

9.7. ORGANS OF THE BALLARAT GOLDFIELDS TOURISM GRANT FUNDING APPLICATION

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

OFFICER RECOMMENDATION

Council resolves to:

- 1. Decline the funding application as the proposal does not meet the required criteria for the Tourism Event grant program;**
- 2. Provide funding support of \$15,000 together with inkind support associated with promotion and marketing towards the 2019 Organs of the Ballarat Goldfields program as part of the implementation of the Ballarat Live Music Strategy.**

EXECUTIVE SUMMARY

Council has received a Tourism Event Grant application for Organs of the Ballarat Goldfields, planned between Friday 11 and Sunday 20 January 2019. This is an annual event organised by Organs of the Ballarat Goldfields Inc and will be held predominately within venues in the Ballarat municipality, whilst also extending into the Pyrenees Shire and Hepburn Shire Council municipalities.

Organs of the Ballarat Goldfields Inc has requested \$20,000 (excl. GST) in cash funding and expects a total attendance of 2000 producing a projected economic impact of \$334,800.

Of the requested \$20,000 cash funding 50% would be allocated towards promotion and marketing and the remaining 50% to printing costs. Council has provided sponsorship for the event in the order of \$20,000 each year for over ten years.

The Prosperity Portfolio Councillors have reviewed the application and while supportive of the event are seeking a resolution from Council regarding future funding.

There is an opportunity for Council to consider ways of continuing to support this established music and arts activity as part of the broader Creative City Strategy which is currently out for community consultation, and also as part of the current Live Music Strategy.

It is therefore recommended that while the Tourism Event Grant application be declined, funding support be provided from within Council resources allocated to the implementation of the Live Music Strategy and the Creative City Strategy.

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 is Tourism Event Grant program.

Council has received a Tourism Event Grant application for Organs of the Ballarat Goldfields, planned between Friday 11 and Sunday 20 January 2019. This is an annual event organised by Organs of the Ballarat Goldfields Inc and will be held predominately within venues in the Ballarat municipality, whilst also extending into the Pyrenees Shire and Hepburn Shire Council municipalities.

Of the requested \$20,000 cash funding 50% would be allocated towards promotion and marketing and the remaining 50% to printing costs. The event expects a total attendance of 2000, comprising of 1300 tourists and a further 700 locals. The anticipated economic impact on the Ballarat community is approximately \$334,800.

Organs of the Ballarat Goldfields is an established home-grown Ballarat event however, Council Officers have identified that the event requires further development in the below areas to enable the transition to a more self-sustainable model and remove the reliance on Council funding:

- Review quality of event documentation submitted
- Review business model, governance and pricing structure

Council Officers acknowledge that the event attracts consistent visitation numbers and a welcomed economic injection in the hospitality and accommodation sector during a traditionally quiet period in the Ballarat events calendar. The event also demonstrates a good business case as a home-grown Ballarat live music event that aligns with objectives in Council's Live Music Strategy and Event Strategy.

A letter received on 18 October 2018 states that the board have committed to seek additional funding streams for 2020 and beyond. In addition, the board will also undertake a review of the current business model, governance structure and pricing structure to transition the event to a self-sustaining model.

In assessing the Grant application, the evaluation scored lower on the grant assessment criteria in the following areas:

1. Inclusiveness and accessibility
 - a. The event attracts a niche audience for a specific genre of music and with a target demographic of over 60 years of age.
 2. Event Management and Risk Management Plans
 - a. Adequateness of documentation outlining the Event Management and Risk Management Plan for the event.
 3. Marketing Plan
 - a. Adequateness of documentation outlining the Marketing Plan for the event and growth in audience diversification.
 4. Intentions of the event becoming self-sustainable from Council funding;
 - a. Organs of the Ballarat Goldfields Inc has received Council funding for each year of the current Tourism Grant program and for several years prior to the Grant program. Sponsorship for the festival has been in the order of \$20,000 per annum for over 10+ years.
 5. Expected visitor attendance numbers, funding amount and subsequent Return on Investment (ROI).
-

Three funding options have been identified:

1. Approve a one-year Tourism Event Grant to Organs of the Ballarat Goldfields Inc for \$20,000 cash (excl. GST) and condition any future funding to be contingent upon the event organisers to;
 - a) Seek to locate alternative funding streams to reduce the reliance on future Council support,
 - b) Commit to implementing the identified business improvements, including a new business model, governance and pricing structure.
2. Approve a one-year Tourism Event Grant to Organs of the Ballarat Goldfields Inc for \$10,000 cash (excl. GST) and condition any future funding to be contingent upon the event organisers to;
 - a) Seek to locate alternative funding streams to reduce the reliance on future Council support,
 - b) Commit to implementing identified business improvements, including a new business model, governance and pricing structure.
3. Do not approve a one-year Tourism Event Grant to Organs of the Ballarat Goldfields Inc as the event does not meet the requirements of the criteria but alternatively provide funding support of \$15,000 (excl. GST) and in kind support for the 2019 Organs of the Ballarat Goldfields program as part of the implementation of the Ballarat Live Music Strategy (**Recommended**). This option will similarly require Organs of the Ballarat Goldfields Inc to work with council officers to seek alternate funding streams and to commit to implementing new business models, governance and pricing and a longer term sustainability plan.
4. Decline to fund the event in 2019.

The recommendation to not fund the event via this particular grant program was calculated using a scoring system based on the Tourism Event Grant assessment criteria, and is supported by Visit Ballarat.

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	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	No	No

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

Social/Cultural – The event aligns with key outcomes of the Council Plan, which aims to create a welcoming, inclusive, active and socially connected city for all ages and abilities. It also aligns with the Live Music Strategy.

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 provide by the applicant, the event may provide an injection of \$334,800 into the Ballarat economy.

- Based on a cash grant of \$20,000 this represents a ROI of 1:17
- Based on a cash grant of \$10,000 this represents a ROI of 1:33

Typically, Officers will seek a ROI of 1:20 as an acceptable base level.

Financial/Resources – There are sufficient funds within the budget for the three identified funding options.

Risk Management – If Council declined funding or inkind support in any form for the Organs of Ballarat Goldfield's, there is the likelihood the event will not run in the same format as proposed.

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. Organs of the Ballarat Goldfields - Application [9.7.1]
2. Tourism Event Grant Scoresheet Organs of the Ballarat Goldfields [9.7.2]
3. Organs of the Ballarat Goldfields - Remplan Report [9.7.3]
4. Organs of the Ballarat Goldfields - Additional Submission [9.7.4]

Tourism Events Grants Program

Tourism Events Grants Program Application form

Application TEGP000023 From Organs of the Ballarat Goldfields Inc

Applicant Contact Details

* indicates a required field

Tourism Events Grants Program

The Tourism Events Grants Program provides grants of up to \$25,000 for projects, festivals and activities which advance and encourage increased visitation, participation and yield and/or contribute to the presentation or marketing of Ballarat as a tourism destination of choice. Applications may be taken from not-for-profit and for-profit organisations and businesses. Specific assessment criteria will apply regarding value for money, increased visitor numbers and increased yield, this may include sporting events.

Before completing the application, please refer also to the Grant Program Guidelines

Your Details

The following section MUST be completed by the Applicant Organisation:

Name of Organisation *

Organs of the Ballarat Goldfields Inc

Primary (Physical) Address *

[Redacted]

st code

Postal Address (if different from above)

[Redacted]

code

Applicant Website

<http://www.ballaratorgans.com.au>

Must be a URL

Contact Person *

[Redacted]

Position held in Organisation *

Honorary Treasurer

Contact phone number/s *

[Redacted]

Enter a 10 digit phone number. Include the area code for landlines

Contact email

[Redacted]

Must be an email address.

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Is your event being auspiced? *

- Yes
 No

If yes, you are still eligible to apply for funding, but you must identify an incorporated association to auspice your event.

Your Organisation's Incorporation and Insurance

* indicates a required field

IA or ACN Number *

A0033876N

Incorporated Association or Australian Corporation Number. If you don't have either of these, you must be sponsored (auspiced) by an incorporated organisation

Your Organisation's ABN

41001452015

Enter the 11 digit number

Is your organisation registered for GST?

- Yes
 No

Attach your Public Liability Insurance Certificate (minimum \$20million) here *

Filename: Adroit Renewal 2018 - 2019 - Liability - pdf.pdf

File size: 190.5 kB

Certificate should cover the dates of your event. If event dates have not been finalised, please upload your most recent PLI Certificate

Event Details

* indicates a required field

Event Name *

Festival 2019

Event Start Date *

11/01/2019

Start time *

20.00

Must be a number.
ie. 07.00

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Tourism Events Grants Program Application form

Application TEGP000023 From Organs of the Ballarat Goldfields Inc

Event End Date *

20/01/2019

End time *

22.00

Must be a number.

ie 17.00

Event description *

Organs of the Ballarat Goldfields Inc. arranges and stages an annual ten day Festival of Fine Music in Ballarat and the surrounding townships bringing at least twenty three varied recitals which are held in historic churches and other venues of the area.

In 2019 there will be as always, a variety of music, musicians and musical periods ensuring that there are offerings to interest all lovers of classical music. Significant exponents of early music from Australia and Europe will combine to present the twenty fourth annual programme which has been devised by the indefatigable director, Sergio de Pieri OAM.

Concurrent with the musical programme, several meals are arranged for participants to enjoy in a friendly and relaxed atmosphere.

Describe your event and its activities.

Where is the event being held? *

During Festival 2019 the following venues will be used for recitals:-

St Patrick's Cathedral

Ballarat Central Uniting Church

The Mechanics' Institute

Neil Street Uniting Church

Loreto Abbey

Mary's Mount Centre

Wendouree Centre for Performing Arts

Christian Fellowship Church

Carngham Uniting Church

St John's Anglican Church, Creswick

Beaufort Uniting Church

Beaufort Catholic Church

Former Blampied Catholic Church

Former Wesleyan Church, Clunes

St Paul's Anglican Church, Clunes

None of these venues are Council owned, private or in need of road closures.

Festival meals will be held in the private garden of "Opononui" Ballarat North (Festival Breakfast) , the Golden City Hotel (Festival Lunch) , Craig's Royal Hotel (Festival Dinner) and an early evening meal at the Swiss Mountain Hotel, Blampied.

Nightly Festival suppers will be held in the St Patrick's Cathedral hall.

As well as the physical location please indicate if the venue is Council owned or managed; a private venue; or includes a road requiring closure

Which option best describes your event? *

- 1 day event at a single location
- 1 day event at multiple locations

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- Multiple day event at a single location
- Multiple day event at multiple locations

For this upcoming event, how many people in TOTAL do you expect to attend? *

Approximately 2000 audience members occupying over 6000 seats.

Volunteers are among this number.

There will also be approximately 120 individual musicians participating.

Please include participants, volunteers etc., as above, in your total

If you have held this event before, what was the TOTAL number of people who attended?

Approximately 2000 individuals which included whole Festival pass holders(148) , volunteers (48), musicians (103) and those who purchase tickets at the doors (1621).

Please include participants, volunteers, officials, stallholders etc., as well as event visitors in your total.

Is there a difference in expected attendance at your upcoming event and your last event? If yes, please explain the reasons why.

The is no reason to expect any significant difference - attendance has remained remarkably constant over many years.

Because Organs of the Ballarat Goldfields appeals to a niche and loyal audience, other concurrent events have little impact. Severe heatwave conditions may reduce the numbers a little but previously extremely hot days have not significantly affected the number attending.

The majority of venues (churches and halls) are large and previously all attendees have been accommodated. Recitals on smaller venues are planned to be repeated on the same day.

Careful analysis is always made of pre-bookings so that in the unlikely event of "full house", bookings would cease and an appropriate notice inserted on the web site and the booking form inactivated.

If you expect less is the variation due to weather conditions; competing events etc. If you expect more what are you planning to do to achieve the increase in numbers.

How many people do you expect to attend your event from OUTSIDE the Ballarat municipality? *

Analysis of previous attendees indicate that two thirds of the participants come from outside the greater Ballarat area.

509 persons out of the 680 who booked through the Festival website in 2018 came from outside the Greater Ballarat region. This equates to 75% of those who pre-booked.

Include stallholders, support crew etc. If you don't not know the figures, please indicate in your answer.

How many of your visitors from outside Ballarat do you expect to stay overnight here? *

On previous figures over 100 people will stay in Ballarat - from times varying from one to twelve nights.

How many nights do you expect each visitor to stay? *

Somewhere between 1 and 12 nights

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Application TEGP000023 From Organs of the Ballarat Goldfields Inc

Attach any evidence to support your application attendance figures and overnight stays here

Filename: Accommodation.doc

File size: 19.5 kB

Filename: Door Count 2018.doc

File size: 47.0 kB

Evidence may include market research, surveys, past attendance records, gate counts, information from accommodation providers, or other information collected from your event.

Budget and Marketing Information

* indicates a required field

Grant Details

What is the TOTAL grant amount you are applying for? *

\$20,000.00

Must be a dollar amount.

The maximum grant available is \$25,000

Has your organisation received grant funding from the City of Ballarat in this tax year? *

Yes

No

Your Budget Outline

In the table below, outline the specific areas you require financial assistance from Council.

*Please note, the following items are ineligible to receive funding: Wages, insurances (base set up costs), prizes or gifts, interstate or international travel.

Item or Activity	What allocation is requested by Council?
Promotion & marketing *	\$10,000.00 *
Printing of marketing brochures & posters	\$10,000.00
	Must be a dollar amount.

Is there an entry fee for your event?

The base ticket prices are \$35, Pensioner and Student Card \$30 and for secondary students \$5 . There are multiple Passes available -

Festival Pass \$540/350/60

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Joint Pass \$990/625

Early Bird \$500/300

Joint Early Bird \$900/500

Day Pass (3 rec) \$ 90/ 80

Joint Day pass \$170/145

Weekend Pass \$150/125

Joint Weekend \$270/225

Opening Recital \$ 45/ 35/ 10

Closing Recital \$ 45/ 35/ 10

Include all entry fees and concessions as applicable

Do you expect your event to make a surplus?

- Yes
- No
- Unsure

Indicate how you will respond to your event making a surplus/loss

Each year we plan to make a small surplus - approximately \$5,000, in order to have 'seed' funding for the next Festival. This goal has generally been achieved and in the event of a particularly successful year, any extra surplus is invested in term deposit.

Careful budgeting has allowed this plan to be mostly successful.

In the event of making a loss we are in the position to call on the term deposit.

What will a surplus be used for? How will you cover a loss? If you are unsure of your event finances how do you plan to manage this?

Do you have a plan to reduce reliance on Council's funding support in the future?

The Board believes that Organs of the Ballarat Goldfields, Festival of Fine Music is of public benefit in that it, and it only brings an annual programme of classical music to this City which is renowned for it's support of the Arts.

Efforts are being made to source Government funding and to approach philanthropic organisations.

A submission has been made to Creative Victoria.

A submission will also be made very shortly to Regional Arts Victoria and the Williamson Foundation.

Outline your plan and its proposed timeline

Attach your Event Budget here *

Filename: Budget 2019.doc

File size: 129.5 kB

Include all areas of income and expenditure including cash and in-kind. Include grant amount sought and any other sponsorships or partnerships.

Marketing

What relationships or partnerships have you created to maximise economic or tourism benefits for Ballarat?

Throughout the life of the Festival there has been a close relationship with Sovereign Hill Museums Association who have been most supportive. In turn the Festival promotes visitation and/or accommodation at this most important attraction, to our interested

Tourism Events Grants Program

Tourism Events Grants Program Application form

Application TEGP000023 From Organs of the Ballarat Goldfields Inc

audiences. Some free time is allowed in the programme to enable visitors to experience not only Sovereign Hill but also other destinations, food and retail outlets.

Craig's Royal Hotel has been particularly helpful in offering accommodation to visiting musicians also giving a discount to patrons who stay in the hotel. The Festival is linked to their website.

The RACV Goldfields Resort is a newer but important sponsor promoting the Festival throughout their network. An advertisement for the festival 2019 has been arranged to appear in two editions of the Royal Auto.

In return we place advertisements either in the widely distributed brochure or in the first Newsletter which is posted to over 3500 addresses.

Dr Virginia Williams Dental Practice is a long time advocate of the Festival as a Major Sponsor.

Her association with Western Victoria leads to valuable promotion for the festival.

The Italian Institute of Culture, Melbourne, supports the Festival in two ways - offering help with the accommodation costs pertaining to the visiting Italian musicians and, most importantly, promoting the Festival to their many members and the Italian community in general.

For example, partnerships with local tourism operators, hospitality venues, retailers or other organisations which may include joint advertising, promotions, special offers etc. Outline how economic or tourism benefits will be achieved.

Attach evidence of partnerships/agreements/letters of support here

Filename: Sovereign Hill letter of support.pdf
File size: 410.0 kB

Filename: Williams Folder(2018-9-4)0003 (3).JPEG
File size: 410.7 kB

Attach your Marketing Plan here *

Filename: Marketing Timeline.BCC.doc
File size: 51.5 kB

What is the expected total spend on marketing, advertising & promotional activities to promote your event?

\$25,000.00

Must be a dollar amount.

What percentage of your total budget is the marketing component?

11

Must be a number.

Don't include a % sign

Tourism, Economic, Profile Outcomes

How will you measure the tourism, economic and profile impacts of your event?

Each year over 700 people book via the Festival website or the Festival brochure. All data is recorded in a spreadsheet thus accurate details of postcodes and ticket sales can be evaluated.

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Door sales are recorded at the end of each recital.

Each year a Questionnaire is distributed as widely as possible to reach all Festival attendees.

From this we gather much information including

- * post codes,
- * reason for coming to Ballarat,
- * the number of festivals previously attended
- * foreknowledge of the festival
- * sex
- * age group
- * occupation
- * length of stay
- * type of accommodation
- * places visited in Ballarat

From this a profile of the audience can be and is formed

Identify what outcomes you will evaluate e.g.attendance; tourism impact; level of profile generated. Outline how you will evaluate each outcome e.g.ticket sales; postcode collections; surveys.

Who is your target audience and where are they from?

The target audience is all lovers of fine classical music and those who have an interest in being introduced to performances by leading musicians to an eclectic programme.

Years of data collection indicate that the audience is essentially

- * from out of the greater Ballarat area - mostly greater Melbourne, country Victoria and interstate
- * over 60 years of age
- * either have a interest or passion for classical music - including many musicians on vacation!
- * are employed, self employed or retired

Outline the type of people, age, where they are from etc

What profile will your event create? How will it promote Ballarat to State, National or International Audiences?

