritage bid • Australiana collection • Heritage Weekend • Eureka Interpretation Plan • CBD Skyline project • Bakery Hill 8. Grants Assessment 7. General Business <ul style="list-style-type: none"> • Sturt Street Gardens
 Signed:	Position: Coordinator Heritage and Cultural Landscapes
Name: Susan Fayad	Date: 04/10/2019


APPENDIX 1



Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat and Greater Bendigo Heritage Advisory Committees
Date of meeting:	20/06/2019
Start time:	10:00am
Finish time:	3:00pm
Councillors present:	Cr Samantha McIntosh
Apologies:	<p>Ballarat HAC:</p> <ul style="list-style-type: none">• Alisa Brackley du Bois (community rep)• Cr Daniel Maloney• Jillian Marsh (Sovereign Hill)• Justine Linley (CoB CEO)• Representative BMI <p>Bendigo HAC:</p> <ul style="list-style-type: none">• Bruce Mclure• Calum Walker (DELWP)• Dr Di Smith (Aboriginal Victoria)• Emma Bryant (Co-ordinator, Amendments and Heritage)• Jess Milroy• Jon Marshallsay (Dja Dja Wurrung CAC)• Laurie Brown• Matthew Dwyer• Michelle Mortlock (Commerce Ballarat)• Trevor Budge• Wonona Fuzzard
Council Staff present:	John Dyke Susan Fayad James Guy Catherine McLay

	Annabel Neylon
Other people present:	Andrew Cockerall (GoCB) Angela Gladman Anna Knight (GoCB) Anne Beggs Sunter (Ballarat Heritage Watch) Bishop Andrew Curnow Cr Matt Emond (CoGB) Darren Wright Dianne Gow (National Trust Ballarat Branch) Dr Dannielle Orr Jenny Trewartha Kylie H2Oowe ((GoCB) Marie Kau (Central Highlands Historical Society) Mayor Margaret O'Rourke (CoCB) Michelle Smith (Sovereign Hill) Noel Dempsey (Visit Ballarat) Peter Abbott (Bendigo Trust) Travis Hurst (Real Estate Victoria) Trudy Rickard (GoCB)
Any conflict of interest disclosed?	NIL
Matters considered: <i>*Provide dots points of matters discussed.</i>	1. World Heritage Listing Partnership Global perspectives and linkages Aboriginal Cultural Heritage Addressing growth Economic returns An exceptional goldfields General comments Next steps in the WHL process Walking tour of Ballarat
Signed: 	Position: Coordinator Heritage and Cultural Landscapes
Name: Susan Fayad	Date: 04/10/2019


APPENDIX 1



Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee
Date of meeting:	02/09/2019
Start time:	12:00pm-
Finish time:	2:00pm
Councillors present:	Cr Samantha McIntosh
Apologies:	Anne Beggs-Sunter (Heritage Watch) Cr Daniel Maloney David Taylor (Public Record Office Victoria) Michelle Mortlock (Commerce Ballarat) Noel Dempsey (Visit Ballarat) Keir Reeves (Federation University Australia)
Council Staff present:	Annabel Neylon – City Design Catherine McLay – City Design (minutes) David Turley – City Design Joanna Cuscaden – Strategic Planning John Dyke – City Design Susan Fayad – World Heritage Bid Terry Natt – Strategic Planning
Other people present:	1. Ailsa Brackley du Bois (Community representative) 2. Cr Samantha McIntosh, Mayor (Chair) 3. Dianne Gow (National Trust Ballarat Branch) 4. Katrina Nitschke (Sovereign Hill Museums Association) 5. Marie Kau (CHHA) 6. Sam McColl (Ballarat Mechanics Institute) 7. Stuart Kelly (proxy for Anne Beggs-Sunter, Heritage Watch) 8. Travis Hurst (Real Estate Victoria)

Any conflict of interest disclosed?	Nil	
Matters considered: <i>*Provide dots points of matters discussed.</i>	<ol style="list-style-type: none"> 1. Attendees and apologies 2. Disclosure of conflicts of interest 3. Confirmation of previous minutes 4. Matters arising from the minutes-nil 5. Correspondence in and out-nil 6. Special Workshop-Central Victorian Goldfields World Heritage Bid 7. General Business <ul style="list-style-type: none"> Bakery Hill Renewal Project Sturt Street Gardens Former Saleyards site Management Subcommittee Targeting shops (deferred) Montrose Cottage 8. Members roundtable 	
Signed: 	Position: Coordinator Heritage and Cultural Landscapes	
Name: Susan Fayad	Date: 04/10/2019	

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:	Finance Committee
Date of meeting:	Tuesday 15 October 2019
Start time:	3:05pm
Finish time:	4:13pm

Councillors present:
Cr Grant Tillett
Cr Daniel Moloney
Cr Belinda Coates
Apologies:
Cr Mark Harris
Council staff present:
Justine Linley – Chief Executive Officer
Glenn Kallio – Director Business Services
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.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
[Insert name]	[insert type & details declared]	[Yes/No]	[Insert Time]	[Insert Time]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • 1st Quarterly Financial Report – period ending 30 September 2019 • Council Reserve Funds • 2020/21 Budget Process • Budgets for Upcoming Tenders

Record completed by:	
Signed: 	Position: Director Business Services
Name: Glenn Kallio	Date: 16 October 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:	16 October 2019
Start time:	7.30am
Finish time:	9.08am

Councillors present:
Cr McIntosh, Cr Moloney, Cr Rinaldi
Apologies:
Justine Linley – CEO, 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>
Events and the Arts <ul style="list-style-type: none"> • Eureka Centre Update • Accessibility Tourism • Tourism Event Grant Applications • Spilt Milk Update

Record completed by:	
Signed: 	Position: Director Development and Planning
Name: Angelique Lush	Date: 29 October 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:	Ballarat Municipal Observatory Advisory Committee Meeting
Date of meeting:	23 October 2019
Start time:	11:00am
Finish time:	11:30am

Councillors present:	Cr Mark Harris
Apologies:	
Council staff present:	Darren Sadler – Executive Manager Property Services and Facilities Management Madelyn Love – Administration Officer Property and Facilities Maintenance Ali Evans – Administration Officer Statutory Compliance
Other attendees present:	Judith Bailey

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:
<ul style="list-style-type: none"> • Ballarat Foto Biennale • Judith leaving committee • Future of Ballarat Observatory Meetings with Council • Schools visiting the Observatory

Record completed by:	
Signed: 	Position: Executive Manager Property Services and Facilities Management
Name: Darren Sadler	Date: 23 October 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:	23 October 2019
Start time:	6:30pm
Finish time:	9:05pm

Councillors present: Cr Daniel Moloney Cr Ben Taylor Cr Grant Tillett Cr Mark Harris Cr Samantha McIntosh Cr Des Hudson Cr Belinda Coates
Apologies: Cr Jim Rinaldi Cr Amy Johnson
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 Amy Boyd – Executive Manager Regulatory Services Natalie Robertson – Executive Manager Development Facilitation James Guy – Executive Manager Economic Partnerships
Other attendees present: Laurie Nigro - Owner of 8 Mair Street Iain Gunn – Ballarat Regional Tourism Board Chad Hymas - Executive General Manager for Mondo


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: External Presentations <ul style="list-style-type: none"> • Laurie Nigro - 8 Mair Street • Ballarat Regional Tourism Board • Hydrogen Briefing Portfolio Updates Planning Committee Agenda Review
--

Record completed by:	
Signed: 	Position: Director Business Services
Name: Glenn Kallio	Date: 25 October 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:	Infrastructure and Environment Portfolio Meeting No 204		
Date of meeting:	Wednesday 30 October 2019		
Start time:	7.30am		
Finish time	9.04am		
Councillors present:			
Cr Ben Taylor, Cr Grant Tillett, Cr Mark Harris			
Apologies:			
Nil			
Council staff present:			
Terry Demeo – Director Infrastructure and Environment, Natalie Robertson – Executive Manager Development Facilitation, Donna Johnston – Coordinator Growth Areas Facilitation (Ballarat West), Belinda Kent – Executive Assistant Infrastructure and Environment (Minute Taker)			
Other attendees present:			
Nil			
Conflict of Interests:			
<p>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.</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>			
Nil			
Matters Considered: <i>*Provide dots points of matters discussed.</i>			
Updates			
<ul style="list-style-type: none"> • EPA Act Implementation, Regulations & Guidance “General Environmental Doctrine” • Waste Management General • Recycling Update • Ballarat West Development Update • Saleyards New • Saleyards Old • CBD Car Parking 			
Reports			
<ul style="list-style-type: none"> • Discuss Reports for Next Agenda Review in Business Calendar 			
Upcoming Tenders			
<ul style="list-style-type: none"> • Circulated to Councillors prior to meeting 			
Other Business			
<ul style="list-style-type: none"> • Mediation Meetings • Sago Hill Sand Pit • Petition Re Dump Site & Diversion of Heavy Traffic • Land Sale at Glen Rowan Estate • Large Crane on Horizon in Wendouree • Patching in Gillies Road • Cycling Path • Brewery Tap Road Corner Intersection Treatment 			
Record completed by:			
Signed: 	Position: Director Infrastructure and Environment		
Name: Terry Demeo	Date: 31 October 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:	6 November 2019
Start time:	6.05pm
Finish time:	7.54pm

Councillors present: Cr Jim Rinaldi Cr Grant Tillett Cr Des Hudson Cr Mark Harris Cr Samantha McIntosh (left 7.29pm) Cr Belinda Coates Cr Amy Johnson Cr Ben Taylor
Apologies: Cr Daniel Moloney
Council staff present: Justine Linley – Chief Executive Officer Glenn Kallio – Director Business Services Terry Demeo – Director Infrastructure and Environment Neville Ivey – Director Community Development Natalie Robertson – Acting Director Innovation and Organisational Improvement Angelique Lush – Director Development and Planning James Guy – Executive Manager Economic Partnerships
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>
Portfolio Matters
Updates from Councillors
<ul style="list-style-type: none"> • Rifle Range Update • Pavillion Update • Rail Line Upgrades – Wendouree • The Gong Dam Wall Update • Lake Learmonth Sustainability Options

<ul style="list-style-type: none"> • Section 173 Agreement <p>Review of Draft Council Agenda 20 November 2019</p> <ul style="list-style-type: none"> • Chief Executive Officer Report • Assemblies of Councillors • Parking in Parade Court • Royal Park Buninyong Committee of Management Appointment • Building Better Regions Funding • ROCK Ballarat Strategic Partnership Application • 2020 Ballarat Beer Hop Tourism Event Grant Application • 2020 Ballarat Beer Festival Tourism Event Grant Application • S5 Instrument of Delegation - Council to CEO • S6 Instrument of Delegation - Members of Staff • Outstanding Question Time Items <p>Items in Camera</p> <ul style="list-style-type: none"> • 2020 Rock Ballarat Strategic Partnership - Confidential Budget • 2020 Ballarat Beer Hop Tourism Event Grant Confidential Documents • 2020 Ballarat Beer Festival Tourism Event Grant Confidential Documents
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Record completed by:	
Signed: 	Position: Director Business Services
Name: Glenn Kallio	Date: 7 November 2019

10. PETITION**10.1. PARKING IN PARADE COURT**

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

RECOMMENDATION**Council resolves:**

- 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 on 22 October 2019 containing 12 signatories requesting Council to consider a permit parking zone along Parade Court, Lake Wendouree.

“We request the 7 property frontages – 1 to 7 Parade Court and 5 & 7 Wendouree parade – be Permit Parking only:

- One sign on the NE corner of Parade Court and Wendouree Parade – arrow to the South.
 - One sign on the NW corner of Parade Court and Wendouree Parade – arrow to the South
 - One sign at the eastern edge of 5 Wendouree Parade – arrow to the West (2 bays)
 - One sign at the western edge of 7 Wendouree Parade – arrow to the East (1 bay).
1. Council’s Parking Plan did not appropriately consider its impact on Parade Court residences.
 2. Four signs would not be detrimental to the amenity of the area and would minimise initial and reduce on-going costs to Council.
 3. Parade Court is the only ‘no through’ road in the vicinity, so no precedent would be set by Council agreeing to our request.
 4. The loss of 13 spaces could easily be replaced by Council appropriately marking parking spaces along the foreshore edge of Wendouree Parade between Ripon Street North and Pleasant Street North and along side boundaries of residences along the eastern side of Pleasant Street North.”

ATTACHMENTS

Nil

10.2. CHANGES TO COMMUNITY LOCAL LAW 2017

Division: Business
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 6 November 2019 containing 19 signatories requesting Council to make changes to the Community Local Law 2017, keeping animals 22.1.2(d) and 22.5.2.

“Currently, residents on rural residential blocks are allowed to keep 1 rooster. (*Community Local Law 2017, Keeping Animals 22.1.2(d)*) with rural residential blocks getting smaller (down to 1 and 2 acres) and neighbours creeping closer to each other, this is becoming a huge problem in certain areas across our municipality. The constant crowing of a rooster at 4.30 in the morning can interfere and affect people’s sleep immensely and can lead to irritation and angst between neighbours. Surely this suggestion would just fit in with *Section 24, Noise and Smell from Animals* where it states “An occupier of any land on which any animal is kept must not allow any noise, smell or discharge to emanate from the animal or animal accommodation which is offensive to persons who occupy adjacent or nearby land.”?

1. We, the undersigned would like to ask Council to amend the above law (22.5.2(d)) to match current urban residential law of not being allowed roosters at all as we believe the situations are similar regarding neighbours being affected by the crowing of a rooster (during the night basically) at close proximity.
2. Currently law 22.5.2 states that after a new law is passed regarding the keeping of an animal in excess of that new law, the owner has 2 years to remove the said rooster. We would like this rule changed to a much shorter period, say, 3-6 months.”

ATTACHMENTS

Nil

11. OFFICER REPORTS

11.1. ROYAL PARK BUNINYONG COMMITTEE OF MANAGEMENT APPOINTMENT

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Darren Sadler- Executive Manager Property Services and Facilities Management

OFFICER RECOMMENDATION

Council resolves to:

1. **Seek from the Department of Environment, Land, Water and Planning appointment as the Committee of Management for the property identified as Royal Park 1101 – 1109 Warrenheip street Buninyong.**
2. **Accept the appointment from the Department of Environment Land Water and Planning if successful.**

EXECUTIVE SUMMARY

This report is to gain from Council a resolution to seek from the Department of Environment Land Water and Planning (DELWP), appointment as the Committee of Management (COM) of the Crown land located at 1101 – 1109 Warrenheip Road, Buninyong also known as Royal Park.

The land is currently managed by the “Friends of Buninyong Royal Park” and it has indicated to DELWP that it wishes to surrender its management appointment on the basis that Council will be appointed the COM.

In 2018/19 an unsuccessful election commitment bid was developed to support the delivery of the concept masterplan which included a new community pavilion, parking, community gardens, new female friendly facility and the construction of two soccer pitches with new LED lighting. It also included little athletics infrastructure which will now be relocated to the old soccer pitch next to the Buninyong Recreation Reserve.

Whilst the election commitment was unsuccessful, Council, through its Sport and Active Living capital budget, has committed to the delivery of a charter of works to develop the site.

In order for Council to progress the delivery of a new female friendly facility, two soccer pitches and new LED lighting, it must have management authority over the site formalised by a Committee of Management appointment.



RATIONALE

Council previously relinquished management of Royal Park Buninyong back to DEWLP (Formerly Department of Environment and Primary Industry) and at this time the management authority was transferred to the Friends of Buninyong Royal Park (FORP) who have since managed the site on behalf of the community.

Currently the Buninyong Soccer Club have had significant challenges with no change facilities and one low level pitch to participate on. These poor facilities are impacting on club numbers and sustainability.

Over several years, Engaged Community's and Sport and Active Living have been working closely with the FORP on the development of a concept masterplan to redesign the Royal Park site to significantly upgrade the provision of community and sporting infrastructure.

Council, through its Sport and Active Living capital budget, is committed to undertaking redevelopment works for soccer on the site seeing delivery of a new home for soccer through its 19/20 capital budget. The site will see the construction of a new female friendly facility, two soccer pitches and new LED lighting.

Full realisation of the concept masterplan will require a staged approach, with full delivery over several stages when future funding becomes available.

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	Yes
Social/Cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	No	Yes
Financial/Resources	Yes	No
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
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 – Should Council not resolve to seek Committee of Management appointment there will continue to be a deficiency in the provision of facilities to support growth and participation within the community. If Council is successful in being appointed and the proposed development is delivered, it is likely to provide a facility which will promote and attract activity within the township.

Financial/Resources – The request of appointment as Committee of Management has no financial implications however, if successful this project is being funded through SAL capital infrastructure budget and this includes a component of the SRV loans scheme.

Risk Management – Given that Council has adopted the Royal Park Buninyong masterplan, it must commence considering concepts and progress delivery or it is likely that there will be community concern and significant reputational risk to Council. The growth of the area and indications of participation support the future development of the site.

Implementation and Marketing – Should Council resolve to seek appointment of the Committee of management and is successful, a notice formalising the appointment will be published in the Government Gazette. There will also be a focus on the delivery of a new facility in all relevant media options.

CONSULTATION

Consultation has been undertaken with:

- The Friends of Royal Park;
- The Department of Environment, Land, Water and Planning;
- Stakeholder of the proposed sports precinct; and

- Relevant Departments within the City of Ballarat.