Organs of the Ballarat Goldfields already has a reputation of excellence in bringing quality performances of predominantly early music to the heritage venues in which this area abounds.

This Festival is widely known by musicians both Australian and international which is shown by a constant flow of submissions to the Director, asking to be included in a future year.

The title, Organs of the Ballarat Goldfields (also known as Ballarat Fine Music Festival) is a form of self-advertising for City and the region with the name Ballarat being key to promoting the Festival.

What benefits will your event bring to the local community? How will it do this?

The local community should be proud that a Festival of Fine Music has flourished annually in Ballarat and surrounds over the past 23 years bringing the best in classical music performance at very reasonable ticket prices. There is no other similar Festival in the region and in fact it has been reported by overseas visitors, that there are very few in the world!

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That so many of the audience are from 'out of town' proves that the product on offer has the appeal to many who are willing to travel to attend, to make the visit their annual vacation and to keep returning year after year.

Many volunteers are called upon during the lead up to the Festival and asked to distribute brochures and posters widely prior to the ten days of the Festival.

May include benefits such as access to previously unavailable entertainment; volunteer participation; sense of pride etc.

Capacity and Experience

Do you have a long term plan that outlines the visions and goals for your event?

- Yes
 No

Attach your Strategic or Business Plan here

No files have been uploaded

Who in your organisation/committee will plan, manage and deliver your event?

The Festival Programme is devised by the Director, _____ in conjunction with _____ who contacts and confirms all musicians, approaches and books the venues and deals with the multitude of special requests made by the musicians.

_____ has from the beginning (1998) been the Festival Honorary Treasurer, banked and paid all transactions as needed, entered all transactions into an accounting system and built the data base from all information gathered.

_____ has been long tern Secretary but that position has now been taken over by _____

The Chairman, _____ is an ambulance officer and as such carries First Aid equipment to all recitals to cover any emergencies.

_____ and _____ plan the Festival Rosters and supervise it's smooth running.

Past Chairman _____ organises nightly suppers, _____ prepares advertising posters and _____ plans recitals in Creswick and Clunes.

Include key roles and the skills they contribute

Does your event have an Event Management Plan?

- Yes
 No

If you do not have documented plan, please explain why.

Attach Event Management Plan here

Filename: EVENT MANAGEMENT PLAN.doc

File size: 19.5 kB

General Capacity

Tourism Events Grants Program

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* indicates a required field

How will you ensure your event is inclusive and accessible to everyone?

Low ticket prices are designed to make the Festival affordable to almost all who wish to attend.

Each venue is assessed for easy and safe entry to anyone with mobility problems and a designated board member is ever present to identify anyone who needs help.

This may include specific infrastructure and promotions targeting isolated members of the community

Attach your Risk Management Plan here *

Filename: Risk assessment - general.doc

File size: 22.0 kB

Checklist

I have included the following documents in my application:

- Public Liability Insurance Certificate
- Marketing Plan
- Event Management Plan
- Event Budget
- Risk Management Plan

Attach any other relevant documentation, if applicable, here

Filename: Sponsorship Document 2019.doc

File size: 298.0 kB

Feedback, Review and Submit

* indicates a required field

Certification

This MUST be completed by the applicant organisation.

I certify that to the best of my knowledge the statements made within this application are true and correct, and I understand that if the Events Unit, on behalf of the City of Ballarat, approves the grant, I will be required to accept the terms and conditions of the grant as outlined in the grant application, policy and/or letter of approval.

We agree *

Yes No

Certification must be agreed to by two representatives of the Applicant Organisation

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1. Name (Chair or President) *

[REDACTED]

Position *

[REDACTED]

2. Name (Secretary or Treasurer) *

[REDACTED]

Position *

[REDACTED]

Date *

04/09/2018

Must be a date

Privacy Notice

In compliance with the *Information Privacy Act 2009* (the Act) personal information on this form may be stored in City of Ballarat's records database and may also be used for statistical research, information provision and evaluation of services. Your personal information may be provided to the financial institution which handles City of Ballarat's financial transactions and may be disclosed to other agencies and third parties for purposes related to this application and/or monitoring compliance with the Act. Except in these circumstances, personal information will only be disclosed to third parties with your consent unless otherwise required or authorised by law.

Agreement

In the case of a funding allocation, City of Ballarat Tourism Events Grants are allocated to organisations, clubs and /or groups with the understanding that:

- The organisation, club or group will be accountable to their auspice body and the City of Ballarat for the disbursement of funds
- The Grant must only be expended on the purpose for which it has been sought and allocated
- Any requests for variations to the intended purpose of the grant, or requests for extensions of the funding period must be submitted in writing to the Council. Please contact the Events Unit on 5320 5500
- The recipient will agree to monitoring the disbursement of allocated funds by an Officer of Council
- Grant recipients will complete an acquittal including the completion of a Variation Budget (included within the Acquittal Statement), outlining all expenditure items and **copies of relevant receipts**. This report must be received at City of Ballarat upon completion of the project or event. **Failure to satisfactorily acquit your grant may jeopardise any future grant applications**
- Any funds not expended for the intended purpose must be returned to the City of Ballarat, unless the organisation has received approval for a variation from the Events Unit
- There **MUST** be acknowledgment of the support of the City of Ballarat by the inclusion or reference to the City of Ballarat on any printed and promotional material

*

We agree to above terms and conditions

Tourism Events Grants Program
Tourism Events Grants Program Application form
Application TEGP000023 From Organs of the Ballarat Goldfields Inc

You have now completed the application process. Please **REVIEW** your application before clicking the **SUBMIT** button.

ACCOMMODATION

The following is a random sample of 20 replies to the 2018 Questionnaire.

Day trip	5
Bed & Breakfast	4 bed nights
Friends/relatives	28 bed nights
Hotel	2 bed nights
Motel	33 bed nights
Caravan Park	18 nights
Self catering cottage	23 nights

[REDACTED]
Organs of the Ballarat Goldfields
PO Box 157N
BALLARAT VIC 3350

Renewal of Cover
TAX INVOICE

Our Reference : [REDACTED]

Date : 31.05.2018

Class : CGU Business Pack

Insurer : Insurance Aust Limited T/As CGU

Policy No. : [REDACTED]

Period : 30.06.2018 to 30.06.2019

IMPORTANT NOTES

Insured: Organs of the Ballarat Goldfields

Attached is this year's renewal for your consideration. Please review the information and limits of cover shown to ensure all details are correct.

If you wish to make any alterations to your cover or to discuss any aspect of the renewal please do not hesitate to contact us.

Your Account Manager is [REDACTED]

TERMS - NET 14 DAYS - Please forward your remittance to ensure cover. Please refer to your **DUTY OF DISCLOSURE** obligations and other important notices overleaf. Claims must be notified immediately as late notification may cause denial of liability in some instances. Unless we tell you otherwise in writing, we receive commission in addition to any broker fee mentioned above. Please ask us for any further information.

METHODS OF PAYMENT:



[REDACTED]

Pay Monthly

[REDACTED]

[REDACTED]

SOME IMPORTANT THINGS YOU NEED TO KNOW

It is essential that you carefully read and understand the following important notices. If you have any questions, please ask us.

Make sure you comply with your Duty of Disclosure

The Insurance Contracts Act 1984 requires that you, and everyone who is an insured under your policy, comply with the duty of disclosure. Make sure you explain the duty to any other insureds you may apply on behalf of. We do not do this unless specifically agreed in writing.

The duty requires you to tell the insurer certain matters which will help them decide whether to insure you and, if so, on what terms.

You have this duty until the insurer agrees to insure you and before the insurer agrees to renew your policy. You also have the same duty before you extend, vary or reinstate an insurance policy.

The type of duty that applies can vary according to the type of policy.

If you are responding for other insureds

If you are providing information for other insureds, you confirm you have their authority to do so and that the information provided is what they have told you in response to the duty of disclosure obligations.

Avoid making misrepresentations or not telling, the insurer something

If you (or anyone who is an insured, or a proposed insured, under the policy) make a misrepresentation, or if you do not tell the insurer something that you are required to tell them, they may cancel your policy or reduce the amount they will pay you in the event of a claim, or both. If the misrepresentation or failure is fraudulent, the insurer may refuse to pay a claim and treat the policy as if it never existed.

If we act on behalf of the insurer, you need to refer to the policy which will set out the duty that applies. We will advise you when/if we act on behalf of the insurer.

If we act on your behalf, to assist us in protecting your interests, it is important that you tell us every matter that:

- you know; or
- a reasonable person in the circumstances could be expected to know, may be relevant to the insurer's decision whether to insure you and, if so, on what terms.

If in doubt it is better to tell us.

We will then assist you in determining what needs to be disclosed to the insurer in order to meet your duty.

When you first apply for your policy, the insurer may ask you specific questions relevant to their decision whether to insure you.

Before an insurer agrees to renew your policy, you may again be asked specific questions by the insurer relevant to their decision whether to renew your policy.

When you answer any questions asked by the insurer, you must give honest and complete answers and tell the insurer, in answer to each

question, about every matter that is known to you and which a reasonable person in the circumstances would include in answering the questions.

Examples of matters that should be disclosed are:

- any claims you have made in recent years for the particular type of insurance;
- cancellation, avoidance of, or a refusal to renew your insurance by an insurer;
- any unusual feature of the insured risk that may increase the likelihood of a claim.
- circumstances which may give rise to a claim.

An insurer who is deciding whether they are prepared to renew your policy, may give you a copy of anything you have previously told them and ask you to tell them if anything has changed. If an insurer does this, you must tell them about any change or advise that there is no change. If you do not respond then this will be taken to mean there has been no changes.

Delay between final entry into the policy and original disclosure of information

You need to tell us if you have disclosure of information in the application process and something has happened that makes the information disclosed inaccurate, or new matters arise that would require disclosure under the duty.

You must do this before the policy has been entered into (or renewed, varied, reinstated or extended as applicable).

Misstatement of Premium

We try to tell you the correct amounts of premium and statutory and other charges that apply to your insurance. In the event that we misstate that amount (either because we have made an unintentional error or because a third party has misstated the amount), we reserve the right to correct the amount. Where permitted by law, you shall not hold us responsible for any loss that you may suffer as a result of any such misstatement.

Change of Risk or Circumstances

You should carefully monitor and review that your insurance contract is adequate to cover your assets or business activities and seek a variation if it is not. Many policies require us to notify the insurer in writing of certain changes to the insured risk during the period of insurance. The insurer can then decide whether to cover the new risk.

Examples are:

- For insurance covering property location changes, new business activities or any significant departure from your normal business operations.
- For insurance covering your liability to third parties changes to the nature of your business, and specifically in products liability, changes to your product range or your involvement in products not previously notified to insurers.

Interest of Other Parties

Many policies exclude cover for an interest in the insured property held by someone other than the insured, unless that interest is specifically noted in the policy. For example, if property is jointly owned, or subject to finance, the interest of a third party such as the joint owner or financier may be excluded if it is not specifically noted on the policy. If you want the interest of any third party to be covered, please let us know, so that we can ask the insurer to note that party's interest on the policy.

Cancellation of your Policy

If a policy is cancelled before the expiry of the period of insurance, we reserve the right to refund the net return premium we received from the Insurer or have a cancellation fee charged to offset the Insurers deduction of commission.

Please ask us for any additional information you require about our remuneration or cancellation policy.

Financial Ombudsman Service Australia

If you have any complaints about the service provided to you, you should contact us and tell us about your complaint. If the complaint cannot be resolved to your satisfaction within 45 business days, you have the right to refer the matter to the Financial Ombudsman Service Australia ('FOS'). We will provide you with further details about FOS upon lodging your dispute with us, or at any time upon your request.

Important Notice about your Adroit and Hunter Premium Funding Agreement

Austbrokers Role and Remuneration

Adroit and AUB Group Limited ('AUB') (ABN 60 000 000 715) have a preferred supplier arrangement with Hunter Premium Funding Pty Ltd ('Hunter') for the arrangement of premium funding. They do not act for Hunter and do not advise on whether Hunter's products or services are right for you or are most appropriate. You need to make your own decision based on the information provided.

If you use Hunter, Adroit receives:

- a payment based on the interest earned on the premium funding by Hunter each month;
- a commission which is a percentage of the amount of funding provided to you;
- a payment based on a percentage of all outstanding loans less any cancelled or terminated loans; and
- a payment based on a percentage on certain general insurance business placed by the Austbrokers Network with certain divisions of Allianz Insurance Ltd.

AUB receives certain upfront payments from Hunter for entering into (or renewing) a preferred supplier arrangement with Hunter. Adroit is owned [partly/wholly] by AUB and benefits from any profit made by this entity due to this arrangement.

If your loan is cancelled, your Adroit and AUB keep any payments received pursuant to the above arrangement with Hunter.

If you need more information or explanation of the above, please ask us.

Cancellation of your Policy(ies) on request of Hunter

Your Loan Agreement with Hunter allows Adroit, on receipt of a notice from Hunter requesting cancellation of any policy specified in the Loan Agreement with Hunter, to cancel the policy and provide the relevant refund to Hunter. Your Adroit will notify you of any such cancellation.

Privacy

We are committed to protecting your privacy in accordance with the Privacy Act and the Australian Privacy Principles (APP). Full details about our privacy practices can be found in our Privacy Policy available on our website or by contacting us for a copy.



COVERAGE SUMMARY

IMPORTANT NOTICE

We provide our financial services under the terms and conditions noted in our Financial Services Guide and Privacy Collection Notice issued to you. If you do not have one of these documents, please call us on 03 5331 8317 or visit our website. You must read these documents before proceeding and by proceeding you represent and warrant you have received and read it. We are committed to protecting your privacy in accordance with the Privacy Act and the Australian Privacy Principles. Full details about our privacy practices can be found in our Privacy Policy available at our website or by contacting us for a copy. The following is a summary of cover only. For full terms and conditions including definitions, conditions, other limits and exclusions, please refer to your Policy Document or Product Disclosure Statement. We would like to remind you, that if this policy is cancellable and you cancel before the expiry date, we will refund the unused premium less our fee and commission. The Insurer or Agency may also impose a fee on cancellation. **Any errors identified in the summary below must be reported to your Account Manager for amendment.**

BUSINESS INSURANCE

Insured Name - ORGANS OF THE BALLARAT

POLICY PREMIUM SUMMARY BY INSURANCE CLASS

Section	Total Premium
1 Property	Not Insured
2 Business Interruption	Not Insured
3 Part A Theft of Property	Not Insured
Part B Money	Not Insured
4 Glass	Not Insured
5 Public Liability	██████████
Products Liability	██████████
6 Employee Dishonesty	Not Insured
7 Machinery	Not Insured
Pressure Equipment	Not Insured
Goods in Cold Chambers	Not Insured
8 Part A Computer Systems /	
Electronic Equipment	Not Insured
Part B Business Interruption	Not Insured
9 General Property	Not Insured
10 Taxation Investigation	Not Insured

COVER DETAILS

AUSBROKERS BUSINESS INSURANCE PACKAGE

AUSBROKERS BUSINESS INSURANCE

SECTION 5 - LIABILITY

	LIMIT OF INDEMNITY -----
Public Liability	
The Business - MUSIC & CULTURAL FESTIVAL	
Limit of Indemnity	\$10,000,000



COVERAGE SUMMARY

Property in Physical or Legal Control	\$250,000
Products Liability Limit of Indemnity	\$10,000,000
Property Damage Excess	\$500
Property in Physical or Legal Control Excess	\$500

POLICY VARIATIONS AND EXTENSIONS

AUSTBROKERS BUSINESS INSURANCE PACKAGE

The AUSTBROKERS Business Insurance Package Wording applies to this policy.

Variations and Extensions may apply to this policy. These Variations and Extensions may be noted under the relevant Policy Section of this Schedule and/or detailed below.

Policy Variations & Extensions:

IMPORTANT NOTICES

Policy Amendments

These amendments should be read in conjunction with your policy booklet as the terms described now form part of your policy.

THE WAY WE HANDLE YOUR PERSONAL INFORMATION

We collect personal information from you for the purpose of providing you with insurance products, services, processing and assessing claims.

You can choose not to provide this information, however, we may not be able to process your requests.

We may disclose information we hold about you to other insurers, an insurance reference service or as required by law. In the event of a claim, we may disclose information to and/or collect additional information about you from



COVERAGE SUMMARY

investigators or legal advisors.

If you wish to update or access the information we hold about you, contact us.

WORKERS COMPENSATION

Workers Compensation Insurance is compulsory if you have employees. Separate cover can be arranged in those states where legislation permits.

CHANGE OF INSURER - ENDORSEMENT:

This endorsement is dated 01 August 2017 and will apply to all policies taken out, or with a renewal effective date, on or after this date.

The information in this endorsement should be read with the last Policy You received for the Policy specified in your Policy Schedule and any other applicable endorsement.

Changes to your Policy:

Your Policy is amended by the following:

Change 1: Change to details of CGU Insurance Limited ABN 27 004 478 371 AFS Licence No. 238291

All references to "CGU Insurance Limited ABN 27 004 478 371 AFS Licence No. 238291" are deleted and replaced by "Insurance Australia Limited ABN 11 000 016 722 AFSL 227681 trading as CGU Insurance".

Change 2: Change to details of CGU Insurance Limited

All references to "CGU Insurance Limited" are deleted and replaced by "Insurance Australia Limited trading as CGU Insurance".

Insurer
Insurance Australia Limited
ABN 11 000 016 722 AFSL 227681 trading as CGU Insurance



COVERAGE SUMMARY

INSURER/INTERMEDIARY	POLICY NUMBER	PROPORTION
Insurance Aust Limited T/As CGU A.B.N. 11 000 016 722 181 William Street MELBOURNE VIC 3000		100.0000%

RECITAL	VENUE	DOOR COUNT
1	St Patrick's Cathedral	500
2a	Carngham Uniting	106
2b	Carngham Uniting	110
3	WCPA	230
4	Mary's Mount Centre	244
5	St Patrick's Cathedral	227
6	Mary's Mount Centre	214
7a	Creswick Anglican	175
7b	Creswick Anglican	159
8	WCPA	174
9	Mary's Mount Centre	250
10a	Castlemaine Anglican	137
10b	Castlemaine Anglican	73
11	Castlemaine Town Hall	203
12	Loreto Chapel	178
13	Neil Street Uniting	234
14	St Patrick's Cathedral	245
15	Wesley College	312
16	St Paul's Clunes	246
17	St Paul's Bakery Hill	170
18	Brewery Theatre	88
19	WCPA	261
20	Daylesford Uniting	179
21a & b	Daylesford Anglican	161
22	Daylesford Town Hall	207
23	Mechanics' Institute	142
24	St Patrick's Cathedral	600
		5825

EVENT MANAGEMENT PLAN

Organs of the Ballarat Goldfields Inc

- to plan and implement a musical event comprising the overall Festival
- to budget for and arrange funding for the Festival
- to present musical events successfully and safely
- to conclude the Festival on budget



Dr Virginia Williams
Dental
Practice

September 4th, 2018

The President,
[REDACTED]

Organs of the Ballarat Goldfields,
[REDACTED]

Dear [REDACTED]

Thank you for your recent correspondence regarding ongoing Sponsorship for the Organs of the Ballarat Goldfields.

It is with pleasure that I confirm my continuing support as a Major Sponsor for the 2019 Festival.

Yours sincerely,
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

4 Raglan Street North, Ballarat VIC 3350 - Phone: [REDACTED]
[REDACTED]

MARKETING TIMELINE

MONTH	TASK	STATUS
September	Postage of 3,500 Festival brochures to data base addressees	In progress
	First Festival Newsletter with promotion of local accommodation posted	In progress
	Entry of Festival program into the web site	commenced
	Commence wide distribution of brochures in Victorian locations	
	Forward 2000 brochures for posting with the 3MBS mail out	
	Commence advertising in Royal Auto	booked
	Commence advertising in specialist magazines	
October	Advertising continues including in regional newspapers	
	Liaise with the ABC and 3MBS for broadcast of recitals	
	Prepare coloured posters for general advertising of Festival	
	Prepare coloured posters specific for various locations eg Clunes etc	
November	Continue advertising and process bookings	
	Print Souvenir Programme	
	Contact ABC Classic FM and 3MBS to arrange on air interviews Arrange possible live or delayed broadcasts	
	Contact Classical Music radio stations in Canberra, Sydney and Adelaide with a view to arranging promotion and possibly broadcasts	
	Liaise with ABC Ballarat, 3BA and Ballarat Voice FM for interviews	
	Liaise with ABC AM radio 621 and 774 regarding promotion	
December	Place advertisements in the Melbourne Age and Herald Sun	
	Continue advertising as above	
January	On air promotion and interviews – ABC Classic FM and 3MBS	
11 th	Opening night of Festival 2019	
20 th	Completion of Festival 2019 with final recital.	

Organs of the Ballarat Goldfields

Risk Assessment Sheet

Issues to be checked by risk manager at each event in the festival:

- 1. Knowledge of Emergency numbers**
- 2. Mobile telephones in range or fixed line availability**
- 3. Emergency vehicle accessibility**
- 4. First aid box and bottled water - knowledge of location**
- 5. Fire extinguisher location and accessibility**
- 6. Clear lines of exit**
- 7. Visibility of exit doors**
- 8. Ease of opening of exit doors**
- 9. Safe flooring – not slippery or uneven.**
- 10. Open and clean toilets – (volunteers rostered to check toilets)**
- 11. Safe wheelchair access.**
- 12. Safe movement of musical instruments ***

A Risk Assessment sheet has been prepared for each venue used during the festival, with specific information regarding access, fire extinguishers etc. This sheet is provided to the risk manager allocated to each venue.

*There is sometimes a need to move the chamber organ or a harpsichord. The chamber organ is a small one and sits in its own trolley. It will be used only in St Patrick's Cathedral and delivered and removed by professional carriers.

The harpsichord is partly dismantled before being moved and can be easily carried by two people.



3 September 2018

[REDACTED]
Honorary Treasurer
Organs of the Ballarat Goldfields

[REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Dear [REDACTED]

Re: **2019 FESTIVAL SPONSORSHIP**

Thank you for your detailed information on sponsorship opportunities for the 2019 Festival.

I am pleased to confirm that Sovereign Hill will continue to support the Festival with a Silver sponsorship of \$6,000 plus GST.

We wish the Committee every success for next year's event which is shaping up to be another great regional presentation.

Yours sincerely

[REDACTED]

[REDACTED]

CHIEF EXECUTIVE OFFICER

ORGANS OF THE BALLARAT GOLDFIELDS

A Festival of Fine Music

Patron: The Honourable Linda Dessau AC, Governor of Victoria

SPONSORSHIP

Festival 2019

Directed by [REDACTED]

11 to 20 January 2019



ORGANS OF THE BALLARAT GOLDFIELDS

Patron: The Honourable Linda Dessau AC, Governor of Victoria

FESTIVAL 2019



St Paul's Church, Bakery Hill, Ballarat

SPONSORSHIP

Contents

- Introduction
- A Short History
- Goals of the Festival
- Summary of Festival 2018
- Sponsorship
- Publicity
- Promotion
- Management and further Information

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

Introduction:

In January 1996 the first Festival of ORGANS OF THE BALLARAT GOLDFIELDS launched what has become a popular annual “Festival of Fine Music” in Ballarat and the Central Highlands Goldfields region of Victoria.

Over ten days in early January each year approximately twenty three recitals are held in the historic churches and public buildings of the region.

The **Twenty Fourth Annual Festival** of Organs of the Ballarat Goldfields will open on 11th January 2019 in St Patrick’s Cathedral Ballarat. The Director and Board are proud to continue to stage the Festival, which largely has been made possible by the support of loyal Sponsors. In particular the contributions received from **The City of Ballarat**, have been integral to the success of the Festival over the years.

Each year the Festival Director, [REDACTED] and Assistant Director, [REDACTED] plan a programme combining familiar music, musicians and venues and also with a variety of ‘firsts’ featuring both Australian and European musicians.

From solo organ to classical guitar, from piano to oboe, from cornet to lute there is always great variety of musical offerings for patrons to choose from.

Although centered in Ballarat, as always there are recitals planned in the nearby villages of Carngham, Clunes and Creswick. After an absence of many years, in 2019 the Festival will return to Beaufort and feature two repeated concerts.

The Board is pleased and proud to continue this annual Festival of Fine Music in Ballarat and the Central Goldfields region.

The twenty-three concerts of **Festival 2019** can only be presented with ongoing financial support of the community.

Accordingly the Board of the
ORGANS OF THE BALLARAT GOLDFIELDS
seeks your sponsorship to help maintain this
important aspect of the musical life of the
Ballarat and Central Highlands Goldfields region.

ORGANS OF THE BALLARAT GOLDFIELDS

A SHORT HISTORY

It is widely known Italian organist, composer and teacher, Sergio di Pieri OAM has a passion for bringing music to communities who may otherwise not have many opportunities to hear live classical music in their own regions.

In January 1996 a successful opening concert held in St Patrick's Cathedral staged by the group now known as "**Organs of the Ballarat Goldfields Inc. Festival of Fine Music**". Since then an annual 10 day Festival has been presented in various heritage buildings in Ballarat and the surrounding region.

It must be emphasized that, despite its name, the Festival features recitals not only on the pipe organ but also strings, brass, woodwind and voice. Apart from the direction, the Festival has always been organized and run by volunteers.

A popular feature of the Festival is the program of social events and visits to historic properties highlighting to visitors and residents alike the wonderful heritage which abounds in the region.

Following most evening concerts Sergio invites the musicians, sponsors and other guests from the festival family to a tasty Italian meal. These suppers have become a signature feature of the festival.

**We continue to believe that the
"Organs of the Ballarat Goldfields" Festival of Fine Music"
has the correct formula to remain an important facet of the
musical life of
Ballarat, Victoria and Australia
and we seek your support to keep this belief alive.**

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

Goals

The Board of the **ORGANS OF THE BALLARAT GOLDFIELDS** has set the following ongoing goals for Festivals.

- To develop an exciting and interesting program incorporating musical performances, introductions to the history of the venues and a varied social program.
- To present a diversified chamber music program.
- To create opportunities for local, national and international musicians to perform in the historic venues of the Central Highlands Goldfields region which embraces some of Victoria's most historic cities and towns.
- To develop a greater appreciation of the nineteenth century pipe organs and the architectural significance of the historic churches where they are housed.
- To maximise the audience attendance at each performance and activity.
- To encourage tourism to Ballarat and the Goldfields region as a direct result of the Festival with the development of Festival Accommodation and Tourism packages.

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

Summary of Festival 2018

Over recent years approximately 6000 seats are occupied over the duration of the Festival.

Records show that over 70% of the ticketed patrons come from outside the Ballarat region and this percentage has remained remarkably constant over many years.

Visitors came from **all over Victoria**, from **South Australia, New South Wales, Queensland, the ACT, WA and Tasmania.**

The majority of visitors stayed in commercial accommodation and patronised restaurants and other services in the city and region.

These consistent results demonstrate that the
ORGANS OF THE BALLARAT GOLDFIELDS
Festival of Fine Music
contributes significantly to the economic well being of Ballarat and the
Central Highlands Goldfields region during the quiet summer holiday
period of early January.

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

The Twenty Fourth Annual Festival
of the
Organs of the Ballarat Goldfields

will open on

11 January 2019

The opening night of Festival 2019 will feature the Schola Cantorum from Melbourne who will present the contemporary setting of the **Passion of St John** composed by Estonian born **Arvo Pärt**. The mesmerising music of this composer, who now lives in Germany, is now frequently performed and broadcast. It will be a memorable evening.

Each year the Directors devise a programme of approximately 23 recitals spread over the 10 January days and featuring many musicians from Australasia and a few from Europe. Instrumental groups, solos, choirs and of course pipe organs will all be part of the 24th Annual Festival bringing an amazing musical programme.

**In order for us to stage another successful Festival in 2018,
your financial support continues to be vital.**

**We ask that you please again consider sponsorship of the
Organs of the Ballarat Goldfields.**

The levels of sponsorship follow. We are happy to discuss any special requests you may have and we will try to accommodate individual suggestions.

The Honorary Treasurer will contact you shortly to discuss any aspects of the festival including sponsorship of Festival 2019.

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

SPONSORSHIP

GOLD SPONSOR \$10,000 +
plus GST
Logo on front cover of Festival Program
Full page advertisement in the Festival Program
Logo on Festival Brochure
Six "Festival Passes" to all recitals
Six Festival Dinner tickets

SILVER SPONSOR \$6000 +
plus GST
Logo on half page in the Festival Program
Logo on Festival Brochure
Five "Festival Passes" to all recitals
Four Festival Dinner tickets

MAJOR SPONSOR \$2500 +
plus GST
Logo on quarter page of Festival Program
Logo on Festival Brochure
Four "Festival Passes" to all recitals
Two Festival Dinner tickets

SUPPORT SPONSOR \$1000 +
plus GST
Logo in Festival Program
Two "Festival Passes" to all recitals
Two Festival Dinner tickets

RECITAL SPONSOR \$500 +
plus GST
Logo in Festival Program
Six recital tickets
Two tickets, Opening or Closing Recital

Thank you for adding GST to your sponsorship cheque

All sponsors will receive

- An invitation to the Opening Recital
- Ongoing recognition for the duration of the Festival
- A copy of the Festival Program
- A copy of the post Festival Overview

DONATIONS

to the Festival of Fine Music Fund are Tax Deductible and will be acknowledged in the Festival Program

ABN 41 001 452 015

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

MARKETING and PUBLICITY

A Marketing and Publicity plan will extend state-wide, interstate and overseas through radio, print, brochures, posters, direct mail and the Internet.

RADIO

Regular media releases will be sent to radio stations including ABC Ballarat, other regional ABC stations, ABC Classic FM, 3MBS in Melbourne and Artsound FM in Canberra.

Information will also be sent to the stations listed with interviews being requested.

3LO (Sunday Arts program)
ABC FM Breakfast
Goldfields FM
3BA Ballarat

3LO (mid-week programs)
ABC FM (Sunday Morning)
3MBS
Community Radio

PRINT

The **Ballarat Courier** has always played a major role in supporting the Festival.

Media releases will be provided to **the Courier** and a range of other print media from October until the end of the Festival.

Daily advertisements will be placed in **the Courier** during the festival.

Coverage will be sought in the Arts and Cultural sections of The Age, the Herald Sun, the Australian, the Canberra Times and specialist magazines.

The following regional papers will be approached:

Ararat Advertiser
Daylesford Advocate
Maryborough Advertiser
Stawell Times News
Dunolly Welcome Record

Pyrenees Advocate
Bendigo Advertiser
Geelong Advertiser
Creswick Advertiser
The Weekly Times

Advertising and special interest stories will also be provided to the following publications:

RACV
Libretto (3MBS)
Gallery magazine

Limelight
Organ Society Newsletters
Quadrant

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

PROMOTION

Brochures

A minimum of 15,000 copies of a quality brochure will be produced and distributed to the mailing list (currently over 3500 addresses), to concert venues, galleries, churches and Tourist Outlets in Melbourne, Geelong, Bendigo, Adelaide, Sydney, Canberra and throughout the Central Highlands Goldfields region.

The logos of Major, Silver and Gold Sponsors will appear on the brochure if confirmation of support is received by **mid** August 2018.

Posters

Full colour posters will be produced and distributed widely throughout Ballarat and Victoria. These posters will include the logos of all **Major Sponsors** who have indicated their support by the **1st November**.

Internet

Recital details and booking facilities will be available on the Internet on the Festival web site at **www.ballarat.com/organs**

Additional Promotion

The Festival will be promoted through the Ballarat Visitor Information Centres, The Art Gallery of Ballarat, the Ballarat City Hall, Her Majesty's Theatre and the Wendouree Centre for Performing Arts.

Special emphasis will also be placed on promoting the festival in the regional towns of Daylesford, Clunes, Beaufort, Castlemaine, Maldon, Stawell, Ararat and Geelong.

Tickets

Festival Passes covering all recitals will be pre-sold and can be booked from October. Early bookings will also be available for the social functions.

Tickets will be available at the door prior to each recital unless already booked out. This information will be posted on the web site.

Accommodation

Special packages will be available at supporting accommodation houses in the region. Information about these packages will appear in the first Newsletter which is mailed to all on the data base and will also be available at the Ballarat Visitor Information Centre.

ORGANS OF THE BALLARAT GOLDFIELDS

FESTIVAL 2019

Management

ORGANS OF THE BALLARAT GOLDFIELDS is an incorporated association, which was formed in 1996.

The event will be managed by a voluntary Board and the following were appointed at the 2017 Annual General Meeting:

Chair

Vice Chair

Honorary Secretary

Honorary Treasurer

Committee

[REDACTED]

Music Director

Assistant Music Director

[REDACTED]

The 2018 AGM will be held on 23 August 2018.

Mailing Address:

[REDACTED]

E-mail:

[REDACTED]

Web site:

www.ballarat.com/organs

Music Program inquiries:

[REDACTED]

phone

[REDACTED]

Tickets and sponsorship inquiries:

[REDACTED]

phone

[REDACTED]

ORGANS OF THE BALLARAT GOLDFIELDS inc

ABN 41 001 452 015

Endorsed as a deductible gift recipient under Subdivision 30-BA of the
Income Tax Assessment Act 1997



St Patrick's Cathedral, Ballarat



St John's Anglican Church, Creswick

TOURISM EVENT GRANT PROGRAM ASSESSMENT

Event: Organs of the Ballarat Goldfields
 Event Length: 10 Days
 Date: 11 - 20 January 2019
 Venue: Various Venues

	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?	2	4
Is the Event Management Plan appropriate?	2	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?	2	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?	5	10
Is the Marketing Plan appropriate to achieve tourism attendance targets?	2	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?	5	10
Does the event have intentions of becoming self-sustainable from Council funding in the future?	0	10
Does the project provide a good level of expected economic return from tourist visitation and a good overall return on investment?	5	20
<i>^ Additional/reduced points (PCG re-assessment of visitation)</i>		N/A
TOTAL POINTS		53

VISITATION	Application	PCG Prediction
Estimated local attendance	700	
Estimated out of town attendance - day trip	1000	
Estimated out of town attendance - overnight	300	
Average night stay	6	
TOTAL ATTENDANCE	2,000	

ECONOMIC IMPACT	ROI	Econ. Impact
Estimates based on application	17:01	334,800
Estimates based on PCG predicated visitation		

Cash funding sought	\$20,000	
VIK funding sought	\$0	
TOTAL SOUGHT	\$20,000	

Cash funding recommended (based on assessment)	\$0	(0%)
VIK funding recommended	\$0	
TOTAL RECOMMENDED	\$0	

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%

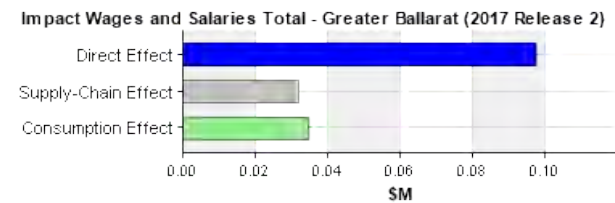
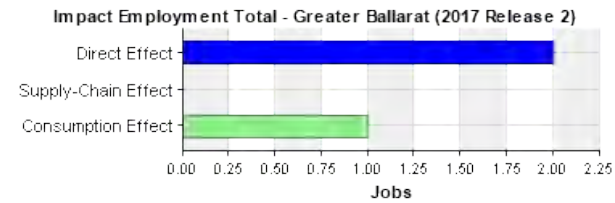
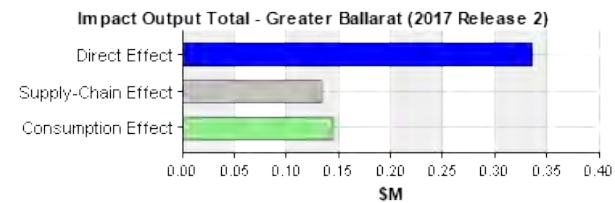
Tourism Impact Summary Report for Greater Ballarat (Tourism Activity: 10 days)

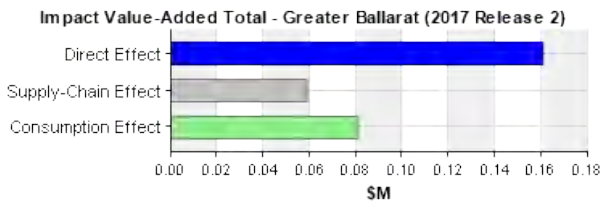
Tourism Impact Scenario

Name Organs of the Goldfields
Duration 10 days

Direct Impact	Domestic Day	Domestic Overnight	International	Total
Number of Visitors	1,000	300	0	1,300
Number of Nights	n/a	6.00	0.00	
Estimated Expenditure per Visitor (\$)	\$90	\$816	\$0	
Total Estimated Expenditure (\$)	\$90,000	\$244,800	\$0	\$334,800

Tourism Impacts





Under this scenario Gross Regional Product is estimated to increase by \$0.300 million (0.00%) to \$7,284.758 million. Contributing to this is a direct increase in output of \$0.335 million, 2 additional jobs , \$0.098 million more in wages and salaries and a boost in value-added of \$0.161 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 \$0.133 million, 0 more jobs , \$0.032 million more paid in wages and salaries, and a gain of \$0.059 million in terms of value-added.