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

- Royal Park Buninyong Masterplan
- *Local Government Act 1989*
- *Crown Land (Reserves) Act 1978*

ATTACHMENTS

Nil

11.2. ROCK BALLARAT STRATEGIC PARTNERSHIP APPLICATION

Division: Development and Planning
Director: Angelique Lush, Director Development and Planning
Author/Position: Jeff Johnson – Executive Manager Events and the Arts

OFFICER RECOMMENDATION

Council resolves to:

- 1. Approve a three-year Strategic Partnership Grant to SBK Events Pty Ltd for the Rock Ballarat, Rock 'n' Roll Rockabilly Festival, with a total commitment of \$60,000 (ex GST) over the life of this agreement, in accordance with the following payment schedule;**

Year 1 – 2019/20 \$25,000
Year 2 – 2020/21 \$20,000
Year 3 – 2021/22 \$15,000
- 2. Note that this funding will be provided with the conditions relevant to the Strategic Partnership Grant Program, conditions include but are not limited to;**
 - a. Strategic Partnership funding recipients are required to enter into a Funding Agreement with Council that outlines specific program delivery expectations, reporting requirements and a mutually agreed evaluation framework that focuses on performance and outcome measures.**
 - b. Unless otherwise approved, a signed acquittal report must be submitted to Council annually. Organisations who fail to provide an acquittal report where required to do so, will not receive final payment and will be ineligible for any further funding from Council.**

EXECUTIVE SUMMARY

Rock Ballarat, Rock 'n' Roll Rockabilly Festival (Rock Ballarat) is a weekend long rockabilly festival event scheduled for February and is themed around 1950's rockabilly nostalgia. Filling the gap in Ballarat's event calendar created by the withdrawal of the Ballarat Beat Rockabilly Festival, Rock Ballarat will showcase rockabilly and rock 'n' roll culture through car displays, dancing, live music, food vendors and product stalls staged in the Civic Hall, Mining Exchange and Armstrong Street North.

Rock Ballarat is a commercial event registered to SBK Events Pty Ltd, which was established in 2019. SBK Events Pty Ltd is seeking a Strategic Partnership for \$80,000 (excl. GST) paid over a five (5) year period, in accordance with the following payment schedule:

Year 1 – 2019/20 \$25,000
Year 2 – 2020/21 \$20,000
Year 3 – 2021/22 \$15,000
Year 4 – 2022/23 \$10,000
Year 5 – 2023/24 \$10,000

Council funding will be used for road closures, venue and equipment hire, security and marketing.

Officers have reviewed the Strategic Partnership funding request against the program guidelines and recommend providing cash funding of \$60,000 (excl. GST) over a three (3) year period, in accordance with the following payment schedule:

Year 1 – 2019/20 \$25,000
Year 2 – 2020/21 \$20,000
Year 3 – 2021/22 \$15,000

This grant allocation aligns with the purpose of the Strategic Partnership Program and the Ballarat Events Strategy 2018 – 2028. The event model is an opportunity to support capacity building of the local event industry to deliver a quality home grown event which returns positive economic impact for Ballarat across tourism, hospitality, accommodation and the retail sectors with the long-term goal of becoming a sustainable event for Ballarat.

RATIONALE

On 22 February 2017, Council adopted the City of Ballarat Grants Policy (R66/17). The purpose of the grants policy is to ensure that recipients are able to 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 non-competitive process to fund organisations or businesses to deliver Council identified initiatives which must align with community needs and Council's Strategic Objectives, as articulated in the Council Plan.

Rock Ballarat is a newly established event formed after the annual Ballarat Beat Rockabilly Festival was cancelled. The community response to the cancellation led local professionals Tracey Spencer (from Lana-Rose Fashion), Mark Boswerger (Bop Johnny's Rock n Swing Gear) and Stevie K (Kaze Entertainment) to collaborate and form SBK Events Pty Ltd. and subsequently develop this new event format.

The proposed format for Rock Ballarat is a weekend long rockabilly festival scheduled for February themed around 1950's rockabilly nostalgia. The event plans to showcase Rockabilly and Rock 'n' Roll culture in Ballarat through car displays, dancing, live music, food vendors and product stalls staged in the Civic Hall, Mining Exchange and Armstrong Street North.

In comparison, the previous Ballarat Beat Rockabilly Festival received \$15,000 funding from Council for the 2018 festival. The acquittal report for that year's event indicated it attracted an audience of 10,000 participants over the four-day event, with 30% of these coming from outside of Ballarat. The economic impact has been estimated at \$570,300. Rock Ballarat are projecting similar attendance figures for the 2020 event, with a 20% increase stated as their objective every year thereafter.

Officers have been provided confidence that Rock Ballarat will achieve the audience target in the first year, whilst running for two days rather than four. This confidence is attributed to the event

- Providing far greater focus on recapturing and growing the 'Rocker' audience that had been reducing from the previous event
- Expanding the event footprint, and subsequent general appeal, to include the road closure of Armstrong street North,
- Whilst the previous Ballarat Beat ran for four days, the bulk of the event actually ran over the two-day weekend therefore is not too dissimilar in size to Rock Ballarat.

Funding Options

Officers have reviewed the Strategic Partnership application and believe the event has the potential to generate a significant economic impact for the City across tourism, hospitality, accommodation and the retail sectors. Furthermore, the event provides an opportunity to support capacity building of the local event industry to deliver a quality home grown event with the long-term goal of becoming a sustainable event for Ballarat.

Three funding options were identified by Officers:

1. Agree to fund SBK Events P/L the requested total of \$80,000 (excl. GST) over a five (5) year period, in accordance with the following payment schedule:
 - Year 1 - 2019/20 \$25,000
 - Year 2 – 2020/21 \$20,000
 - Year 3 – 2021/22 \$15,000
 - Year 4 – 2022/23 \$10,000
 - Year 5 – 2023/24 \$10,000

2. Agree to fund SBK Events P/L funding of \$60,000 (excl. GST) over a three (3) year period, in accordance with the following payment schedule: **(Recommended)**;
 - Year 1 - 2019/20 \$25,000
 - Year 2 – 2020/21 \$20,000
 - Year 3 – 2021/22 \$15,000

3. Do not provide funding to SBK Events P/L.

Officers recommend the same funding level as requested by the applicant but with a reduced period of funding from five to three years. By building on the existing Ballarat Beat Rockabilly legacy, Rock Ballarat could achieve self-sustainability within the full five-year period.

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	Yes	Yes
Financial/Resources	Yes	Yes
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*.

Social/Cultural – There are indirect social benefits, which are derived from the potential for increased employment and increased social interaction of the Ballarat community that may be derived from the event, made possible by the funding.

Economic – An economic impact report prepared by Council officers using the REMPLAN economic modelling software calculated the potential economic impact of the 2020 event. Using the tourist visitation data provided by the applicant, the event may provide an injection of \$897,000 into the Ballarat economy. However, Officers have modelled the following REMPLAN analysis using the ROI from the 2018 Ballarat Beat Acquittal report, which provides an economic impact of \$628,050. Officers have employed this conservative analysis given this is the first year for Rock Ballarat.

- Based on a cash grant of \$25,000 (for year one) this represents a ROI of 1:25

An economic impact report of the three-year Strategic Partnership indicates the event may generate an aggregate total of \$1,884,150 into the Ballarat economy.

- Based on a funding agreement of \$60,000 this represents a ROI of 1:31

Typically, Officers will seek a ROI of 1:20 as an acceptable base level and as a general benchmark to determine recommended funding levels.

Financial/Resources – SBK Events P/L have applied for a Strategic Partnership, however Rock Ballarat is by nature a tourist-based event. Therefore, Officers recommend providing a Strategic Partnership with funds drawn from the Tourism Impact Grant budget. At this time there is sufficient budget in the Tourism Grants for this project.

Risk Management – If Council funding is not provided there is a strong probability the event organisers will downsize the scale of the event, specifically removing the street closure element, which will hinder their ability to grow and become self-funding.

Risks to Council include;

- SBK Events P/L is a newly established company with a very limited track record of financial or event management capacity,
- There is a heavy reliance on income gained through funding and event ticket sales.

Officers hold a level of confidence that whilst SBK Events is a newly formed entity with no financial track record, both Tracey Spencer (from Lana-Rose Fashion) and Stevie K (Kaze Entertainment) have successfully managed their own respective businesses for at least several years. Nevertheless, Officers will seek to mitigate the identified risks to Council by;

- Withhold 60% of the Grant funds until after the event has acquitted, per year,
- Require regular reporting from SBK Events,
- Require SBK Events P/L to conduct a thorough post event evaluation and review with Officers.

Implementation and Marketing – SBK Events P/L has provided an event marketing plan indicating a reasonable allocation of funding and has clear targets on growing the event. The marketing plan consists of both PR and paid media.

Evaluation and Review – If Council provides funding, Officers will require SBK Events P/L to measure and report on the success and annual benefits derived from the funding.

Measurement of success will include:

- Increased number of visitors to Ballarat;
- Increased overnight visitation and yield; and
- Increased number and satisfaction of participating local businesses and attendees.

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

- Ballarat Event Strategy 2018-2028

ATTACHMENTS

1. 2020 Rock Ballarat Strategic Partnership Assessment [**11.2.1** - 2 pages]
2. 2020 Rock Ballarat - Remplan report [**11.2.2** - 3 pages]

STRATEGIC PARTNERSHIP PROGRAM ASSESSMENT

Application: ROCK Ballarat 2020 - 2024

Strategic Partnership Grant Assessment Criteria	Yes/No	NOTES
Does the proposal meet two Council Plan Objectives?	Yes	Increase domestic (and international) investment and visitation. Develop and implement an Events, Arts and Culture Strategy (including film) and facilitate new regional and state significant events and festivals.
Does the proposal enhance the City's Brand Strategy and attract target markets?	Yes	Grant would promote Ballarat as a vibrant 'must do' event city and is aligned with the Ballarat Event Strategy 2018 – 2028. Rock Ballarat represents the 'homegrown' event category and through this partnership may be able to develop into a 'flagship' event for the City.
Does the proposal have a significant level of total investment?	Yes	CoB funding (requested) represents approx. ¼ of total budget.
Does the proposal have a significant level of new employment?	No limited	Up to 5 jobs created, according to REMPLAN, from direct output from the event.
What is the economic impact of the proposal as modelled using REMPLAN?	Yes	Estimated attendance for 2020 is 10,000 therefore, the following economic impact has been based on the below figures. Local – 5,000 Domestic Day – 3,000 Domestic Overnight – 2,000 Average night stay - 2 Total \$897,000 <i>^ The EI figure of \$897,000 does not include local attendance, EI is calculated based on out of town visitation only.</i>

What is the grant cost per visitor/participant?		$\$25,000 / 10,000 = \2.50 (requested funding amount)
Does the proposal have an appropriate Business Plan including a Marketing and Financial Plan?	Yes - limited	Planning docs have been submitted with partnership application. Appropriate marketing plan submitted. Additional information required for event years beyond 2020.
Does the proposal have positive social impact and community benefit?	Yes – limited	The event will have significant engagement with local suppliers and traders. The community has access to a professionally delivered themed Rockabilly/Rock 'n' Roll event locally. The Armstrong Street North closure for the event will provide an all access element of the event for the community to participate without financial restrictions. The event organisers will engage with local hospitality providers to encourage collaboration and economic benefits.
Does the proposal have positive environmental impacts?	No	

Data derived from the 2018 Acquittal report from Ballarat Beat Rockabilly Festival. This is based on Rock Ballarat's indication that they would expect the audience from 2018 in their first year of operation of the new branded event.

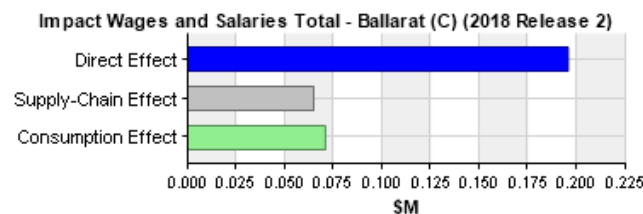
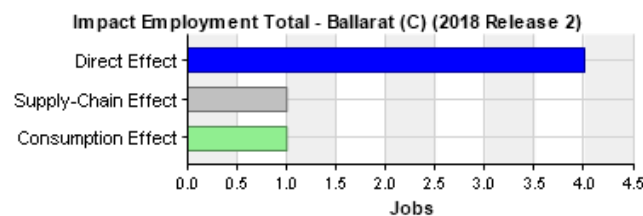
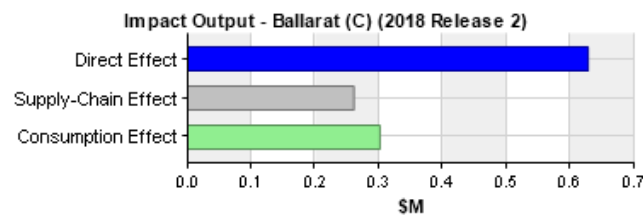
Tourism Impact Summary Report for Ballarat (C) (Tourism Activity: 3 days)

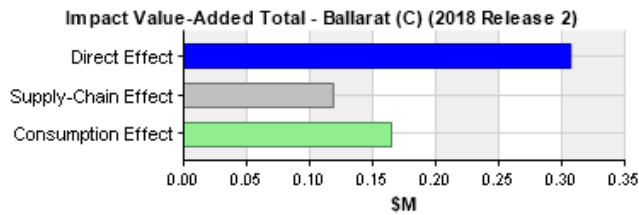
Tourism Impact Scenario

Name	2020 Rock Ballarat
Duration	3 days

Direct Impact	Domestic Day	Domestic Overnight	International	Total
Number of Visitors	1,350	1,650	0	3,000
Number of Nights	n/a	2.00	0.00	
Estimated Expenditure per Visitor (\$)	\$101	\$298	\$0	
Total Estimated Expenditure (\$)	\$136,350	\$491,700	\$0	\$628,050

Tourism Impacts





Under this scenario Gross Regional Product is estimated to increase by \$0.590 million (0.01%) to \$6,796.093 million. Contributing to this is a direct increase in output of \$0.628 million, 4 additional jobs , \$0.196 million more in wages and salaries and a boost in value-added of \$0.307 million.

From this direct expansion in the economy, flow-on supply-chain effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in a further increase to output valued at \$0.261 million, 1 more job , \$0.065 million more paid in wages and salaries, and a gain of \$0.119 million in terms of value-added.

These supply-chain effects represent the following Type 1 economic multipliers:

Impact	Type 1 Multipliers
Output	1.415
Employment	1.250
Wages and Salaries	1.331
Value-added	1.387

The increase in direct and indirect output and the corresponding creation of jobs in the economy are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under the scenario are expected to further boost output by \$0.302 million, employment by 1 job , wages and salaries by \$0.071 million, and value-added by \$0.165 million.

Under this scenario, total output is expected to rise by \$1.190 million. Corresponding to this are anticipated increases in employment of 6 jobs , \$0.331 million wages and salaries, and \$0.590 million in terms of value-added.

The total changes to economic activity represent the following Type 2 economic multipliers:

Impact	Type 2 Multipliers
Output	1.895
Employment	1.500
Wages and Salaries	1.693
Value-added	1.924

Tourism Impact Summary (Tourism Activity: 3 days)

Impact	Direct Effect	Supply-Chain Effect	Consumption Effect	Total Effect	Type 1 Multiplier	Type 2 Multiplier
Output (\$M)	\$0.628	\$0.261	\$0.302	\$1.190	1.415	1.895
Long Term Employment (Jobs)	4	1	1	6	1.250	1.500
Wages and Salaries (\$M)	\$0.196	\$0.065	\$0.071	\$0.331	1.331	1.693
Value-added (\$M)	\$0.307	\$0.119	\$0.165	\$0.590	1.387	1.924

Disclaimer

All figures, data and commentary presented in this report are based on data sourced from the Australia Bureau of Statistics (ABS), most of which relates to the 2016, 2011, 2006 and 2001 Censuses, and data sourced from the National Visitor Survey (NVS) and International Visitor Survey (IVS) published by Tourism Research Australia.

Using ABS datasets and an input / output methodology industrial economic data estimates for defined geographic regions are generated.

This report is provided in good faith with every effort made to provide accurate data and apply comprehensive knowledge. However, REMPLAN does not guarantee the accuracy of data nor the conclusions drawn from this information. A decision to pursue any action in any way related to the figures, data and commentary presented in this report is wholly the responsibility of the party concerned. REMPLAN advises any party to conduct detailed feasibility studies and seek professional advice before proceeding with any such action and accept no responsibility for the consequences of pursuing any such action.

11.3. 2020 BALLARAT BEER HOP TOURISM EVENT GRANT APPLICATION

Division: Development and Planning
Director: Angelique Lush
Author/Position: Jeff Johnson, Executive Manager Events and the Arts

OFFICER RECOMMENDATION

Council resolves to:

Approve a one-year \$25,000 (excl. GST) Tourism Event Grant to Ballarat Beer Hop for the 2020 Ballarat Beer Hop event.

EXECUTIVE SUMMARY

Council has received an application for funding from the Tourism Event Grant for the 2020 Ballarat Beer Hop, to be held in Ballarat on 11 April (Easter Saturday) 2020. The Ballarat Beer Hop is a group of local Ballarat businesses that have come together to develop an activity over Easter that aims to retain locals and attracting visitation to Ballarat during this holiday period.