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

Impact	Type 1 Multipliers
Output	1.398
Employment	1.000
Wages and Salaries	1.327
Value-added	1.366

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 \$0.144 million, employment by 1 job , wages and salaries by \$0.035 million, and value-added by \$0.081 million.

Under this scenario, total output is expected to rise by \$0.612 million. Corresponding to this are anticipated increases in employment of 3 jobs , \$0.164 million wages and salaries, and \$0.300 million in terms of value-added.

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

Impact	Type 2 Multipliers
Output	1.829
Employment	1.500
Wages and Salaries	1.683
Value-added	1.869

Tourism Impact Summary (Tourism Activity: 10 days)

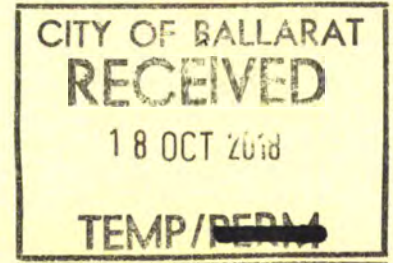
Impact	Direct Effect	Supply-Chain Effect	Consumption Effect	Total Effect	Type 1 Multiplier	Type 2 Multiplier
Output (\$M)	\$0.335	\$0.133	\$0.144	\$0.612	1.398	1.829
Long Term Employment (Jobs)	2	0	1	3	1.000	1.500
Wages and Salaries (\$M)	\$0.098	\$0.032	\$0.035	\$0.164	1.327	1.683
Value-added (\$M)	\$0.161	\$0.059	\$0.081	\$0.300	1.366	1.869



ORGANS OF THE BALLARAT GOLDFIELDS

ABN 41 001 452 015

A Festival of Fine Music



[Redacted]
City of Ballarat
PO Box 655
BALLARAT Vic 3353

Additional Submission to Tourism Ballarat Application by Organs of the Ballarat Goldfields Inc

Following discussion and written advice from [Redacted] of Ballarat City Council, the following additional information is supplied in support of the application by Organs of the Ballarat Goldfields for funding.

The Board of Organs of the Ballarat Goldfields has, since inception, been aware of the need for additional sponsorship funding to allow the Board to present the Ballarat Fine Music Festival as it was originally conceived. i.e. recitals of fine music within Ballarat and surrounding towns, by Australian and International artists in historical buildings at an affordable price.

There has been reliance for many years on a small group of loyal and generous sponsors including the City of Ballarat. It has become an increasing challenge to maintain the Festival true to its original concept. In acknowledging that, the Board in the past year endeavored to find new sponsors and funding with little success.

It has been decided that a small working Committee will be established comprising the President, Treasurer and invited members to source additional funding. This will not have any effect until the 2020 Festival, which will be our 25th Anniversary. It is anticipated by then that we will need to have sourced an additional \$10,000 funding with an additional \$10,000 also sourced for the 2021 Festival.

The Ballarat Festival has now achieved wide recognition as a major musical event. Uniquely amongst such Festivals, it provides an important Social service; providing a large choice of events to all people at very reasonable prices. This is important when people have many recitals to see over ten days!. Our total Budget exceeds \$200,000, which we fund largely through our own efforts. This is difficult to sustain without continuing Council support. We feel that the figure of \$20,000 which we are requesting is a very reasonable amount as a proportion of our total expenditure.

In addition the Board, with the assistance of outside help, is commencing a review of the Business Model, Governance and pricing structure of the Festival. This will ensure the Festival remains true to its original charter while remaining competitive.

Given the valuable contribution made to the City and surrounding District by the Organs of the Ballarat Goldfields Fine Music Festival, we hope that Ballarat City Council can see its way clear to continue supporting the Ballarat Fine Music Festival in the short term while alternative funding is sourced.

Yours faithfully,

[Redacted]
Chairman Organs of the Ballarat Goldfields Inc

Signed on his behalf by [Redacted]
[Redacted]

Honorary Treasurer

9.8. ACCESS & INCLUSION PLAN

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

OFFICER RECOMMENDATION

Council resolves to:

- 1. Place the draft Disability Access and Inclusion Plan 2018-2021 on public exhibition for period of at least one month facilitating community feedback through a range of engagement mechanisms.**

EXECUTIVE SUMMARY

The City of Ballarat plays a key role in ensuring that everyone who lives in the municipality can participate in all aspects of community life and to fulfil their own aspirations. Developing a Disability Access and Inclusion Plan assists Council to specifically consider the needs of people with a disability in everything it does.

The draft Disability Access and Inclusion Plan 2018-2021 builds on the significant gains from the Council's investment in capacity building across its operations and its advocacy in shaping key strategic projects in the city. Central to the development of the draft plan has been the active engagement and involvement of members from Council's Disability Advisory Committee.

RATIONALE

Council is required to have a Disability Access Plan under the Victorian *Disability Act 2006*. The plan assists Council to meet its obligations under Federal and State Government anti-discrimination legislation, promoting the rights of people with disabilities and access issues so they can participate in all facets of community life.

This is the City of Ballarat's fourth Disability Access and Inclusion Plan. A key element of the draft plan is a set of new principles that advocate best practice in terms of universal design and inclusion.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

Disability Action and Inclusion Plans are a requirement of the Victorian *Disability Act 2006*. In addition to the Act, the City of Ballarat has legal obligations under the:

- United Nations Convention on the Rights of Persons with Disabilities
- Commonwealth *Disability Discrimination Act 1992*
- Victorian *Equal Opportunity Act 2010*
- *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	No
Financial/Resources	No	No
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	Yes	Yes

Human Rights – The draft Disability Access and Inclusion Plan directly relates to the human rights identified in the *Charter of Human Rights and Responsibilities Act 2006* by ensuring that all members of the community are able to participate within public life.

Social/Cultural – Successful implementation of the plan in raising the profile around access and inclusion, improving the quality and achieving more inclusive projects and activities will have significant positive social implications for Council.

Evaluation and Review – The City of Ballarat is committed to reporting to the community on key milestones and activities on an annual basis and will share our success and case studies. The City of Ballarat will also continue to consult stakeholders, carers, families and services to ensure their priorities are reflected in key activities for the life of this plan.

CONSULTATION

The development of the draft plan has included significant involvement from members of the Disability Advisory Committee plus a number of community advocates and stakeholders. It is now proposed to place the draft plan on public exhibition for a period of at least one month.

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. COB Draft Disability Access and Inclusion Plan 2018-21 **[9.8.1]**



Disability
Access and
Inclusion Plan
2018-2021

celebrating
contributions
of people with
a disability





Mayor's Message

Cr Samantha McIntosh

I'm pleased to present the 2018-2021 Disability Access and Inclusion Plan for the City of Ballarat.

Ballarat is home to a wide range of industries, services, historic tourist attractions and modern events and boasts a highly connected and vibrant community. As Mayor, I am proud that Ballarat is known as a progressive, inclusive place to live, filled with citizens from a diverse range of backgrounds and abilities.

As a major service provider and employer, the City of Ballarat has a clear role in increasing inclusion and access for people who live in this city. This plan allows the City of Ballarat to continue to prioritise key actions and align future investment to continue to break down barriers through inclusive and accessible programs, employment, events, services, buildings and infrastructure.

I thank the Disability Advisory Committee members for their work on this plan and their continued strategic advice to the City of Ballarat as we all strive to ensure our city is inclusive and accessible for everyone.

The City of Ballarat respectfully acknowledges the Wadawurrung and Dja Dja Wurrung people – traditional custodians of the land on which we live and work.

Disability Advisory Committee (DAC) Chair Message

Cr Belinda Coates

As a committee, we have witnessed significant change in the disability services sector and, with it, a change in community expectations in relation to ensuring all people are valued as active members of our community, regardless of their access and inclusion needs.

As the Chairperson, my role is to ensure that the committee functions properly, that there is full participation during meetings and that effective decisions are made and carried out. As the Chairperson, it is very pleasing to see the benefits that have come from making it easier for people with disability to pursue their passions and interests and to participate fully in our community.

This plan sets out new principles that will continue to guide our activities and ongoing advice to the City of Ballarat, ensuring we move beyond minimum inclusion requirements and embracing best practice in all facets of the City of Ballarat's business. We will also continue to focus on ensuring that matters related to inclusion and access are well understood by the community, acknowledging that the City of Ballarat has a leadership role in supporting integrated responses that seek to improve access and inclusion.

The committee is proud to showcase its achievements from the previous plan. We look forward to working with community members, carers, service providers and government partners in shaping disability and inclusion policy at the City of Ballarat and delivering positive outcomes on behalf of the community.

Thanks to the committee for their incredible commitment, professionalism and contribution.

Definitions

within the context of this plan:

Disability: In line with the definition in the Disability Discrimination Act 1992, it can be summarised as any impairment of a physical, intellectual, psychiatric, neurological or sensory nature. Disability can be either temporary or permanent and something that is acquired or present from birth. While traditional definitions of disability have focused on the restriction or lack of ability on the part of an individual, disability advocates recommend the need to view disability as a social construct. Using this model, it is the social attitudes and barriers that ‘disable’ an individual from being a full and inclusive member of the community. This shift in thinking is of fundamental importance to the effective implementation of a Disability Action Plan.

Access: In the case of a facility, it is readily usable by an individual; in the case of a program or activity, it is presented or provided in such a way that an individual can participate, with or without auxiliary aids; in the case of electronic resources, it is able to be used with or without assistive computer technology.

Inclusion: Enabling the involvement of people with disabilities in programs, activities and facilities with their non-disabled peers.

Compliance: A minimum standard that is achieved that makes a public place or site, with regard to its accessibility, passable in accordance with the Federal Disability Discrimination Act 1992.

Best Practice: Making sure that the best possible outcome is achieved for people with disability regarding access and inclusion.

Advocacy: Acting, speaking or writing to promote, protect and defend the human rights of people with disability. This can be acting with or on behalf of people with disability.

Capacity Building: The process by which individuals, communities and organisations obtain, improve and retain the skills, knowledge, tools, equipment and other resources needed to function at an optimal level.

Assistive Technology: Technology used to assist a person with a disability e.g. wheelchair, hand splints, computer-based equipment.

Adult Change Place (aka “Marveloo”): A Marveloo is a transportable Adult Changing Place. Adult Changing Places are larger than standard accessible toilets with a fully accessible toilet, an adult-sized change table, and a tracking hoist to meet the needs of people with high support needs.

Demonstrating Universal Design: Designing programs, services, tools and facilities so that they are useable, without modification, by the widest range of users possible.

Universal Design is a design concept, not a type of product.

The principles of universal design can be applied to concrete items like products, buildings and open spaces, as well as intellectual activities such as designing learning programs. It can also be applied to policies and practices.

Universal design must also form part of ongoing conversations about sustainability, resilience, health and wellbeing.

The City of Ballarat delivered Universal Design training to the organisation’s officers and will continue to consider universal access and design in delivery of the built environment, programs and events. The DAC continue to advocate for Universal Design principles to be considered in all design in Ballarat and have committed to developing an awareness campaign as part of the 2018-2021 Plan.

Advocacy



Artist at work, SCOPE

Introduction

People with a disability want to be able to live, work and socialise in the same way as everyone else. They want the same opportunities to use services, such as safe and reliable transport, easily accessible buildings and public spaces and support from families, friends and communities to fulfil their aspirations. Developing a Disability Access and Inclusion Plan that specifically considers the needs of people with a disability helps Council and the City of Ballarat to understand the obstacles that prevent people from being a full and inclusive member of the community, enabling the wider community to develop and implement actions that focus on reducing barriers to access.



Workplace training, Specialist School Farm

The City of Ballarat's Role

The City of Ballarat plays an important role in ensuring that everyone who lives in the municipality can participate in all aspects of community life and to fulfil their own aspirations. The City of Ballarat also has responsibility for both local government service delivery and as an employer.

Disability Action and Inclusion Plans are a requirement of the Victorian Disability Act 2006. The plan also assists the City of Ballarat to meet its obligations under Federal and State Government anti-discrimination legislation, promoting the rights of people with disabilities and access issues so they can participate in all facets of community life.

In addition to the Disability Act, the City of Ballarat has legal obligations under the:

- United Nations Convention on the Rights of Persons with Disabilities
- Victorian Charter of Human Rights and Responsibilities
- Commonwealth Disability Discrimination Act, and
- Victorian Equal Opportunity Act

This is the City of Ballarat's fourth Disability Access and Inclusion Plan. The 2018-2021 plan builds on the significant gains from the City of Ballarat's investment in capacity building across its operations and its advocacy in shaping key strategic projects in the city.

The City of Ballarat is committed to reporting on key milestones and activities on an annual basis and will share our success and case studies. The City of Ballarat will also continue to consult stakeholders, carers, families and services to ensure their priorities are reflected in key activities for the life of this plan.

The Disability Advisory Committee (DAC)

The DAC provides expert advice to the City of Ballarat on matters relating to access and inclusion for people living in Ballarat. The role of the DAC requires tenacity and patience, the committee often advocates for several years for positive change in the built and social environment. The DAC is made up of individuals with expertise in the built environment, carers, disability services providers and people with lived experience as family members or with a disability.

The DAC has a key role in ensuring that the City of Ballarat's decision-making is informed by best practice around inclusion and access policy and design principles.

Advice and Support

Capacity Building



“The design of the Inclusive Play Space makes it possible for both of my children to play together and to play with their friends too. It really is inclusive play”

Parent

Key Achievements

of 2015-2017 plan

Young people and their families

The award-winning Victoria Park Inclusive Play Space is a dynamic location that can evolve to meet Community needs. It attracts many people, both local and from out of town.

Sporting facilities

Accessibility upgrades have been delivered to improve access at sporting facilities, including the Alfredton Recreation Reserve and Marty Busch Reserve.

Improving access at Mars Stadium will also continue to be a major focus for the DAC, particularly working on increasing seating and amenities for people with disability and their families.



Mars Stadium



Auslan interpreter and live captioning

Events

In 2017, the City of Ballarat began hiring an Adult Change facility (Marveloo) so it could provide greater access and inclusion to local events for some members of the community with disability. In early 2018, the City of Ballarat was successful in securing \$100,000 funding from Changing Places to construct a transportable Adult Changing Place (Marveloo).

The Ballarat Marveloo will have semi-permanent positions at Mars Stadium and in the North Gardens. It will also be able to be transported to various events in Ballarat and the district.

Advice was also provided in relation to improvements to access, via the upgraded and levelled footpath at the Regent Theatre.

Auslan interpretation was provided at events including Opera Australia, Sovereign Hill and Eureka Centre.



"All of us were so in awe of the Marveloo, it is great for assisting people with disability. It is totally respectful of people with disability, their carers and family. We were all so pleased with the Marveloo."





Footpath improvements at Parent Place in the CBD

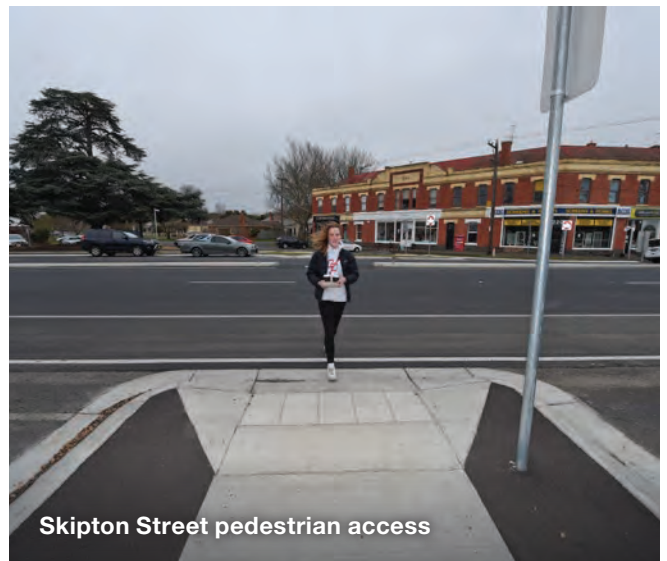
Making life easier

The DAC's commitment to advocating and lobbying has had a profound influence on systemic change in the City of Ballarat and in the community. Some change can take time, from the initial crafting of an idea to following it through to fruition, for example, the Victoria Park Inclusive Play Space – the idea of which came from the DAC and took several years to become a reality.

The DAC will continue to work towards making Ballarat as inclusive as possible for people with disability.

The City of Ballarat, working with the DAC, has partnered with various levels of government to achieve positive outcomes, influencing and prioritising access in thoroughfare and road works including:

- Gillies Street Specialist School pedestrian crossing
- Footpath improvements at Parent Place in the CBD
- Footpath continuation Ranger Barracks – Avenue of Honour
- Skipton Street pedestrian access
- Implementation of 40km zone and extended crossing times within the CBD precinct



Skipton Street pedestrian access



Footpath continuation, Avenue of Honour

consultation

40

Implementation of 40km zone and extended crossing times within the CBD precinct



Gillies Street Specialist School pedestrian crossing

Disability In Our Community

The Stats



Around **one in five** people in Australia report having a disability

Almost **one third** of people with disability have a profound or severe disability ¹



By **2031**, there could be more than **30,000** people in Ballarat living with a disability ³

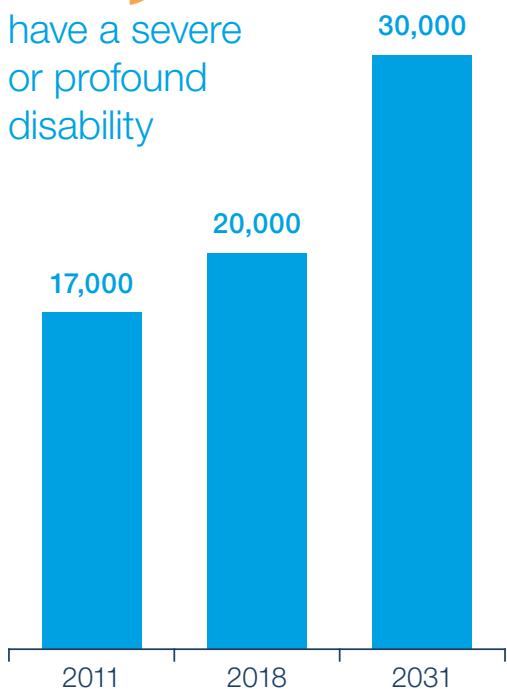
Estimates predict more than

20,000

people in Ballarat have some form of disability, and around

6,600

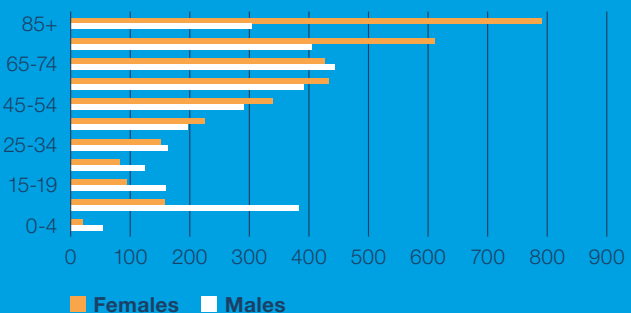
have a severe or profound disability



The likelihood of living with a disability increases with age. In Ballarat, almost **48%** of people needing assistance with a core activity are **aged 65 or over**.