This event aims to activate the CBD across six licensed venues and create appealing destination marketing content to promote 'Easter for Big Kids' in Ballarat. The Ballarat Beer Hop has requested \$25,000 (excl. GST) in cash funding, and anticipates attracting 1200 attendees, generating an economic impact of \$100,000, in its first year. The inaugural Ballarat Beer Hop held in Easter 2019 attracted 650 people, which provides confidence that there is a market for this event that could be further developed.

The Easter long weekend has been identified as an off-peak period for hospitality that significantly challenges their ability to remain open over the extended long weekend. To investigate options for developing activity during this period a working group of local operators, facilitated by Council Events Officers, has been established. Whilst the Ballarat Beer Hop has been developed independently to this group, it presents an opportunity to help fill the event calendar gap.

The event is seeking assistance to increase the level of marketing and design, and media development, which will directly support the sustainability and growth of the event. Event organisers are confident once the event attracts 1500 - 2000 participants, it will reach financial sustainability and no longer require Council funding.

This grant application aligns with the Ballarat Events Strategy 2018 – 2028. The event model is an opportunity to support capacity building of the local event industry to deliver a quality home grown event which returns positive economic impact for Ballarat across tourism, hospitality, accommodation and the retail sectors. The event has the long-term goal of becoming a significant attractor of visitors to Ballarat over the Easter period.

RATIONALE

On 22 February 2017, Council adopted the City of Ballarat Grants Policy (R66/17). The purpose of the grants policy is to ensure that 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 is the Tourism Event Grant program.

Council has received a Tourism Event Grant application for the 2020 Ballarat Beer Hop event from a group of united businesses working under the title Ballarat Beer Hop. The corporate entity listed as the formal grant applicant and receiver of the Council grant funds is Brian Taylor Family Trust, ABN 92 413 400 624. This Trust represents the lead business of the Ballarat Beer Hop group.

Scheduled for 11 April (Easter Saturday) 2020, the event aims to retain locals and attract visitation to Ballarat for the Easter period. The hospitality industry has strongly communicated the challenges of staying open during Easter due to the high operating costs. This event presents an opportunity to strengthen Ballarat's proposition of being the craft beer capital of regional Australia. The Beer Hop also showcases local breweries, wineries and craft beer venues as well as providing foot traffic in and around CBD based businesses.

Participating venues include, Freight Bar, The Mallow, Campanas, Hop Temple, Housey Housey, and the PWTN.

The event aligns with the Ballarat Event's Strategy 2018-2028, adding value to the annual event calendar, engaging local businesses, and delivering new event product during a low yield period. The requested Council funding will be directed toward marketing to help establish the event brand and audience development, in order to become financially independent.

Funding Assessment

The Ballarat Beer Hop did not score highly in the Tourism Grant assessment process due to the projected modest attendance numbers and the subsequent low economic impact generated. However, the assessment panel identified the following significant factors, which lead to the funding recommendation. Significant factors identified are:

- The event delivers new product to a low yield period in the event calendar,
- The event appears to have potential to grow into an event of significant size,
- The event has potential to deliver the following significant benefits:
 - Flow on impact to the broader hospitality industry both in economic terms and confidence to open in future years;
 - Retention of locals to Ballarat over Easter;
 - Potential for increased Visiting Friends and Relatives audiences over Easter;
 - Local craft beer industry strengthening; and
- There is a very high risk of losing the event out of the Easter timeframe if funding cannot be secured to a minimum of \$15,000,
- If Council sought to develop or initiate a similar event over Easter, a budget allocation of potentially \$100,000 may be required.

Funding Options

Three funding options were identified by officers:

1. Approve a one-year Tourism Event Grant for the 2020 Ballarat Beer Hop for \$25,000 cash (excl. GST). **(Recommended)**,
 2. Approve a one-year Tourism Event Grant for the 2020 Ballarat Beer Hop for \$15,000 cash (excl. GST), recognising this is the minimum funding level to keep the event within the Easter period,
 3. Do not approve a one-year Tourism Event Grant for the 2020 Ballarat Beer Hop.
-

In addition to the potential cash funding, Officers will provide event management guidance and advice, and may also provide destination marketing and promotional support.

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	Yes	Yes
Financial/Resources	Yes	Yes
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*.

Economic – An economic impact report prepared by Council officers using the REMPLAN economic modelling software calculated the potential economic impact of the event. Using the tourist visitation data provided by the applicant, the event may provide an injection of \$100,000 from visitor audiences into the Ballarat economy.

Based on a cash grant of \$25,000 this represents a ROI of 1:4

Based on a cash grant of \$15,000 this represents a ROI of 1:7

Typically, Officers will seek a ROI of 1:20 as an acceptable base level and whilst this event does not achieve that ROI, Officers suggest investment should be considered over a several year period. Over this period, it is believed the event will grow in size and attendance, to the point where it will become self-funding and an event of State-wide appeal.

Financial/Resources – The funding of the 2020 Ballarat Beer Hop will require an allocation from the Tourism Event Grant Program budget. There are sufficient funds within the Tourism Grant Program budget for the funding options listed.

Risk Management – If Council does not provide grant funding for the 2020 Ballarat Beer Hop, the event will not run over Easter. Further risk is that participating businesses will close over the Easter long-weekend, due to penalty rates and low patronage. The CDB could then be perceived as 'closed for business' limiting visitation to the city.

Implementation and Marketing – The Council funding is allocated for marketing support to produce professional collateral that will underpin promotion of the event in both the local and tourism audience. Failing to produce quality marketing collateral can impact Ballarat's brand reputation in the destination market place.

In addition to potential cash funding, Council officers may provide destination marketing support to enhance the event's marketing plan.

Evaluation and Review – With each allocation of Council funding from the Tourism Event Grant, Officers will review the event and evaluate the social and economic benefit. This process will assist future funding recommendations

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. 2020 Ballarat Beer Hop REMPLAN report [11.3.1 - 3 pages]
2. 2020 Ballarat Beer Hop Scoresheet [11.3.2 - 1 page]

Data derived from the 2020 Ballarat Beer Hop Tourism Event Grant submission

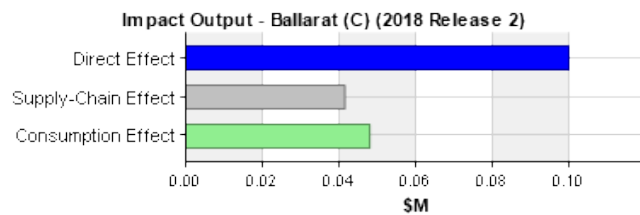
Tourism Impact Summary Report for Ballarat (C) (Tourism Activity: 1 days)

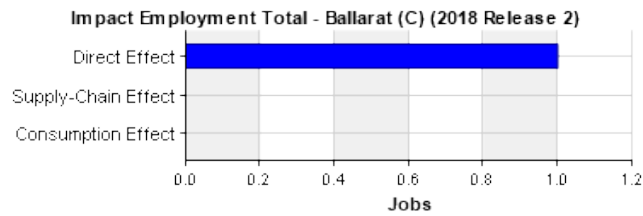
Tourism Impact Scenario

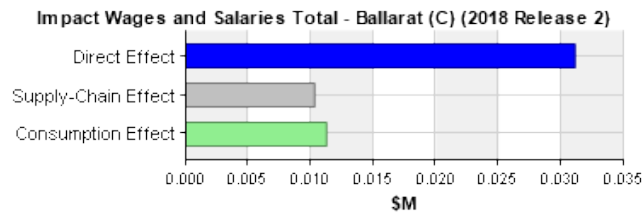
Name	2020 Ballarat Beer Hop
Duration	1 days

Direct Impact	Domestic Day	Domestic Overnight	International	Total
Number of Visitors	400	200	0	600
Number of Nights	n/a	2.00	0.00	
Estimated Expenditure per Visitor (\$)	\$101	\$298	\$0	
Total Estimated Expenditure (\$)	\$40,400	\$59,600	\$0	\$100,000

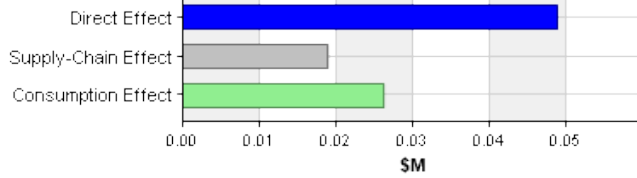
Tourism Impacts








Impact Value-Added Total - Ballarat (C) (2018 Release 2)



Under this scenario Gross Regional Product is estimated to increase by \$0.094 million (0.00%) to \$6,795.596 million. Contributing to this is a direct increase in output of \$0.100 million, 1 additional job, \$0.031 million more in wages and salaries and a boost in value-added of \$0.049 million.