Women have a longer average life span, resulting in more older women in the community. However, due to the types of health conditions women experience, the proportion of women needing assistance with core activities over the age of 75 (30 per cent of women aged over 75) is also higher than men (22 per cent) ²

People needing assistance with a core activity by gender and age – Ballarat



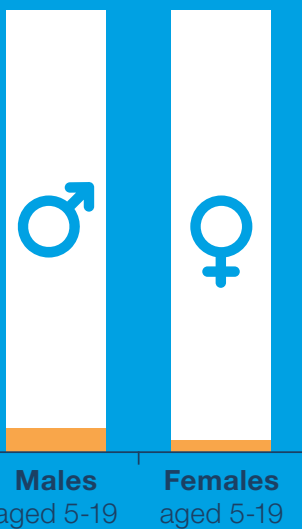
As the **population** of Ballarat **increases** and the **proportion of older people** in the population increases, the level of disability in the community is likely to **increase significantly**



A local survey showed

one out of every two

people with a disability have been limited by a **lack of transport** ⁴



In **younger age groups**, men have **higher rates** of disability (5.5 per cent of males aged 5 to 19 compared to 2.7 per cent for females). This is often diagnosed as children enter school, and partly due to children being diagnosed with autism spectrum disorders ²

A national survey has shown people with a disability **aged 15 to 24** years were

10x

times more likely to report the experience of **discrimination** than those aged 65 years and over ¹

People with disabilities experience **higher rates of unemployment.** In Ballarat,

15.7%

of people with a disability were unemployed

compared to 7%

of people without a disability ²

1. Disability, Ageing and Carers, Australia: Summary of Findings, 2015 cat.no.4430.0
2. ABS Census of Population and Housing, 2016
3. Victoria in Future 2016
4. VicHealth Indicators Survey 2011



The Principles

The City of Ballarat will consult with the community, the DAC, other stakeholders and councillors to agree activities and focus.

These activities will be aligned to the following principles, which seek to provide an overarching aspiration and requirement when considering disability and inclusion matters:

Exclusion is not acceptable.

Early planning and consideration of inclusion and accessibility issues in community events, programs and infrastructure will ensure that the needs of people with a disability are not an afterthought, maximising participation, inclusion and access.

Inclusive design solutions can co-exist with heritage values.

The Ballarat built environment is rich in heritage buildings and infrastructure. The DAC believes inclusive solutions that improve inclusion and access can co-exist with our historical landscape and that early consultation with the committee on design options will make Ballarat more inclusive for everyone.

"It's an awesome show to be involved in, we are part of a network and help people with disability connect with the community."

The award winning Radioactive crew (Voice FM)



Recognition



Workplace training,
Specialist School Farm Café

Lobbying

Technology can be an enabler of access and inclusion.

Assistive technologies not only have the potential to increase personal independence for people, but also to increase inclusion in workplaces and public space. There will be emerging opportunities to ensure infrastructure and its information and communications systems utilise assistive technologies to increase access and inclusion across the city.

Best practice and evidence, beyond compliance.

Following best practice ensures access and inclusion are well designed for everyone.

Compliance is a minimum standard while best practice and having an evidence-based approach ensures a more inclusive community from the start without having to retrofit later. The City of Ballarat chooses to follow best practice.

Context matters – the bigger picture and changing policy environment are understood.

It is important that the City of Ballarat is well supported to understand the broader issues related to disability policy and projects both nationally, state-wide and regionally when making decisions in relation to access and inclusion matters across all City of Ballarat portfolios.



Workplace training,
Specialist School Farm Café

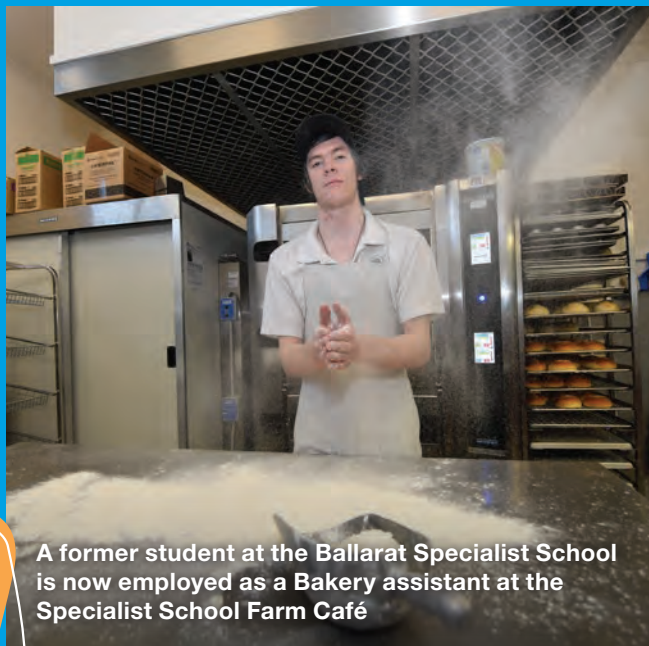


"I love my job at BRI" (BRI - Ballarat Regional Industries)

Key Priorities

2018-2021

As the city changes and grows, the City of Ballarat and the DAC will continue to advocate for and strive to be leaders of best practice in access and inclusion. They will work with people with a disability, their families and service providers to agree priority activities and areas of focus on an annual basis.



A former student at the Ballarat Specialist School is now employed as a Bakery assistant at the Specialist School Farm Café

Feedback

Priorities 2018-2021

Planning	Community Participation	Communication and Information	Human Rights and Advocacy	Workforce
<p>Include access and inclusion principles within Council's key strategic plans and policy documents. Ensure that accessibility features and requirements are included in the planning of new projects, precincts, building and infrastructure works. Progressively improve the accessibility to existing City of Ballarat buildings and infrastructure.</p>	<p>Develop and advance strategies that systematically remove barriers to participation by providing equitable opportunities for people with disabilities to participate in all aspects of community life.</p>	<p>Improve access to information that supports informed decision-making, and increases awareness of services, opportunities and entitlements.</p>	<p>Advance inclusion of people with a disability in community life by raising awareness of the issues faced by people with disabilities and commit to promoting and protecting their human rights.</p>	<p>Increase employment opportunities for people with a disability through the development of inclusive training programs, strengthened recruitment relationships and pathways to workforce participation.</p>

Areas of Focus

<ul style="list-style-type: none"> • Built environment • Transport • Services • Governance • Council Plans and Strategies 	<ul style="list-style-type: none"> • Accessibility • Events • Getting involved • Consultation • Engagement • Inclusion • Arts and Culture • Recreation 	<ul style="list-style-type: none"> • Services • National Disability Insurance Scheme (NDIS) • Accessible formats • Promotion • Social media 	<ul style="list-style-type: none"> • Leadership • Decision-making • Partnerships • Crime and family violence • Housing 	<ul style="list-style-type: none"> • Employment • Engagement • Training • Education and awareness • Economic development
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Artists at work, SCOPE

Planning and Reporting

Planning of specific actions for the Disability Access and Inclusion Plan will involve a whole of Council approach, in partnership with Council's Disability Advisory Committee (DAC). This process will be informed by the community's issues of importance through consultation and identifying and developing opportunities within the Council Plan and budget process on an annual basis.

The monitoring and evaluating of achievements and progress over the life of the Plan will also require a whole of Council approach. The Engaged Communities portfolio will lead the process with each business unit being responsible for evaluating specific identified initiatives, as well as broader business unit improvements and achievements in access and inclusion.

An annual evaluation report will then be provided to the DAC and Council detailing progress against identified areas of action.

Expert Advice -
Universal Design



Inclusive Play Space



Contact

If you wish to report an access or inclusion concern, or for more information, contact the City of Ballarat Customer Service at The Phoenix, 25 Armstrong Street South, Ballarat. Phone 5320 5500, email info@ballarat.vic.gov.au, or visit ballarat.vic.gov.au

If you are Deaf, hard of hearing or have a speech impairment, contact the City of Ballarat through the National Relay Service on 133 677. For more information visit relayservice.gov.au

Acknowledgements

Thank you:

- Victorian Government for supporting the Rural and Deaf Access programs at the City of Ballarat
- Maroondah City Council for Marveloo design

9.9. SOCIAL POLICY FRAMEWORK

Division: Community Development
Director: Neville Ivey
Author/Position: Breanna Doody - Coordinator Health and Social Planning

OFFICER RECOMMENDATION

Council resolves to:

1. Note the Social Policy Consultation Report detailing received feedback in regard to the draft Social Policy Framework;
2. Adopt and approve the Social Policy Framework including the following amendments to the draft document that was placed on public exhibition:
 - a. The addition of 'Compassion' as a guiding principle (referenced in diagram on pages 4 and 5 and a description provided on page 6 of the amended document).
 - b. The inclusion of the following approaches to be considered within the Framework on page 13
 - United Nations' 'Sustainable Development Goals' (as an inclusive way of responding to the requests for sustainability, World Health Organisation guidelines, and the UN Principles for Responsible Management Education to be considered)
 - Intercultural Cities Programme
 - City of Ballarat Youth Development Framework (draft)
 - Historic Urban Landscape
 - United Nations Global Compact – Cities Programme (UNGCCP)
 - The Charter for Compassion
 - c. Visual changes to improve accessibility – white text on yellow background to be made dark blue, images to have captions.
 - d. An addition to be made to the description of 'Enabler' within the Framework document to articulate the importance of social connection to social wellbeing outcomes. This has been done within the Framework diagram on page 5 and the description on page 7.
3. Produce an Easy English overview flyer of the Framework with links to further information and a video that can be posted on Council's website verbally explaining the Framework and how it will be used.
4. Incorporate feedback related to the position statement templates prior to the roll out of the initial six statements covering Gambling harm, Affordable housing, Alcohol and other drug related harm, Access to adequate and nutritious food, Mental health and wellbeing and Active Living, scheduled to occur in early 2019.

EXECUTIVE SUMMARY

This report seeks Councils approval of the Social Policy Framework following a period of public exhibition and incorporation of recommended changes. The draft Framework was prepared following examination of existing Council policies and plans, international social policy framework examples and extensive consultation with stakeholders, staff, Advisory Committees of Council and community. The City of Ballarat Social Policy Framework articulates the principles, considerations, roles and responsibilities that guide the City of Ballarat's policy development in areas of social concern and wellbeing. The position statements which will follow the Social Policy Framework will consolidate existing and related social policy from across the City of Ballarat to provide clarity about the City of Ballarat's policy position, key messages, roles and responsibilities regarding specific social issues, and will be added to over time.

RATIONALE

The Social Policy Framework has been on exhibition for 31 days and received seven formal submissions and conversational contributions as detailed in the attached Social Policy Framework Consultation Report. Despite the limited amount of feedback, the known reach of consultation activities was over 1500 people. All submissions have been considered in the development of the Framework along with input from Councillors, organisational partners, community and staff.

The City of Ballarat Social Policy Framework articulates the principles, considerations, roles and responsibilities that guide the City of Ballarat's policy development in areas of social concern and wellbeing. The position statements which will follow the Social Policy Framework will consolidate existing and related social policy from across the City of Ballarat to provide clarity about the City of Ballarat's policy position, key messages, roles and responsibilities regarding specific social issues, and will be added to over time. The overarching principles of the Social Policy Framework are: Equity, Inclusion, Leadership, Collaboration, Proactivity and Compassion.

CONSULTATION

Following the decision at the Council meeting on 12 September 2018 to place the Social Policy Framework on public exhibition, the Coordinator of Health and Social Planning delivered a range of community consultation activities between 21 September and 21 October 2018. This included:

- Online information and survey provision on City of Ballarat's MySay portal;
- Direct email with information and survey links to 47 key service delivery partners;
- 10 library drop in sessions between 24 September and 6 October;
- Distribution of hard copy surveys at Council facilities;
- Presentations at 2 Council Advisory Committee Meetings; and
- Social media posts directing people to the online survey.

The known reach of these activities was over 1500 people, however, given the limited general appeal of the subject there was limited feedback provided with only 7 surveys completed. Conversational feedback obtained by the Coordinator Health and Social Planning throughout the consultation activities has also been taken into consideration in the amendments made to the document. All constructive feedback provided has been included in the amended Social Policy Framework.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

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

REPORTING AND COMPLIANCE STATEMENTS

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

Human Rights - It is considered that the implementation of the Social Policy Framework supports positive impacts on human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural - Consideration of social and cultural implications is a key element to developing the Social Policy Framework. Social and cultural inequities often manifest as health inequities hence are a vital inclusion in planning and implementing social outcome related strategies. Social policy aims to improve people's wellbeing and is especially concerned with the welfare of those who experience some form of disadvantage. Within the Framework, social policy extends beyond a narrow definition of social services and supports - it is about how we work, live and spend our time, and it helps determine how we come together to meet human needs, such as housing, employment, education, recreation, leisure, health, safety and the care of children. The Framework provides guidance for Council services and programs to ensure that outcomes are socially responsible.

Environmental/Sustainability – The Framework has been amended following the consultation period to require the United Nations Sustainable Development Goals to be considered as part of the Framework. No specific implications have been identified at this stage.

Financial/Resources – The Social Policy Framework will influence work which is undertaken across many Council units but will have no direct impact on financial resources.

Implementation and Marketing – Detailed information will continue to be made available on the Council website. Additional formats of the Framework including a video and an Easy English Flyer will be developed and distributed to enhance accessibility.

Evaluation and Review – An annual framework will be developed which will focus on success of achieving change, having influence as expected, having completed the work intended and the success or otherwise of those projects.

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. Social Policy Framework Consultation Report October 2018 **[9.9.1]**
2. COB Social Policy Framework Document V2 **[9.9.2]**

Social Policy Framework

CONSULTATION REPORT

Summary

Following the decision at the Council meeting on the 12 September 2018 to place the Social Policy Framework on public exhibition, the Coordinator of Health and Social Planning delivered a range of community consultation activities between the 21st of September and the 21st of October 2018. This included:

- Online information and survey provision on City of Ballarat's MySay portal
- Direct email with information and survey links to 47 key service delivery partners
- 10 library drop in sessions between the 24 September and 6 October,
- Distribution of hard copy surveys at Council facilities
- Presentations at 2 Council Advisory Committee Meetings
- Social media posts directing people to the online survey.

The known reach of these activities was over 1500 people, however, given the limited general appeal of the subject there was limited feedback provided with only 7 surveys completed. Conversational feedback obtained by the Coordinator Health and Social Planning throughout the consultation activities has also been taken into consideration in the amendments made to the document.

Attempts to include all constructive feedback provided has resulted in the following changes to the Social Policy Framework Document:

- The addition of 'Compassion' as a guiding principle (referenced in diagram on pages 4 and 5 and a description provided on page 6 of the amended document).
- The inclusion of the following approaches to be considered within the Framework on page 13
 - United Nations' 'Sustainable Development Goals' (as an inclusive way of responding to the requests for sustainability, World Health Organisation guidelines, and the UN Principles for Responsible Management Education to be considered)
 - Intercultural Cities Programme
 - City of Ballarat Youth Development Framework (draft)
 - Historic Urban Landscape
 - United Nations Global Compact – Cities Programme (UNGCCP)
 - The Charter for Compassion
- Visual changes to improve accessibility – e.g. white text on yellow background to be made dark blue, images to have captions.
- An addition to be made to the description of 'Enabler' within the Framework document to articulate the importance of social connection to social wellbeing outcomes. This has been done within the Framework diagram on page 5 and the description on page 7.

In addition, because of feedback suggesting a more simplified presentation of the Social Policy Framework, an Easy English overview flyer with links to further information will be developed along with a video that can be posted on Council's website verbally explaining the Framework and how it will be used following the adoption of the amended Framework by Council.

This Consultation Report will be made available to the community on the My Say project page and emailed directly to those who requested that they be provided with project updates.

Feedback related to the position statement documents will be incorporated into the templates with the envisioned roll out of the initial six statements covering Gambling harm, Affordable housing, Alcohol and other drug related harm, Access to adequate and nutritious food, Mental health and wellbeing and Active Living, to occur in early 2019.

Consultation and promotion process

Between the 11 September and 21 October, the following consultation activities were conducted to gather community and stakeholder feedback on the draft Social Policy Framework.