From this direct expansion in the economy, flow-on supply-chain effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in a further increase to output valued at \$0.042 million, 0 more jobs, \$0.010 million more paid in wages and salaries, and a gain of \$0.019 million in terms of value-added.

These supply-chain effects represent the following Type 1 economic multipliers:

Impact	Type 1 Multipliers
Output	1.415
Employment	1.000
Wages and Salaries	1.331
Value-added	1.387

The increase in direct and indirect output and the corresponding creation of jobs in the economy are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under the scenario are expected to further boost output by \$0.048 million, employment by 0 jobs, wages and salaries by \$0.011 million, and value-added by \$0.026 million.

Under this scenario, total output is expected to rise by \$0.190 million. Corresponding to this are anticipated increases in employment of 1 job, \$0.053 million wages and salaries, and \$0.094 million in terms of value-added.

The total changes to economic activity represent the following Type 2 economic multipliers:

Impact	Type 2 Multipliers
Output	1.895
Employment	1.000
Wages and Salaries	1.693
Value-added	1.924

Tourism Impact Summary (Tourism Activity: 1 days)

Impact	Direct Effect	Supply-Chain Effect	Consumption Effect	Total Effect	Type 1 Multiplier	Type 2 Multiplier
Output (\$M)	\$0.100	\$0.042	\$0.048	\$0.190	1.415	1.895
Long Term Employment (Jobs)	1	0	0	1	1.000	1.000
Wages and Salaries (\$M)	\$0.031	\$0.010	\$0.011	\$0.053	1.331	1.693
Value-added (\$M)	\$0.049	\$0.019	\$0.026	\$0.094	1.387	1.924

Disclaimer

All figures, data and commentary presented in this report are based on data sourced from the Australia Bureau of Statistics (ABS), most of which relates to the 2016, 2011, 2006 and 2001 Censuses, and data sourced from the National Visitor Survey (NVS) and International Visitor Survey (IVS) published by Tourism Research Australia.

Using ABS datasets and an input / output methodology industrial economic data estimates for defined geographic regions are generated.

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TOURISM EVENT GRANT PROGRAM ASSESSMENT

Event: 2020 Ballarat Beer Hop
 Event Length: 1 day
 Date: 11 April 2020
 Venue: Various

	Evaluation	Points Avail.
1. Quality		
Does the event or activity fill a gap in the event calendar and provide benefit to the Ballarat community?	3	4
Type of event: Does this type of event align with the strategic direction of the City of Ballarat Council Plan?	4	4
Is the event (or proposed event) generally well supported and/or beneficial to the community?	4	4
Event date: Is there room for this event in the calendar?	4	4
Event location: Is the location appropriate?	4	4
Inclusiveness and accessibility of the event: Does the event appeal to a broad cross section of audiences?	2	4
2. Feasibility		
Can the project be delivered on time, on budget and to a high standard?	3	4
Is the Project Budget complete, realistic and proportionally allocated to key areas?	2	4
Is the Risk Management Plan appropriate?	2	4
Is the Event Management Plan appropriate?	4	4
Is there proven ability to deliver the project successfully on time?	4	4
Is the allocated staffing and resources appropriate to deliver the event?	4	4
3. Reach		
Will the event raise the profile of Ballarat to state, national or international audiences?	8	10
Does the event add value to the brand equity of Ballarat?	5	5
Is the Marketing Plan appropriate to achieve tourism attendance targets?	5	5
Does the event plan to run in Ballarat in the future?	5	5
4. Investment		
Does the event warrant funding?	8	10
Does it intend to bring increased visitation to Ballarat?	8	10
Does the event have intentions of becoming self-sustainable from Council funding in the future?	0	20
Does the project provide a good level of expected economic return from tourist visitation and a good overall return on investment?	0	20
<i>^ Additional/reduced points (PCG re-assessment of visitation)</i>		N/A
TOTAL POINTS	66	100

VISITATION	Application	PCG Evaluation
Estimated local attendance	600	
Estimated out of town attendance - day trip	400	
Estimated out of town attendance - overnight	200	
Average night stay	2.0	
TOTAL ATTENDANCE	1,200	

ECONOMIC IMPACT	ROI	Econ. Impact
Estimates based on application and \$25,000 funding	3:1	100,000
Estimates based on PCG predicated visitation	-	-

Cash funding sought	\$ 25,000.00	6250
Cash funding recommended (based on assessment)	\$ 6,250.00	

Table 1: Guide for Return on Investment (ROI)

ROI LEVELS	Points
1:1 – 15:1	0 points
16:1 – 20:1	Up to max. 5 points
21:1 – 25:1	Up to max. 10 points
26:1 – 30:1	Up to max. 15 points
31:1 +	Up to max. 20 points

Table 2: Calculation of TOTAL points gained from the assessment.

Total Points	
0-55	Not recommended for funding
56-65	0-25%
66-75	25-50%
76-85	50-75%
86 +	75-100%

Assessment Comments

Ballarat Beer Hop is highlighted in the application as a consortium. However it is notionally owned by Tailored Hospitality Management Pty Ltd. The latter is an incorporated body with a formal constitution and bank accounts. As such it takes financial responsibility for the festival and pays for the event's public liability insurance. The event has potential to become a hallmark event for Ballarat over the full length of Easter.

Investment should be viewed over a several year period. Investment in marketing collateral adds to the asset that can be co-utilised by the event and Council. Risk of not funding a minimum of \$15K means the event will not run at Easter. CDB activation during a quiet period

11.4. 2020 BALLARAT BEER FESTIVAL TOURISM EVENT GRANT APPLICATION

Division: Development and Planning
Director: Angelique Lush
Author/Position: Jeff Johnson – Executive Manager Events and the Arts

OFFICER RECOMMENDATION

Council resolves to:

Approve a one-year \$11,840 (excl. GST) Tourism Event Grant to Ballarat Festivals Pty Ltd for the 2020 Ballarat Beer Festival.

EXECUTIVE SUMMARY

Council has received a Tourism Event Grant application from Ballarat Festivals Pty Ltd for the Ballarat Beer Festival scheduled 15 February 2020 in Ballarat. Voted as 'Australia's Most Popular Craft Beer Event', by 20,000 craft beer enthusiasts three years in a row, the event helps strengthen Ballarat's reputation as 'the craft beer regional centre for excellence' in Australia.

Previously held in January, the Festival organiser, has been liaising with Council event officers to identify a new date in February. There are a number of January events in Victoria that compete for both craft beer exhibitors and audience share. The February move will ideally allow the event to grow in content and attendance with the intent to reach financial sustainability.

The Beer Festival has requested \$16,000 (excl. GST) in cash funding and anticipates an economic impact of \$416,560 from visitor audiences. Council funding will be allocated to assist with marketing the event into Melbourne, regional Victoria and some inter-state capitals.

RATIONALE

On 22 February 2017, Council adopted the City of Ballarat Grants Policy (R66/17). The purpose of the grants policy is to ensure that 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 is the Tourism Event Grant program.

The Ballarat Beer Festival was established in 2011 and is owned by Ballarat Festivals Pty Ltd. The event typically includes masterclasses, craft beer and cider exhibitors, live music, activities and games for all ages. Located in the North Gardens Reserve the event has become a staple event in the summer calendar, attracting 3,350 spectators in 2019, with 2687 or 70% of this audience coming from outside the Ballarat region.

The festival will continue to collaborate with local breweries and local supply companies to produce a unique regional craft beer festival. A successful craft beer event has a positive outcome for Ballarat with promotion of the city as an Australian regional hub for craft beer.

There has been incremental audience growth of just over 10% for the last two years of the festival and once the overall attendance number reaches 4,000 the Festival organiser believes

it will be self-sustaining. In an effort to reach this figure the event is proposing new initiatives for 2020 to diversify and grow its audiences, these include:

- Extensive marketing campaign;
- Promotion of the Pyrenees wine region;
- Collaboration with Federation University TAFE providing three internships; and
- A five-course degustation dinner with matched craft beers held at Federation University TAFE Prospects restaurant. The dinner utilises 18 TAFE students to work with Melbourne chef Sean Donovan, and Ballarat’s MasterChef contestant Tim Bone and is held on the evening prior to the main festival.

Funding Options

Three funding options were identified by officers:

1. Approve a one-year Tourism Event Grant for the 2020 Ballarat Beer Festival for the requested \$16,000 cash (excl. GST).
2. Approve a one-year Tourism Event Grant for the 2020 Ballarat Beer Festival for \$11,840 cash (excl. GST). **(Recommended)**
3. Do not approve a one-year Tourism Event Grant for the 2020 Ballarat Beer Festival.

The recommended funding amount for 2020 has been determined by an analysis using the Tourism Event Grant assessment criteria. The event scored highly and is considered a valuable event for the Summer calendar of events. In addition to the potential cash funding, Officers may provide in-kind marketing and promotional support, as well as event management guidance and advice.

The Ballarat Beer Festival has received Council funding since 2018. Prior to this Visit Ballarat supported the event, and for the 2019 event Council provided \$11,250.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- Ballarat Event Strategy 2018 – 2028

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	Yes	Yes
Financial/Resources	Yes	Yes
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*.

Economic – An economic impact report prepared by Council officers using the REMPLAN economic modelling software calculated the potential economic impact of the event. Using the tourist visitation data provided by the applicant, the event may provide an injection of \$416,560 from visitor audiences into the Ballarat economy.

Based on a cash grant of the requested \$16,000 this represents a ROI of 1:26

Based on a cash grant of the recommended \$11,840 this represents a ROI of 1:35

Typically, Officers will seek a ROI of 1:20

Financial/Resources – The funding of the 2020 Ballarat Beer Festival will require an allocation from the Tourism Event Grant Program budget. There are sufficient funds within the Tourism Grant Program budget for the funding options listed.

Risk Management – If Council does not provide grant funding the event will reduce operating budget, including its marketing campaign. This will impact the number of participants to the event and may hinder the event's ability to gain financial sustainability.

Implementation and Marketing – In addition to potential cash funding, Council officers may provide destination marketing support to enhance the event's marketing plan.

Evaluation and Review – With each allocation of Council funding from the Tourism Event Grant, officers will review the event and evaluate the social and economic benefits. This process will assist future funding recommendations.

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. 2020 Ballarat Beer Festival REMPLAN Report [11.4.1 - 3 pages]
2. 2020 Ballarat Beer Festival Scoresheet [11.4.2 - 1 page]

Data derived from the 2020 Ballarat Beer Festival Tourism Event Grant submission

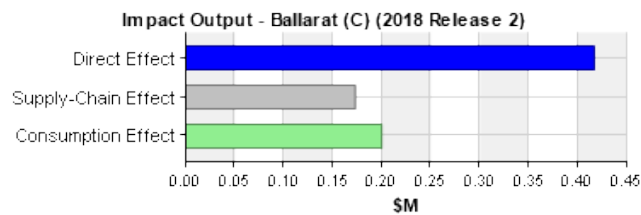
Tourism Impact Summary Report for Ballarat (C) (Tourism Activity: 1 days)

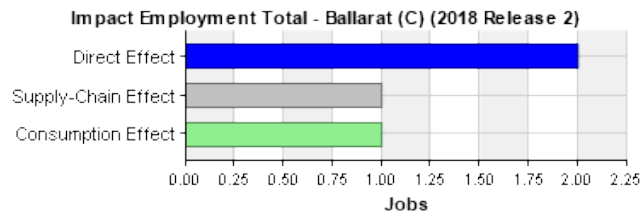
Tourism Impact Scenario

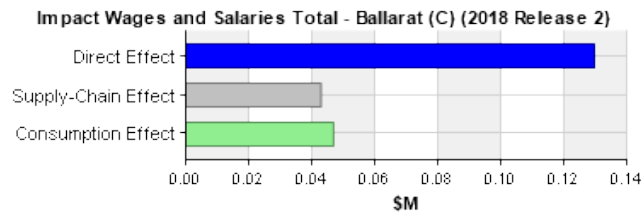
Name	2020 Ballarat Beer Festival
Duration	1 days

Direct Impact	Domestic Day	Domestic Overnight	International	Total
Number of Visitors	2,000	800	0	2,800
Number of Nights	n/a	1.80	0.00	
Estimated Expenditure per Visitor (\$)	\$101	\$268	\$0	
Total Estimated Expenditure (\$)	\$202,000	\$214,560	\$0	\$416,560

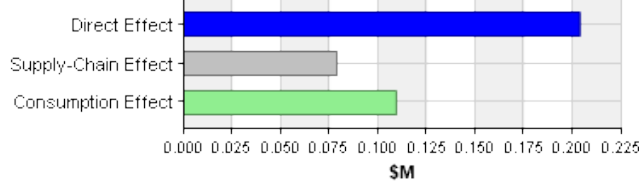
Tourism Impacts








Impact Value-Added Total - Ballarat (C) (2018 Release 2)



Under this scenario Gross Regional Product is estimated to increase by \$0.392 million (0.01%) to \$6,795.894 million. Contributing to this is a direct increase in output of \$0.417 million, 2 additional jobs, \$0.130 million more in wages and salaries and a boost in value-added of \$0.204 million.

From this direct expansion in the economy, flow-on supply-chain effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in a further increase to output valued at \$0.173 million, 1 more job, \$0.043 million more paid in wages and salaries, and a gain of \$0.079 million in terms of value-added.

These supply-chain effects represent the following Type 1 economic multipliers:

Impact	Type 1 Multipliers
Output	1.415
Employment	1.500
Wages and Salaries	1.331
Value-added	1.387

The increase in direct and indirect output and the corresponding creation of jobs in the economy are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under the scenario are expected to further boost output by \$0.200 million, employment by 1 job, wages and salaries by \$0.047 million, and value-added by \$0.109 million.

Under this scenario, total output is expected to rise by \$0.789 million. Corresponding to this are anticipated increases in employment of 4 jobs, \$0.220 million wages and salaries, and \$0.392 million in terms of value-added.

The total changes to economic activity represent the following Type 2 economic multipliers:

Impact	Type 2 Multipliers
Output	1.895
Employment	2.000
Wages and Salaries	1.693
Value-added	1.924

Tourism Impact Summary (Tourism Activity: 1 days)

Impact	Direct Effect	Supply-Chain Effect	Consumption Effect	Total Effect	Type 1 Multiplier	Type 2 Multiplier
Output (\$M)	\$0.417	\$0.173	\$0.200	\$0.789	1.415	1.895
Long Term Employment (Jobs)	2	1	1	4	1.500	2.000
Wages and Salaries (\$M)	\$0.130	\$0.043	\$0.047	\$0.220	1.331	1.693
Value-added (\$M)	\$0.204	\$0.079	\$0.109	\$0.392	1.387	1.924

Disclaimer

All figures, data and commentary presented in this report are based on data sourced from the Australia Bureau of Statistics (ABS), most of which relates to the 2016, 2011, 2006 and 2001 Censuses, and data sourced from the National Visitor Survey (NVS) and International Visitor Survey (IVS) published by Tourism Research Australia.

Using ABS datasets and an input / output methodology industrial economic data estimates for defined geographic regions are generated.

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TOURISM EVENT GRANT PROGRAM ASSESSMENT

Event: 2020 Ballarat Beer Festival
 Event duration: 1 day
 Date: 15th February 2020
 Venue: North Gardens Ballarat

	Evaluation	Points Avail.
1. Quality		
Does the event or activity fill a gap in the event calendar and provide benefit to the Ballarat community?		
Type of event: Does this type of event align with the strategic direction of the City of Ballarat Council Plan?	4	4
Is the event (or proposed event) generally well supported and/or beneficial to the community?	4	4
Event date: Is there room for this event in the calendar?	4	4
Event location: Is the location appropriate?	4	4
Inclusiveness and accessibility of the event: Does the event appeal to a broad cross section of audiences?	2	4
2. Feasibility		
Can the project be delivered on time, on budget and to a high standard?		
Is the Project Budget complete, realistic and proportionally allocated to key areas?	3	4
Is the Risk Management Plan appropriate?	3	4
Is the Event Management Plan appropriate?	4	4
Is there proven ability to deliver the project successfully on time?	4	4
Is the allocated staffing and resources appropriate to deliver the event?	4	4
3. Reach		
Will the event raise the profile of Ballarat to state, national or international audiences?		
Does the event add value to the brand equity of Ballarat?	10	10
Is the Marketing Plan appropriate to achieve tourism attendance targets?	5	5
Does the event plan to run in Ballarat in the future?	5	5
4. Investment		
Does the event warrant funding?		
Does it intend to bring increased visitation to Ballarat?	10	10
Does the event have intentions of becoming self-sustainable from Council funding in the future?	8	10
Does the project provide a good level of expected economic return from tourist visitation and a good overall return on investment?	10	20
<i>^ Additional/reduced points (PCG re-assessment of visitation)</i>		N/A
TOTAL POINTS	84	100

VISITATION	Application	PCG Evaluation
Estimated local attendance	1,200	
Estimated out of town attendance - day trip	2,000	
Estimated out of town attendance - overnight	800	
Average night stay	1.8	
TOTAL ATTENDANCE		

ECONOMIC IMPACT	ROI	Econ. Impact
Estimates based on application and \$...k funding	25:1	\$ 416,560.00
Estimates based on PCG predicated visitation and funding		

Cash funding sought	\$ 16,000.00	\$ 11,840.00
Cash funding recommended (based on assessment)	\$ 11,840.00	

Table 1: Guide for Return on Investment (ROI)

ROI LEVELS	Points
1:1 – 15:1	0 points
16:1 – 20:1	Up to max. 5 points
21:1 – 25:1	Up to max. 10 points
26:1 – 30:1	Up to max. 15 points
31:1 +	Up to max. 20 points

Table 2: Calculation of TOTAL points gained from the assessment.