- Online information and survey made available on MySay - <https://mysay.ballarat.vic.gov.au/social-policy-framework>
- 10 drop-in sessions delivered at library sites at various days of the week (including after business hours and on weekends). This occurred at Ballarat, Wendouree, Sebastopol, Miners Rest, Learmonth, Buninyong, Eureka Centre, Lucas and Delacombe sites.
- Emails with information about the Framework, promotional flyer for distribution and an invitation to provide feedback via online survey, email or face to face meeting. Key partner organisations included in this email distribution included:
 - Ballarat Community Health
 - YMCA Ballarat
 - Department of Health and Human Services
 - Sports Central
 - Ballarat Regional Multicultural Council
 - Ballarat Health Services
 - Central Highlands Primary Care Partnership
 - Salvation Army
 - Women's Health Grampians
 - Federation University
 - Victoria Police
 - Neighbourhood houses
 - Department of Justice and Regulation
 - Ballarat Foundation/United Way
 - Compassionate Ballarat
 - Community groups
- Media release published on the City of Ballarat MyNews page - <https://news.ballarat.vic.gov.au/news-media/news/have-your-say-draft-social-policy-framework>
- Social media video post 4 October 2018
- Presentation at Child Friendly Ballarat Advisory Committee Meeting – 11 September 2018
- Attendance at Disability Advisory Community meeting – 19 October 2018

Results

Known Reach

Communication channels	Reach
My Say page visits providing information and feedback opportunities	152
Facebook video post views promoting the project and consultation opportunities	973
Library drop in sessions at Ballarat, Wendouree, Sebastopol, Miners Rest, Learmonth, Buninyong, Eureka Centre, Lucas and Delacombe.	339
Direct emails to partner organisations requesting feedback	47
Disability Advisory Committee meeting	12
Child Friendly Ballarat Advisory Committee Meeting	6
Number of surveys completed	8
347	TOTAL
	1536

Collated feedback

OVERARCHING APPROACHES

Survey feedback

- 87.5% of respondents thought that the approaches of the Victorian Charter of Human Rights and Responsibilities, the Social Determinants of Health and Whole of Systems were appropriate for the Framework.
- 5 people said that they would like to see other approaches considered but only 3 people provided suggestions of additional approaches. These were:
 - Sustainability (did not provide specific framework but believed it was an important consideration)
 - World Health Organisation Guidelines
 - The Charter for Compassion
 - UN Principles for Responsible Management Education

Other feedback

Further internal consultation occurring within the community consultation period identified additional existing approaches and frameworks which are important in guiding action by the City of Ballarat and should be referenced. This includes:

- Intercultural Cities Programme
- City of Ballarat Youth Development Framework (draft)
- Historic Urban Landscape
- United Nations Global Compact – Cities Programme (UNGCCP)

PRINCIPLES

Survey feedback

- 87.5% of respondents thought that the principles of Equity, Inclusion, Leadership, Collaboration and Proactive were appropriate for the Framework.
- 2 people indicated that they had other suggestions for guiding principles but in the following question asking for suggestions of additional principles they would like to see included only 1 person provided a response.
- The additional principle that was suggested was ‘Compassion’ with the following reasoning:

“Compassion can be applied across many of the social policy areas being addressed by the Council including planning, housing, education, health, community development, and compliments and enhances the major strategies currently being implemented by Council. Ballarat is in the process of becoming a compassionate city and in so doing will join over 400 other compassionate cities around the world. The work of the Compassionate Ballarat steering group draws on the evidence base of a number of disciplines including psychology, neuroscience, and management theory and is part of a number of global human rights groups including The Charter for Compassion and the UN Principles for Responsible Management. Developing compassion helps build a sense of belonging, in an increasingly fractured world. The kind of compassion that builds cohesion is not reserved for categories like ‘marginalised’ or ‘disadvantaged’ – our next door neighbour also needs our help. Compassion has two elements to it - the first is stimulus detection, which is how we notice and turn towards or engage with the signals of suffering and distress. The second aspect is the action and wise response.”

Other feedback

Throughout the consultation activities community members consistently indicated their agreement with the proposed principles.

LOOK AND FEEL OF THE FRAMEWORK

Survey feedback

Comments were:

- It is quite clear. Some people will want all the detail, so it is good to have all the information along with the framework on a page.
- Not that easy to understand for general public but I think it probably speaks very well to council and local organisations which might be more important. I think the key position statement areas are kind of the highlight/most tangible element but included right down the bottom in small writing. What is the justification behind these areas being chosen? Are there other areas down the track?
- Accessible
- Not easy to understand for the average citizen.
- Typo page 7 in table 'Ballarat'
- Yes, the policy was well structures and easily accessible.
- Typical social engineering

Other feedback

Through conversations with community members, a number of people thought having a simplified way of presenting information about the Social Policy Framework would be good. Suggestions included a video, as it was much easier to understand when someone explained it verbally, and a pamphlet that was easy to pick up and take away with details of how to get more information.

The Disability Advisory Committee also recommended that the white text on the yellow background in the Framework diagram be amended for greater contrast and for all images to be captioned.

ADDITIONAL ELEMENTS

Survey feedback

- No survey respondents reported that they thought there should be additional elements included in the Framework.

Other feedback

- No feedback regarding additional elements to be included in the Framework was received.

FRAMEWORK ON A PAGE

Survey feedback

Comments were:

- Yes. Some people will not want to read through the whole Framework document and this gives them a good way of seeing it all at a glance.
- Yes, very good on one page.
- Yes, it could be simplified further still.
- Useful but not necessarily clearer!
- Not sure if it will make a difference to who accesses the information.
- There is no need for such a policy

Other feedback

In general, verbal feedback throughout the consultation activities indicated that community members thought being able to see the framework on a page was a useful way of presenting the Framework, especially for those who may be wanting an overview and not the detail of the Framework.

POSITION STATEMENT TEMPLATES FEEDBACK

Survey feedback

- 87.5% respondents thought that the Position statements were either an extremely useful or a very useful way of providing a clear overview of the current roles that Council plays in relation to specific areas of social policy. 12.5% thought the Position statements to be 'Somewhat useful'.
- 75% of respondents thought that the Position Statements being presented in a one-page version was either 'extremely helpful' or 'very helpful' and 25% thought that it was 'somewhat helpful'.
- Other comments from respondents about the position statement templates from the survey included:
 - *Make it clear people are responsible for their own decisions*
 - *Include contact details for those needing help*
 - *Simplify text*
 - *Maybe slightly less info on the page (Position statement on a page)*

Other feedback

- Contact details of where people can get help if not Council
- Include information about how people might be able to get involved.

OTHER COMMENTS PEOPLE MADE IN GENERAL ABOUT THE DOCUMENTS AND/OR PROJECT

Survey feedback

- *These sorts of policies contribute to nothing and achieve nothing.*
- *It would be good to present the information in the form of a video, perhaps in languages other than English. It would be useful to consider where the information should be distributed. Eastwood Leisure Centre has a place where there are lots of brochures and lots of people go there. Breanna Doody entered information on behalf of resident at Wendouree Library who preferred not to leave her name.*
- *Where would the position statements be provided? Could there be a brochure to let people know where they can access information. Use captive audiences. Put up on noticeboards and consider creating a DL brochure which is easier for people to pick up and take away. People can then read the ones most appropriate to them. DL brochures would also allow you to use the existing brochure holders within the community.*
- *In providing an example of how compassion might be implemented into the social policy framework, we offer the following comments on how compassion could contribute to these aspects of the framework:*
 - *ADVOCATE: Compassionate Ballarat (CB) will have strategic input into Council's social policy and will look to council to inform it of relevant opportunities for input into policy and practice.*
 - *EDUCATOR: The science underpinning compassion comes from work in emotion intelligence, self-awareness, and medical approaches to mindfulness. Compassion training will be made available to members of the Council, industry leaders and the public. Compassion training also links to the Business School education through PRME for the next generation of Ballarat industry leaders. Britt Klien and Lynne Reeder are creating a compassion program within the online platform - My Digital Health, for open access. Relevant FedUni staff can support research initiatives.*
 - *CAPACITY: CB will link to other global city initiatives – e.g. creative cities, child friendly cities, HUL, etc. Discussions are already underway between Compassion Ballarat and HUL to run a forum incorporating compassionate cities thinking to a current planning and design project.*
 - *FACILITATOR: A formalised Council MOU with CB, designated links to council and city administration, becoming a signatory to global Charter for Compassion.*
 - *COORDINATOR: Council to notify CB of specific programs – e.g. dementia friendly forest, food security, affordable housing for input in order to achieve a whole of systems approach to specific programs.*
 - *PLANNER/REGULATOR: Providing design aspects of the compassionate city, work with the charter cities initiative to be informed of innovative options occurring in cities around the world.*
 - *SERVICE DELIVERY: Pilot a research project for application of compassion into service delivery areas relevant to the social determinants of health.*
 - *ENABLER: Support the grass roots work of CB – e.g. Mayor speaking at the Compassion walk, compassion in healthcare forums etc.; Councillors invited to attend CB forums and events.*

Other feedback

In general, conversational feedback about the Framework was that while acknowledging it was an important policy document, it was not something that people had a real opinion on. The position statements were of more interest and people were looking forward to finding out more about Council's position on a range of social topics as they were more likely to have an interest in a specific area than in the overarching Framework.

The Disability Advisory Committee recommended that an addition also be made to the description of 'Enabler' within the Framework document to articulate the importance of social connection to social wellbeing outcomes.

How the feedback will be incorporated

Within the consultation activities, several people indicated that they thought having a simplified way of presenting information about the Social Policy Framework would be advantageous. As a result, one of the recommendations presented to Council will be to produce a video which verbally explains the Framework and how it will be used with this video to be made available on Council's website. In addition, a flyer, providing an Easy English overview of the Framework will also be developed and distributed within the community also providing information about where community can access more information on the City of Ballarat website and who to contact.

Through the consultation activities it was suggested that 'Compassion' be added as a guiding principle within the Framework. In addition to inclusion within the 'Framework diagram' on page 4 and 5 of the amended document, detail about the added principle of 'Compassion' has also been included along with a description of the new principle on page 6.

Feedback by community members and partner organisations related to overarching approaches suggested that there should be reference to a framework which highlights the importance of sustainability, along with references to the World Health Organisation guidelines, the UN Principles for Responsible Management Education and the Charter for Compassion. It is agreed that these are all important suggestions and after doing some further investigation it was identified that the United Nations' 'Sustainable Development Goals' which underpin the World Health Organisations program of work and provides useful information and guidance in areas of social policy, and which also highlights the important consideration of sustainability would be a useful inclusion in the Social Policy Framework. It also has some alignment with the UN Principles for Responsible Management Education and is a more inclusive way of considering these three proposed approaches than listing them individually. The Charter for Compassion will also be included as an overarching approach to consider and will also serve to provide context and information for the application of the added principle of 'Compassion'.

Following further internal consultation, additional existing approaches and frameworks which are important in guiding action by the City of Ballarat have also been included within the 'Influencing Frameworks and Approaches' section of the document on page 13. This includes:

- Intercultural Cities Programme
- City of Ballarat Youth Development Framework (draft)
- Historic Urban Landscape
- United Nations Global Compact – Cities Programme (UNGCCP)

In relation to look and feel of the documents, the Disability Advisory Committee also recommended that the white text on the yellow background in the Framework diagram be amended for greater contrast and for all images to be captioned. These changes have been forwarded to the graphic designer for amendment.

The Disability Advisory Committee recommended that an addition also be made to the description of 'Enabler' within the Framework document to articulate the importance of social connection to social wellbeing outcomes. This has been done within the Framework diagram on page 5 and the description on page 7.

Feedback related to the position statement documents will be incorporated into the templates with the envisioned roll out of the initial six statements covering Gambling harm, Affordable housing, Alcohol and other drug related harm, Access to adequate and nutritious food, Mental health and wellbeing and Active Living, to occur in early 2019.



City of Ballarat
Social Policy
Framework

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Girl playing soccer

The City of Ballarat is committed to improving the health and wellbeing of all members of our community. As part of the 2017-2021 Council Plan it was identified that a Social Policy Framework articulating The City of Ballarat’s position on key social issues would be developed to contribute to the goal of ‘Liveability: improving the quality of life for our community’¹.

The City of Ballarat Social Policy Framework articulates the principles, considerations, roles and responsibilities that guide the City of Ballarat’s policy development in areas of social concern and wellbeing. The position statements which accompany the Social Policy Framework consolidate existing and related social policy from across the City of Ballarat to provide clarity about the City of Ballarat’s policy position, key messages, roles and responsibilities regarding specific social issues, and will be added to over time.

SOCIAL POLICY AND THE ROLE OF LOCAL GOVERNMENT

According to Wolf (2000): "A policy is a course of action or inaction chosen by public authorities to address a given problem or interrelated set of problems"². Social policy can take many forms. It can be formal or informal, and it can consist of actions, guidelines, principles, laws, and regulations³. Social policy aims to improve people’s wellbeing and is especially concerned with the welfare of those who experience some form of disadvantage. Social policy extends beyond a narrow definition of social services and supports - it is about how we work, live and spend our time, and it helps determine how we come together to meet human needs, such as housing, employment, education, recreation, leisure, health, safety and the care of children⁴. According to the Caledon Institute of Social Policy (2003)⁵, local governments have significant opportunities to engage in social policy and planning initiatives. Local governments are in a position to promote awareness of the pressing social needs in the community, and of the importance of social investment. This includes fostering a sense of responsibility for social wellbeing among all sectors, including business, community groups, and other levels of government.

There are several significant reasons for local government investment in social issues: Cities and towns are the place where individuals and families receive services and participate in their community; In many cases, services are cost-shared between levels of government but delivered locally; Municipal government is the level of government that is closest to the people it represents. This offers a first-hand knowledge of the needs of the community and its residents; The local level is where the integration of services occurs; and, It is at the local level where public-community partnerships are likely to be built.



Local resident attending library event

Part A: City of Ballarat

PRINCIPLES

EQUITY

INCLUSION

LEADERSHIP

CONSIDERATIONS FOR POLICY DEVELOPMENT

Accountability

Is there a legislative mandate for Council? Are there responsibilities taken on through other agreements?

Capacity

What is Council's ability to act in terms of resources, knowledge and skills

Relationships

What are the current roles of other organisations, the relationships among and between them, and the level of community support for council to participate

Levels of Responsibility



Council has a primary responsibility and as a stakeholder has a central role



Council is one of a few or many responsible stakeholders



Other stakeholders share most responsibility, Council plays a supporting role

POSITION STATEMENTS

POSITION STATEMENTS TO INCLUDE:

- City of Ballarat's current role
- Related policy documents
- Key messages
- Overview of data and trends

Social Policy Framework

COLLABORATION

PROACTIVE

COMPASSION

Advocate

We seek to influence decisions and policy through organised effort

Educator

We communicate, support and develop knowledge and understanding

Capacity Builder

We improve the ability of others to partner on shared goals

Facilitator

We draw people together to explore opportunities and challenges

Coordinator

We support the alignment and coordination of programs and funding

Planner/Regulator

We develop plans, policies and regulations that affect Council actions

Service Delivery

We provide services directly to our citizens or customers

Enabler

We empower our community members to participate in community life and recognise the importance of social connection

**INFLUENCING
APPROACHES
AND
FRAMEWORKS**

**OVERARCHING
COUNCIL
PLANS
STRATEGY
AND POLICY**

POSITION STATEMENTS WILL BE ADDED OVER TIME



Initial position statements to be developed will be focussed on: Gambling Harm, Affordable Housing, Alcohol and Other Drug Related Harm, Access to Adequate and Nutritious Food, Mental Health and Wellbeing, and Active Living.

GUIDING PRINCIPLES

Principles are criteria that guide decisions, behaviour and actions. When used as a foundation for action, a common set of principles helps everyone understand the appropriate direction to take and how to act in a way that will lead us to the outcomes we want. Underpinning the City of Ballarat's approach to addressing social issues are five principles outlined below which include Equity, Inclusion, Proactive, Leadership, Collaboration and Compassion. Fully integrating these principles into different aspects of social policy work will take time and will require the dedicated efforts of everyone involved.

Equity

Equity is a concept based on the human rights principles of social justice and fairness^{6,7}. It is an approach that addresses the unfair and avoidable differences among social groups with an aim of achieving more equal outcomes.⁸ 'Equity' is sometimes used interchangeably with the related term 'equality', although the two are not the same thing. Equality is considered to exist when all individuals and groups of people are given equal treatment, regardless of need or outcome, whereas an equitable approach focusses on more equal outcomes, recognising that disadvantaged groups may need more support or resources to achieve the same health outcomes as more advantaged groups.⁹

Inclusion

Diversity encompasses a range of human experience, including age, gender, sexual orientation, culture, ethnicity, language, and physical or mental ability, as well as socioeconomic, immigration and citizenship status. Inclusion promotes the full participation of all individuals in society, regardless of their traits, identities or circumstances. In an inclusive society, we understand that diversity is one of our strengths, and we can build on our strengths together. When we act in an inclusive way, we promote the full participation of all individuals in our society and acknowledge varying perspectives.

Proactive

Proactive approaches work over the long term to prevent or address social problems before they start. As a result, they often prove to be more cost-effective than reactive approaches. Proactive action acknowledges the interconnectedness of individuals, families, communities and their environments. They also

reflect the interplay between economic, social, and environmental policy. When we are proactive, we emphasise root causes and focus on creating conditions for success, and we anticipate and adapt to changing and evolving needs.

Leadership

Leadership with and among others is essential to adopt and sustain excellent practices and to act effectively in areas of social policy. It is important for local government to lead positive change and provide positive leadership in areas of complexity, and to foster leadership within partnering organisations and the community to tackle complex social issues.

Collaboration

Collective efforts are necessary and are most effective when organisations build from their strengths, jurisdiction and capacity, while maintaining a degree of flexibility. Our capacity to achieve positive social policy outcomes depends on our ability to work together with our partners collaboratively. Individuals and organisations across all sectors and all parts of the municipality have resources and expertise to contribute to resolving social challenges and achieving positive outcomes for the Ballarat community. When we act collaboratively, we are open to new and alternative ideas, perspectives, and solutions.

Compassion

Building compassion within a community helps to create a sense of belonging and motivates people to take responsibility for and care for each other. A community where compassion is fully alive is a thriving, resilient community whose members are moved by empathy to take compassionate action, can confront crises with innovative solutions, are confident in navigating changes in the economy and the environment, and are resilient enough to bounce back readily from natural and man-made disasters (add reference number here).



357 *Figure 2: A visual depiction of the difference between equality and equity*

RESPONSIBILITIES AND ROLES

The Social Policy Framework acknowledges that social wellbeing and quality of life are the result of complex systems, relationships and interactions – and are not the sole responsibility of local government. Guided by the principles of Leadership and Collaboration, the Social Policy Framework will enable the City of Ballarat to identify appropriate responsibilities and roles by considering the following:




Accountability: Legislative mandate, and responsibilities taken on through other agreements.

Capacity: The ability to act in terms of resources, knowledge and skills.

Relationships: The current roles of other organisations, the relationships among and between them, and the level of community support for the City of Ballarat to participate.

Three levels of responsibility

Based on the criteria identified above, the City of Ballarat has three general levels of responsibility within social policy areas.

	<p>Primary: The City of Ballarat has a primary responsibility and, as a stakeholder, has a central role.</p>	<ul style="list-style-type: none"> • High accountability • Has a legislated mandate • Strong capacity • Significant City of Ballarat role required to improve community wellbeing outcomes.
	<p>Shared: The City of Ballarat is one of a few or many responsible stakeholders.</p>	<ul style="list-style-type: none"> • Accountable for some aspects • Some capacity • Moderate City of Ballarat role required to improve community wellbeing outcomes.
	<p>Complementary: Other stakeholders share most responsibility, the City of Ballarat plays a supporting role.</p>	<ul style="list-style-type: none"> • No formal mandate • Limited capacity • Small City of Ballarat role required to improve community wellbeing outcomes.

Roles

Within these three levels of responsibility, the City of Ballarat can play different roles. There are several typical roles that the City of Ballarat may perform in areas of social policy:

- **Advocate:** We seek to influence decisions and policy through an organised effort.
- **Educator:** We communicate, support and develop knowledge and understanding.
- **Capacity Builder:** We improve the ability of other organisations to deliver and partner on shared goals.
- **Facilitator:** We draw people and organisations together to explore, strategise and work through opportunities and challenges.

- **Coordinator:** We support various individuals and organisations to align and coordinate initiatives, programs, funding, etc.
- **Planner/Regulator:** We develop plans, policies and regulations that affect City of Ballarat actions and the actions of others.
- **Service Delivery:** We provide services directly to our citizens or customers.
- **Enabler:** We empower our community members to participate in community life and recognise the importance of social connection.

SOCIAL POLICY POSITION STATEMENTS

For a number of identified areas of social policy, a position statement outlining the City of Ballarat's current role, related policy documents, key messages and an overview of data and trends will be developed. It is intended that these position statements reflect the guiding principles and directions provided by the Social Policy Framework and that as new community issues come to the fore, or where there is confusion of the municipal role in an area of social policy, additional position statements will be added.

The initial policy position statements to be developed will be:

- Gambling Harm
- Affordable Housing
- Alcohol and Other Drug Related Harm
- Access to Adequate and Nutritious Food
- Mental Health and Wellbeing
- Active Living



PART B - Background

OVERARCHING CITY OF BALLARAT POLICY DOCUMENTS

The Victorian Local Government Act 1989 requires local governments to provide the best outcomes for the community, while having regard to the long term cumulative effects of decisions. There are several key overarching local government plans and strategies, which must be considered within the development of social policy and which provide direction as to the priorities and desired outcomes for the municipality. A general overview of the key planning, strategy and policy documents has been provided below in relation to how they may influence social policy at the City of Ballarat.

Council Plan 2017-2021

The Council Plan is an important document that drives everything the City of Ballarat does over a four-year period. It sets the vision, priorities and outcomes for Council's term and lists how progress will be measured. The plan has been divided into four goals:

- Liveability:** Improve the quality of life for our community
- Prosperity:** Advance our economic position as the capital of Western Victoria
- Sustainability:** Protect, maintain and enhance our built and natural assets
- Accountability:** Provide strong and decisive leadership, and transparent governance

Across the Council Plan, there are several key aims which relate to areas of social policy and these include:

- A welcoming, inclusive, active and socially-connected city for all ages and abilities
- Healthy cultural life and creative expression through multi-arts, culture and heritage
- Well used public spaces for living, learning and social engagement
- Safe and accessible community spaces and facilities
- A community of respect and equality
- A built environment that is reflective of the community's needs and aspirations, and respects our heritage
- Sustainable waste management, transport and connectivity
- Strong regional partnerships

The Council Plan is underpinned by the Ballarat Strategy, which is a plan for our city until 2040 that outlines the community's vision of a greener, more vibrant and connected Ballarat.

Today Tomorrow Together: The Ballarat Strategy 2040



Today Tomorrow Together: The Ballarat Strategy is our long-term spatial strategy for Ballarat to 2040. It covers development, infrastructure, planning and managing growth, and outlines the long-term plan for a greener, more vibrant and connected Ballarat. It is supported by key concepts, policies and actions that will underpin land use decision-making in Ballarat over the next 25 years, many of which directly impact aspects of social policy. The comprehensive range of policy directions and actions outline the plan to get there, based around two key platforms: The '10 Minute City' - supporting complete, liveable neighbourhoods within a compact city, and 'The City in the Landscape' - supporting Ballarat to be a greener and more vibrant regional city.

Some of the key initiatives within the Ballarat Strategy, which are related to social outcomes include, but are not limited to:

- Facilitate better access to local services and facilities
- Plan for a healthy and inclusive community
- Focus long-term decision-making on the needs of children and communities
- Minimise the harm caused by electronic gaming machines
- Embrace cultural diversity
- Support affordable, community housing
- Plan for affordable and diverse housing appropriate for an ageing and changing community
- Ensure ongoing management of agricultural land for agriculture and food security
- Collaborate to adapt to a changing climate.

Municipal Public Health and Wellbeing Plan



The Victorian Public Health and Wellbeing Act 2008 requires all local governments to prepare a Municipal Public Health and Wellbeing Plan within 12 months of the council election. The objectives of the Act are to achieve the highest standards of public health and wellbeing by:

- Protecting public health and preventing disease, illness, injury, disability or premature death
- Promoting conditions in which people can be healthy
- Reducing inequalities in the state of public health and wellbeing

The Municipal Public Health and Wellbeing Plan 2017-2021 outlines how the City of Ballarat and other local health organisations will work to address key health priorities to achieve a higher level of health and wellbeing for the people who live, learn, work and play in Ballarat.

The plan has focussed on three health and wellbeing issues which impact the whole community and acknowledges the many other areas of the City of Ballarat which have an impact on health and wellbeing.

The three priority areas are:

- Healthy eating and active living – a regional priority for the Central Highlands
- Improving mental health
- Reducing violence and injury.

In addition to identifying priority areas which should be reflected by the accompanying position statements, the Municipal Public Health and Wellbeing Plan provides approaches and focus areas that can be reflected in policy development, including place-based and people-centred approaches, sustainable and healthy environments and a life-course approach of health.

Municipal Strategic Statement and Local Planning Policies

The Ballarat Planning Scheme sets out policies and provisions for the use and development of land in the City of Ballarat¹¹. The Planning Scheme provides an urban framework to guide development in locations where it will maximise benefits to the community as a whole while minimising negative impacts. It aims to provide direction, some degree of certainty and, where required, protection.

Within the Ballarat Planning Scheme there is content specific to the local area (local provisions) contained in the Municipal Strategic Statement, local policies, schedules and incorporated documents.

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision-making by the responsible authority. The MSS provides an opportunity for an integrated approach to planning across all areas of council and is dynamic, enabling community involvement in its ongoing review.

The MSS can be built upon as the City of Ballarat develops and refines its strategic directions in response to the changing needs of the community.

When preparing amendments to the planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account. Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement. A Local Planning Policy (LPP) is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority's expectation of what should happen. The LPP gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. An LPP provides guidance to decision-making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome. When preparing amendments to this scheme and before making decisions about permit applications, planning and responsible authorities must take the LPPs into account.

Both the Municipal Strategic Statement and Local Planning Policies are important in providing significant leverage for improvements in areas of social policy. A good example of this is the 'Local Policy Planning Framework - 22.07 Gaming' which ensures that planning decisions related to electronic gaming machines must take into account the harms that arise from gaming and the impact on disadvantaged and vulnerable community members when planning applications are being considered.



INFLUENCING FRAMEWORKS AND APPROACHES

There are a number of frameworks which are useful for context and consideration when developing social policy. The following frameworks and approaches will be considered in the development of policy addressing social issues.

Victorian Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities Act 2006 (the Charter)¹² is a Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. It is about the relationship between government and the people it serves. The Charter requires public authorities, such as Victorian state and local government departments and agencies, and people delivering services on behalf of government, to act consistently with the human rights in the Charter.

Twenty fundamental human rights are protected in the Charter because the Victorian Parliament recognises that, as human beings, we have basic rights, including the right to be treated equally, to be safe from violence and abuse, to be part of a family and to have our privacy respected. These basic rights form the foundation of a democratic and inclusive society that values human dignity, equality and freedom. In certain circumstances, some rights may be limited. However, this must be necessary and reasonable and there must be clear reasons for the decision.

Every day, local councils across the state engage with the diverse range of people who make up their communities – including children, families, people with disability, older people, migrants and refugees. As a result, local councils play an important role in protecting and promoting human rights. As public authorities, the Charter requires local councils to consider human rights when they make, interpret and apply laws, develop policies and provide day-to-day services.

Local councils must ensure that:

- All council decisions give proper consideration to human rights
- All actions, policies and services are compatible with human rights
- Local laws are interpreted and applied consistently with human rights

- people who work on behalf of councils do so in a way that respects human rights.

Social Determinants of Health

Social determinants of health are conditions in the environments in which people are born, live, learn, work, play and age that affect a wide range of health and quality-of-life outcomes and risks. Conditions (e.g., social, economic and physical) in these various environments and settings (e.g., school, workplace and neighbourhood) have been referred to as 'place'. In addition to the more material attributes of 'place', the patterns of social engagement and sense of security and well-being are also affected by where people live. Resources that enhance quality of life can have a significant influence on population health outcomes. Examples of these resources include safe and affordable housing, access to education, public safety, availability of healthy foods, local emergency/health services and environments free of life-threatening toxins.

Understanding the relationship between how population groups experience 'place' and the impact of 'place' on health is fundamental to the social determinants of health - including both social and physical determinants.

By working to establish policies that positively influence social and economic conditions and those that support changes in individual behaviour, we can improve health for large numbers of people in ways that can be sustained over time. Improving the conditions in which we live, learn, work and play, and the quality of our relationships, will create a healthier population, society and workforce.

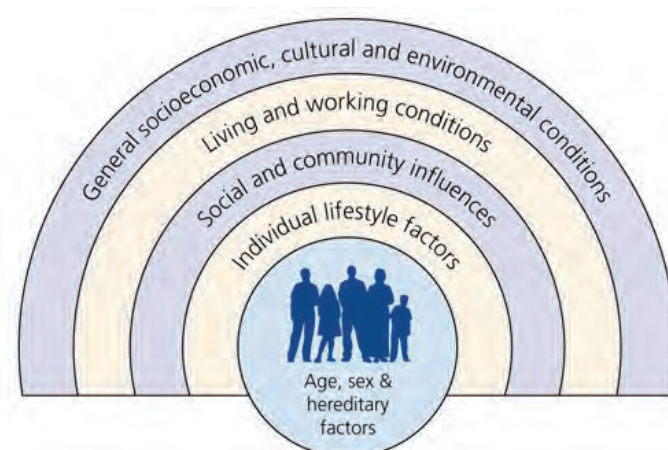


Figure 1: A Framework for determinants of health¹⁰

Whole-of-systems approach

A system is made up of a structure, the process it supports and its use. Elements are generally both interdependent and related, all of which need to be considered as a whole. A systems approach therefore needs to understand the links and relationships between each component. To tackle the gradient in health inequities, a whole-social-systems approach is required, particularly when addressing complex strategic and social issues¹³. By recognising the complex nature of the problem, and applying systems-thinking approaches, investigations can delve below the surface and identify the fundamental and interconnecting causes of the complex issue – such as the patterns of behaviour, the underlying structure and the beliefs of the people and organisations responsible for creating that complex issue¹⁴.

A whole-of-systems approach looks at the ‘big picture’ of issues across a range of different stakeholders. In order to improve outcomes for our community in areas of complexity, we need a range of governments, organisations and individuals to work together in a coordinated way to attack the problem from many different angles and in dynamic, flexible ways.

A whole-of-systems approach helps to do this by ensuring that all stakeholders are focussed on the work of identifying ways to address the problem.

UNESCO’s new approach to city management – Historic Urban Landscape (HUL)

In 2013, Ballarat became the first local government in the world to join UNESCO’s international pilot program on the Historic Urban Landscape (HUL) approach. HUL puts citizens and their local governments at the centre of managing complex challenges in cities. It is long-term and acknowledges the fundamental role culture and place play for local communities, visitors and businesses, as well as in contributing to identity and sense of belonging. HUL requires that the city’s many and interconnected values and vulnerabilities are holistically understood and equitably managed. See <http://www.hulballarat.org.au/>

Ballarat the Intercultural city – Council of Europe (COE)

In 2017, Ballarat became the first Australian city to join the COE’s Intercultural Cities Network, which recognises that all people contribute to,

influence and become part of a place’s identity. Ballarat’s vision is to be ‘an inclusive intercultural community that celebrates diversity and is welcoming to people of all cultures’ (City of Ballarat (2017), Intercultural Strategy). See <https://www.coe.int/en/web/interculturalcities/home>

United Nations Global Compact – Cities Programme (UNGCCP)

The UNGCCP provides a platform for city governments and local citizens to collaborate with the private sector for more sustainable ways to address complex local challenges. It helps achieve more inclusive, effective and transparent outcomes for cities and their citizens. The City of Ballarat has been working with the UNGCCP through their global advisor program since 2015 and ‘Australian City Partnerships’ program since 2017. See <https://citiesprogramme.org/>

Additional frameworks and approaches to be considered

There are many frameworks and approaches that are used to guide action by the City of Ballarat. These should also be considered when appropriate in the development of social policy and includes but is not limited to:

- Victorian Child Friendly Cities and Communities Charter - <http://www.vlga.org.au/Policy-Advocacy/Victorian-Child-Friendly-Cities-and-Communities-Hub>
- World Health Organisation Age Friendly Cities - http://www.who.int/ageing/publications/Global_age_friendly_cities_Guide_English.pdf
- Universal Design - <http://universaldesignaustralia.net.au/2017/06/design-guide-for-public-spaces/>
- Physical literacy standards - https://www.ausport.gov.au/participating/physical_literacy
- United Nations Sustainable Development Goals - <https://www.un.org/sustainabledevelopment/>
- Draft City of Ballarat Youth Development Framework - <http://www.ballarat.vic.gov.au/ac/budget-reports-and-plans/youth-development-framework.aspx>
- Charter for Compassion - www.charterforcompassion.org

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- ¹⁴ The Australian Prevention Partnership Centre (2015) Systems Thinking. Available: <https://preventioncentre.org.au/resources/learn-about-systems/> (Accessed: 7/6/2018)

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9.10. RECOMMENDATION FOR COMMISSION OF ARTWORK FOR STURT STREET GARDENS

Division: Development and Planning
Director: Angelique Lush
Author/Position: Kate Gerritsen - Public Art Coordinator

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Accept the Public Art Advisory Committee recommendation to commission the George Devine Treloar Memorial public art sculpture in the Sturt Street Gardens, Ballarat.**

EXECUTIVE SUMMARY

In 2015, Council commenced negotiations to form a partnership with the George Treloar Memorial Committee to create a public artwork honouring the humanitarian work of Ballarat-born figure Major George Devine Treloar. In the 1920s Major Treloar was engaged in the resettlement of Greek refugees from Asia Minor leading a significant humanitarian effort and making an important contribution to the lives of people in the Greek community of Australia and abroad.

Council received a brief regarding the George Treloar Memorial project in November 2017. A minimum commission budget of \$150,000 was agreed to ensure a work suitable for the Sturt Street Gardens precinct. Council entered into an MOU with the George Treloar Memorial Committee under the Auspice of the Merimna Pontion Kyrion of Oceania stipulating a \$100,000 contribution from the George Treloar Memorial Committee and a \$50,000 commitment from Council to achieve the project. A tender process has been conducted to recruit an artist for the project commission.

Council's Public Art Advisory Committee has recently completed a selection process for the artwork concept. The recommended artist meets the tender requirements and the project objectives.

RATIONALE

The George Devine Treloar Memorial Project has been allocated \$50,000 from Council's Public Art budget and a community contribution of \$100,000 from the George Treloar Memorial Committee for the commissioning of a public artwork to be installed at the Errard Street end of the Errard to Drummond Street block of Sturt Street Gardens. The objectives of the project are to:

1. Commission a permanent public artwork interpreting the story of George Devine Treloar and the important connection between the Australian Greek Community and George Devine Treloar's humanitarian work post WW1
2. Select an artwork of a style complementing other artworks and memorials in the Sturt Street Gardens precinct as described in the Sturt Street Gardens Landscape and Management Plan.

Council Officers have worked closely with the George Treloar Memorial Committee to ensure the artist’s brief met the needs and aspirations of the Greek community and the contributors of the funds raised for supporting the commission. Artists have responded to information provided about George Devine Treloar’s life, his connection to Ballarat and his humanitarian work.

Members of the George Treloar Memorial Committee have joined Council’s Public Art Advisory Committee (PAAC) for meetings on 25 June 2018, 10 September 2018 and 23 October 2018 to assist with the selection of the final design concept.

The recommended artwork and a tender evaluation report are detailed in a confidential Council Report.

The artwork is due to be installed in May 2019.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

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

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	No	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	No	No

Social/Cultural – The concept for the artwork identifies themes and stories that have a significant connection to Ballarat are consistent with the Sturt Street Gardens precinct

Environmental/Sustainability – The artwork will have little environmental impact and has a lifespan of 25 years+

Economic – The total cost of the public art project is \$150,000

Financial/Resources – The project is jointly funded by Council’s Public Art budget allocation and funds raised by the George Devine Treloar Memorial Committee.

Risk Management – The artist has identified risks and risk mitigation in response to the artist brief. Reputational risk has been minimised through community engagement.

Implementation and Marketing – The project will be complete by May 2019.

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

- Associated documents included in confidential agenda

ATTACHMENTS

Nil

9.11. BALLARAT AERODROME ADVISORY COMMITTEE

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Natalie Robertson – Executive Manager Development Facilitation

OFFICER RECOMMENDATION

Council resolves to:

1. **Appoint the following individuals on to the Ballarat Aerodrome Advisory Committee 2018 for a three-year term:**
 - **Mr Sandy Gray – Community Representative;**
 - **Mr Peter Vermeend – Community Representative;**
 - **Mr George Langley – Aerodrome Community Tenant;**
 - **Mr Gordon Cornell – Aerodrome Community Tenant;**
 - **Mr Peter Mackay – Aerodrome Tenant;**
 - **Mr Daryl Chibnall – Aerodrome Tenant; and**
 - **Mr Jimmy Lee – STAA, Aerodrome Tenant.**
2. **Acknowledge the import role and contribution the Ballarat Aerodrome Advisory Committee provides to Council and thank Mr Roger Gration and Michael Porter, for their service on the Ballarat Aerodrome Advisory Committee.**

EXECUTIVE SUMMARY

This report recommends that Council approve the Ballarat Aerodrome Advisory Committee membership from November 2018 to November 2021. This is a requirement of the Terms of Reference to review the membership on a regular basis.