Total Points	
0-55	Not recommended for funding
56-65	0-25%
66-75	25-50%
76-85	50-75%
86 +	75-100%

Assessment Comments

Previous cash granted in 2019: \$11,250

Voted for the 3rd year in a row by over 20,000 craft beer lovers as Australia's most popular regional craft beer event (4th overall ahead of major cities such as Sydney), BallaratBeer Festival looks prepared to generate increased tourism numbers in 2020.

The event currently has clear space in the event calendar promising heightened audiences in 2020.

Within the Marketing plan it articulated there will be a Friday evening event - demonstrating potential for additional tourism overnight stays. Currently approximately 60% of audiences are from outside Ballarat.

Risk Plan improved on previous years through employment of an OHS representative - Fred Lehman - Safety Officer/Consultant - past President of Australian Safety Council.

The event outlines a good measurable target of 4000 before it can become self sufficient from Council funding

11.5. S5 INSTRUMENT OF DELEGATION - COUNCIL TO CEO

Division: Business Services
Director: Glenn Kallio
Author/Position: Cameron Montgomery – Executive Manager Safety, Risk and Compliance Services

OFFICER RECOMMENDATION

Council resolves to:

1. **Revoke the Instrument of Delegation to the Chief Executive Officer endorsed on 10 August 2016 (R218/19).**
2. **Exercise its powers conferred by section 98(1) of the *Local Government Act 1989* and other legislation referred to in the Instrument of Delegation.**
3. **Delegate each duty/function and/or power set out in the Instrument of Delegation to the person, acting in or performing the duties of the Chief Executive Officer, subject to the conditions and limitations specified in the Instrument.**
4. **Authorise Attachment 1, the Instrument of Delegation. The delegation to:**
 - a) **Come into force immediately 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 the delegation and the Schedule; and**
 - d) **Must be exercised in accordance with any guidelines or policies which Council from time to time adopts.**
5. **Note that the Instrument includes a power of sub-delegation to members of Council Officers, in accordance with section 98(3) of the *Local Government Act 1989*.**

EXECUTIVE SUMMARY

In accordance with the provisions of the *Local Government Act 1989*, the Instrument of Delegation to the Chief Executive Officer has been reviewed to ensure that it is lawful and allows for the effective operation of Ballarat City Council as an organisation. The purpose of this report is to revoke the previously endorsed Instrument of Delegation (R181/10) and endorse the updated Instrument of Delegation to the Chief Executive Officer.

RATIONALE

Section 98 of the *Local Government Act 1989* enables councils, by an Instrument of Delegation, to delegate to a Council Officer, any 'power, duty or function' under the Act or any other Act other than:

- The 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 other acting on a 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.

At the Council meeting held on 10 August 2016 Council resolved (R218/19) to endorse the Instrument of Delegation to the Chief Executive Officer.

The revised Instrument of Delegation is detailed in attachment one.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Local Government Act 1989*;
- 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 - The endorsement of a revised Instrument of Delegation to the Chief Executive Officer ensures that the core operational functions of the Council are not impeded. Council delegations are continuously maintained and periodically monitored to ensure that appropriate Council Officers have the power to carry out their duties lawfully. This is a key component in Council meeting its essential legislative compliance obligations.

Implementation and Marketing - In accordance with Part 5, section 11(j) of the *Local Government (General) Regulations 2015* Council will make the details of current delegations under section 87 and 98 of the Act available to the public.

CONSULTATION

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

- 10 August 2019 Council report and minutes.

ATTACHMENTS

1. S5 Instrument of Delegation to CEO [11.5.1 - 4 pages]



S5. Instrument of Delegation to Chief Executive Officer

City of Ballarat Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989 (the Act)* and all other powers enabling it, the City of Ballarat Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on ##[#date#];
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

Dated:

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

..... Mayor/Councillor

..... Councillor

..... Chief Executive Officer

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract exceeding the value of \$250,000;
 - 4.2 making a local law under Part 5 of the Act;
 - 4.3 approval of the Council Plan under s.125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.9 appointment of councillor or community delegates or representatives to external organisations; or
 - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
6. 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;
7. 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
 - 7.1 policy; or

- 7.2 strategy
adopted by Council; or
8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
9. 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.

11.6. 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 31 July 2019 (R185/19).**
2. **Exercise Council's 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:

- Changes to legislative provisions within the *Planning and Environment Act 1987*; and
- Removal of the position Domestic Waste Water Management Project Officer under the *Environment Protection Act 1970*, as the position has been made redundant.

The revised 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 1.

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*;
- *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 and authorisations 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) Regulation 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 31 July 2019.

ATTACHMENTS

1. S6 Instrument of Delegation - Members of Staff [**11.6.1** - 94 pages]



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
- 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
- TLSR: Team Leader Sealed Roads
- TLUR: 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 repaid 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, 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, 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, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	CEH, EHO, TLEH, TOEH	Refusal must be ratified by

Environment Protection Act 1970			
			Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	CEH, 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 (b) not capable of delegation and

Food Act 1984			
			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 ss 38B(1)(c) or 39.

Food Act 1984			
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 TS	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, LLEO, RSSO, TLEH, TLRSA TS	Where Council is the registration authority

Food Act 1984			
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
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

Food Act 1984			
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 Director's written consent Council can only

Heritage Act 2017			
			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, PPSP, PSTP, SP, SPAO, SSTP, STP	

Planning and Environment Act 1987			
s 4I	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	
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,	

Planning and Environment Act 1987			
		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, EMEP, MSP, MSTP, PMUR,	

Planning and Environment Act 1987			
		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, EMEP, MSP, MSTP, PSTP	

Planning and Environment Act 1987			
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, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 22	Duty to consider all submissions	CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, 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, EMEP, 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, EMEP, 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, EMEP, MSP,	

Planning and Environment Act 1987			
		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, EMDF, EMEP,	

Planning and Environment Act 1987			
		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

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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

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			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

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			<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

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			<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

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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

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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

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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

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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,	

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		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,	

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		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(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP	
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,	

Planning and Environment Act 1987			
		SSTP, STP, TSODF	
s 62(2)	Power to include other conditions	CSTP, CSTPO, DIE, EMDF, 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,	

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		DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
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	

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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, 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

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s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	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	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,	

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		SAO, SO, SSTP, STP, TSODF	
s 71(1)	Power to correct certain mistakes	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SO, 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,	

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		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, MSTP, PSTP, SAO, SSTP, STP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	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(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	AOSTP, CSTP, CSTPO, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	If the recommending referral authority did not object to the amendment

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			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	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,	

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		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, 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,	

Planning and Environment Act 1987			
		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, 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	

Planning and Environment Act 1987			
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	
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,	

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		EMDF, MSTP, PSTP	
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	

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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

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, TLRSATS, 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, TLRSATS, 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, TLRSATS, 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, TLRS, 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, TLRS, 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, TLR, TLR, TLR, TLR	
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, TLR, TLR, TLR, TLR	
s 87(2)	Duty to investigate complaint and provide report	CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLR, TLR, TLR, TLR	
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, TLRATS, 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

11.7. OUTSTANDING QUESTION TIME ITEMS

Division: Business Services
Director: Glenn Kallio
Author/Position: Ali Evans - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION

That Council endorses the Outstanding Question Time report.

EXECUTIVE SUMMARY

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

As of 30 October 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, STRATEGY AND POLICY IMPLICATIONS

- Meeting Procedure Local Law

OFFICERS DECLARATION OF INTERESTS

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)

10.2. 2020 ROCK BALLARAT STRATEGIC PARTNERSHIP - CONFIDENTIAL BUDGET

Division: Development and Planning
Director: Angelique Lush
Author/Position: Jeff Johnson - Executive Manager Events and the Arts

(Contractual matters)

10.3. 2020 BALLARAT BEER HOP CONFIDENTIAL DOCUMENTS

Division: Development and Planning
Director: Angelique Lush
Author/Position: Jeff Johnson - Executive Manager Events and the Arts

(Contractual matters)

10.4. 2020 BALLARAT BEER FESTIVAL TOURISM EVENT GRANT CONFIDENTIAL DOCUMENTS

Division: Development and Planning
Director: Angelique Lush
Author/Position: Jeff Johnson - Executive Manager Events and the Arts

(Contractual matters)

15. CLOSE