RATIONALE

The Committee was originally established in June 2009 as a Special Committee under the provisions of section 86 of the *Local Government Act 1989*, due to its delegated decision making under its Terms of Reference. The status of the Committee is to support future development in and around Ballarat Aerodrome.

Since that time, the Committee has provided valuable advice to Council in relation to precinct developments, major projects, policies and strategies and has provided a Forum for information sharing.

An advertisement was placed in *The Miner* on Thursday 27 September 2018 and on Council's website and seven applications were received.

All of those who have submitted their names to be part of the Committee are considered to as parties that would add significantly to the operations of the Committee in providing advice and acting as a sounding board for initiatives to be resolved across the Airport, and as such are recommended to be supported as members of the Committee.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- Ballarat Airport Master Plan 2013-2033
- *Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 1989*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

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

Human Rights and Social/Cultural – 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 report is provided and made available to the community to increase awareness of the activities of Council, provide a mechanism for transparency and could increase community involvement in decision making at Council level.

Environmental/Sustainability – It is considered that this report and the establishment of new members to the Ballarat Aerodrome Advisory Committee for the period 2018 to 2021 is unlikely to have any impact to matters related to Environment or Sustainability.

Economic – Council seeks to continue to explore opportunities for growth and development of the Ballarat Aerodrome which in turn would benefit economic return for the local economy.

Financial /Resources – There is sufficient budget available within the Ballarat Aerodrome allocation to cover any minor administrative costs of the Ballarat Aerodrome Advisory Committee.

Risk Management – The Committee membership is significant in terms of the diversity, expertise and experience it presents. The process utilised to develop the membership have ensured a transparent and culturally appropriate approach has been adopted. The confirmation of this new membership increases Council's capacity to respond to changing needs and build networks and relationships that provide benefit for enhanced community development for the purpose of the Committee.

Implementation and Marketing – An advertisement was placed in The Miner on Thursday 27 September 2018 and on Council's website and seven applications were received. Council's decision in this matter will be made public through its website following the Council meeting.

Evaluation and Review – The Committee must work under the Terms of Reference which is reviewed and modified where appropriate at the renewal of each Committee group.

CONSULTATION

The community will be informed of the approved membership of the Committee through articles in myBallarat and on the Council's website.

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. Terms of Reference - August 2018 **[9.11.1]**

BALLARAT AERODROME ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes (or continues) the Ballarat Aerodrome Advisory Committee (**Committee**).
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Ballarat Aerodrome is situated 7kms northwest of Ballarat Central in the City of Ballarat and the Ballarat Aerodrome elevation is 1,433ft (437m). The Ballarat Aerodrome is situated on several parcels of land comprising 176ha freehold (owned by Council), 132ha of Crown Land permanently reserved for Ballarat Aerodrome purposes and 67ha of Crown Land which is part of the Ballarat common. This gives a total area of land of 467ha.
- 1.4 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.5 This Terms of Reference document is authorised by a resolution [insert resolution number after the Council meeting] of Council passed on [insert date of the Council meeting the ToR were endorsed, after the Council meeting].

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Supporting the general operation of the existing Ballarat Aerodrome.

3. OBJECTIVES

The objectives of the Committee are:

- 3.1 To ensure that operation of the Aerodrome is supported by optimal consultation processes.
- 3.2 To ensure that aerodrome operational procedures reflect an appropriate balance between commercial and community benefit outcomes.
- 3.3 To act as an advocate for aerodrome future development proposals.
- 3.4 To provide advice on appropriate forms of community engagement to support proposed developments.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is:
- 4.1.1 to act as the primary means of dealing with community interface issues resulting from expanding activities taking place in and around the aerodrome; and
 - 4.1.2 to establish clearer lines of communication between Council and residents to support future development and operational activities at the aerodrome.
- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of nine members comprising of:
- 5.1.1 three (3) Councillors of Council as invited or required from time to time;
 - 5.1.2 two (2) community members representatives;
 - 5.1.3 two (2) representatives of Ballarat Aerodrome businesses;
 - 5.1.4 two (2) representatives of Ballarat Aerodrome community tenants;
 - 5.1.5 a representative of the Committee for Ballarat (as nominated by the Committee for Ballarat); and
- 5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
- 5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.1, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Membership is for a period of three (3) years.
- 5.7 A Councillor appointed under clause 5.1.1 will be the Chairperson of the Committee.
- 5.8 Where more than one Councillor is appointed to the Committee, Council will, by resolution, appoint one of those Councillors to be the Chairperson of the Committee.
- 5.9 If a Chairperson is not appointed under clause 5.7 or 5.8, as the case may be, before the Committee's first meeting, the Committee members must appoint a Chairperson at the first meeting.
- 5.10 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.

5.11 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:

6.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);

6.1.2 Part 4, Division 2 of the *Local Government Act 1989*;

6.1.3 the Committee's discretion, as exercised from time to time; and

6.1.4 Council's Community Consultation and Participation framework.

6.2 The Committee will meet on a three-monthly basis or with such frequency as determined by resolution of Council or, absent such a resolution, with such greater frequency as agreed by the Committee from time to time.

6.3 The Chairperson will chair all Committee meetings.

6.4 The Chairperson is the authorised spokesperson for the Committee.

6.5 The role of the Council officer appointed under clause 5.2 includes:

6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;

6.5.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;

6.5.3 acting as the contact point between Council and the Committee; and

6.5.4 assisting with meeting the Committee's reporting requirements.

6.6 A quorum of the Committee will be half of the members plus one.

6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.

6.8 Sub Committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING

7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:

7.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);

7.1.2 Part 4, Division 2 of the *Local Government Act 1989*;

- 7.1.3 any resolution of Council made from time to time; and
- 7.1.4 the Committee's discretion, as exercised from time to time.
- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee Meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present, by the Committee Chairperson and forwarded to the Governance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance.)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
 - 8.1.1 is established; and
 - 8.1.2 has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
 - 8.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determines to vary or revoke it.
- 8.3 The Committee must be dissolved by a resolution of Council.

Dated: [insert date of the Council meeting the ToR was endorsed, after the Council meeting]

9.12. MEETING PROCEDURE LOCAL LAW - SUBMISSIONS

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

OFFICER RECOMMENDATION**Council resolves to:**

1. **Note the submissions received by Council.**

EXECUTIVE SUMMARY

In accordance with sections 223 of the *Local Government Act 1989*, Council gave public notice of its intention to consider adoption of a new Meeting Procedure Local Law in the Ballarat Times on Saturday 25 August 2018 and invited written submissions. The purpose of this report is to receive written submissions and hear any verbal representations from respondents who requested that they be heard in support of their written submissions.

RATIONALE

On 3 October 2018, Council resolved (**R289/18**) to commence the statutory process for the making of a proposed Meeting Procedure Local Law in accordance with Part 5 of the *Local Government Act 1989* (the Act), by giving public notice of its intention to make the proposed Local Law and inviting submissions under section 223 of the Act.

A proposed Meeting Procedure Local Law (proposed MPLL) has been developed and is the result of a comprehensive process of external analysis, formal benchmarking of similar sized Councils, and document development and review. The proposed MPLL has been informed by internal workshops with officers and Councillor's detailing common issues, and general compliance activities. The draft MPLL has been reviewed by Maddocks Lawyers; and a Community impact Statement has been provided.

The proposed MPLL will be reviewed following the consultation process for consideration by Council at 12 December 2018 ordinary meeting.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

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

REPORTING AND COMPLIANCE STATEMENTS

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

Human Rights – It is considered that proposed MPLL impact on section 15 ‘Participation in Public Life’ in the *Charter of Human Rights and Responsibilities Act 2006*, in so far as the draft changes enable increased participation by a broader populous.

Social/Cultural – Local laws related to meeting procedures are created to provide consistency and clarity to the conduct of Council meetings, and the expected protocols for decision making and the engagement with members of the community.

Financial/Resources – The costs associated with making and implementing local laws are contained within the 2018/19 Council Budget.

Risk Management – Achieving the objectives set out in the Local Government Charter (Part 1A of the Act) requires the adoption and enforcement of a suite of Local Laws applicable under local conditions. Council has a level of discretion in regard to the final composition of the Local Laws, and approaches to enforcement contained within.

CONSULTATION

On 3 October 2018, Council resolved (**R289/18**) to commence the statutory process for the making of the proposed Local Law in accordance with Part 5 of the Local Government Act 1989 (the Act), by giving public notice of its intention to make the proposed Local Law and inviting submissions under section 223 of the Act.

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

- Proposed Meeting Procedure Local Law
- Proposed Meeting Procedure Community Impact Statement

ATTACHMENTS

Written Submissions received and details of any verbal submissions pertaining to the proposed Meeting Procedure Local Law will be circulated to Councillors following the closure of Submissions on 9 November 2018.

9.13. ADVISORY COMMITTEE TERMS OF REFERENCE

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

OFFICER RECOMMENDATION

Council resolves to:

1. **Revoke the Terms of Reference for Advisory Committees endorsed by Council as below:**
 - a) **Ballarat Municipal Observatory Advisory Committee Terms of Reference as endorsed 11 December 2013 by resolution R467/13;**
 - b) **Brown Hill Community Hall Advisory Committee Terms of Reference as previously endorsed by Council;**
 - c) **Buninyong Community Hall Advisory Committee Terms of Reference as endorsed 26 November 2008 by resolution R479/08;**
 - d) **Cardigan Village Community Centre Advisory Committee Terms of Reference as previously endorsed by Council; and the**
 - e) **Clean Ballarat Advisory Committee Terms of Reference as endorsed by Council 9 December 2015 by resolution R436/15.**
2. **Endorse the Terms of Reference for the following Advisory Committees:**
 - a. **Ballarat Municipal Observatory Advisory Committee;**
 - b. **Brown Hill Community Hall Advisory Committee;**
 - c. **Buninyong Community Hall Advisory Committee;**
 - d. **Cardigan Village Community Centre Advisory Committee; and the**
 - e. **Clean Ballarat Advisory Committee.**
3. **Endorse that the Scotsburn Community Hall Special Committee move from a Section 86 Special Committee of Council to an Advisory Committee of Council.**
4. **Revoke the Terms of Reference for the Scotsburn Public Hall Special Committee as endorsed by Council 12 June 2002.**
5. **Endorse the Terms of Reference for the Scotsburn Community Hall Advisory Committee.**

EXECUTIVE SUMMARY

The purpose of this report is to adopt revised Terms of Reference for the Ballarat Municipal Observatory Advisory Committee, Brown Hill Community Hall Advisory Committee, Buninyong Community Hall Advisory Committee, Cardigan Village Community Centre Advisory Committee, and the Clean Ballarat Advisory Committee.

The report also recommends changing the operating structure of the Scotsburn Community Hall from a Section 86 Special Committee of Council to an Advisory Committee of Council and to adopt the Terms of Reference for the Scotsburn Community Hall Advisory Committee.

RATIONALE

Following a review of the Advisory Committees of Council, the Terms of Reference have been reviewed and amended to ensure consistency of the documents and that the Committees have a clear framework to operate within to achieve their purpose and objectives.

The Terms of References have been reviewed and the following changes are recommended:

Ballarat Municipal Observatory Advisory Committee;

- Amend the Terms of Reference in line with the revised template to ensure consistency of language and compliance requirements; and
- The Committee reviewed and accepted the changes to the Terms of Reference at their meeting on 24 October 2018 and now recommend them to Council for adoption.

Brown Hill Community Hall Advisory Committee:

- Amend the Terms of Reference in line with the revised template to ensure consistency of language and compliance requirements;
- Attached the Facilities Maintenance Schedule as a schedule to the Terms of Reference; and
- The Committee reviewed and accepted the changes to the Terms of Reference at their meeting on 16 October 2018 and now recommend them to Council for adoption.

Buninyong Community Hall Advisory Committee:

- Amend the Terms of Reference in line with the revised template to ensure consistency of language and compliance requirements;
- Attached the Facilities Maintenance Schedule as a schedule to the Terms of Reference; and
- The Committee reviewed and accepted the changes to the Terms of Reference at their meeting on 8 October 2018 and now recommend them to Council for adoption.

Cardigan Village Community Centre Advisory Committee:

- Amend the Terms of Reference in line with the revised template to ensure consistency of language and compliance requirements;
- Attached the Facilities Maintenance Schedule as a schedule to the Terms of Reference; and
- The Committee reviewed and accepted the changes to the Terms of Reference at their meeting on 1 October 2018 and now recommend them to Council for adoption.

Clean Ballarat Advisory Committee:

- Increased clarity of the purpose and objectives of the Committee;
- Amend the Terms of Reference in line with the revised template to ensure consistency of language and compliance requirements; and
- The Committee reviewed and accepted the changes to the Terms of Reference at their meeting on 11 October 2018 and now recommend them to Council for adoption.

The revised Terms of Reference are attached:

- Ballarat Municipal Observatory Advisory Committee
 - Brown Hill Community Hall Advisory Committee
 - Buninyong Community Hall Advisory Committee
-

- Clean Ballarat Advisory Committee

Following a review of the operating structure of the Scotsburn Community Hall Special Committee, it is recommended that the Committee transitions to an Advisory Committee. The Committee do not meet the requirements of a Special Committee and are operating effectively as an Advisory Committee of Council. A majority of Hall Committees of Council have now transitioned to Advisory Committees following reviews of operations and compliance structures.

The following changes are recommended for the Scotsburn Community Hall Advisory Committee Terms of Reference:

- Amend the document in line with the revised template to ensure consistency of language and compliance requirements.
- The Committee reviewed and accepted the changes to the Terms of Reference at their meeting on 11 October 2018 and now recommend them to Council for adoption.

The revised Terms of Reference is attached:

- Scotsburn Community Hall Advisory Committee

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017 – 2021
- *Local Government Act 1989*
- *Local Government (General) regulations 2015*
- *City of Ballarat Committee Policy*

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	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*.

Social/Cultural – The inclusion of community members in Advisory Committees increase awareness of the activities of Council. The Terms of Reference outline the inclusion and access of Community members to the Committee.

CONSULTATION

There has been consultation with Officers and Advisory Committees to ensure that the Terms of Reference enable each Committee to achieve its purpose and that the Committee being restructured will still allow it to achieve its purpose in line with the Council Plan.

Revoking the Terms of Reference and endorsing the revised documents does not require any public consultation.

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 11 December 2013 (R467/13) – Ballarat Municipal Observatory Advisory Committee
- Council report and resolution 26 November 2008 (R479/08) – Buninyong Community Hall Advisory Committee
- Council report and resolution 9 December 2015 (R436/15) – Clean Ballarat Advisory Committee
- Council report and resolution 12 June 2002 – Scotsburn Community Hall Special Committee

ATTACHMENTS

1. Brown Hill Hall Advisory Committee - Terms of Reference Nov 18' **[9.13.1]**
2. Buninyong Community Hall Advisory Committee - Terms of Reference Nov 18' **[9.13.2]**
3. Cardigan Village Advisory Committee - Terms of Reference Nov 18' **[9.13.3]**
4. Clean Ballarat Advisory Committee - Terms of Reference Nov 18' **[9.13.4]**
5. Observatory Advisory Committee - Terms of Reference Nov 18' **[9.13.5]**
6. Scotsburn Hall Advisory Committee - Terms of Reference Nov 18' **[9.13.6]**

BROWN HILL COMMUNITY HALL ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Brown Hill Community Hall Advisory Committee (**Committee**).
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution [insert resolution number after the Council meeting] of Council passed on [*insert date of the Council meeting the ToR were endorsed, after the Council meeting*].

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Encouraging use of the Brown Hill Community Hall (**Hall**) by the Local community and to promote the role played by the Hall in community life.

3. OBJECTIVES

The objectives of the Committee are to:

- 3.1 Arrange bookings for the Hall.
- 3.2 Advise the Council when the hiring agreement and/or the schedule of hiring fees has been updated.
- 3.3 Be responsible for the day to day maintenance of the Hall.
- 3.4 Carry out regular maintenance inspections of the Hall and liaise with Council on maintenance issues which fall within the Councils responsibilities.
- 3.5 Ensure that Council is made aware of any matters that could have an impact on the Hall or its users.
- 3.6 Seek external funding with the support of Council.
- 3.7 Review its role as a Committee of Council and make recommendations to Council accordingly.
- 3.8 Operate, as far as possible, on a self-sufficient basis.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is:
 - 4.1.1 To have an active role in communicating community views to Council; and
 - 4.1.2 To participate in discussions at meetings.
- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of a minimum of 5 (five) members comprising of:
 - 5.1.1 1 (one) ward Councillor of Council appointed by Council from time to time;
 - 5.1.2 A minimum of 4 (four) Community Representatives; and
 - 5.1.3 The Brown Hill Hall Progress Association, who have voting rights equivalent to one vote.
- 5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
- 5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.1, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 5.7 A Community Representative appointed under clause 5.1.2 will be the Chairperson of the Committee.
- 5.8 If a Chairperson is not appointed under clause 5.7, as the case may be, before the Committee's first meeting, the Committee members must appoint a Chairperson at the first meeting.
- 5.9 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 5.10 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 6.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);
 - 6.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 6.1.3 the Committee's discretion, as exercised from time to time; and
 - 6.1.4 Council's Community Consultation and Participation Framework.
- 6.2 The Committee will meet not less than four times a year or with such other frequency as determined by resolution of Council or, absent such a resolution, with such greater frequency as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 The role of the Council Officer appointed under clause 5.2 includes:
- 6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;
 - 6.5.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 acting as the contact point between Council and the Committee; and
 - 6.5.4 assisting with meeting the Committee's reporting requirements.
- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
- 7.1.1 Council's Meeting Procedure Local Law;
 - 7.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 7.1.3 any resolution of Council made from time to time; and
 - 7.1.4 The Committee's discretion, as exercised from time to time.

- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event, at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee Meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present, by the Committee Chairperson, and forwarded to the Statutory Compliance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance.)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
- 8.1.1 is established; and
 - 8.1.2 has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
- 8.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determines to vary or revoke them.
- 8.3 The Committee will only be dissolved by resolution of Council.

Dated: *[insert date of the Council meeting the ToR was endorsed, after the Council meeting]*

SCHEDULE

Facility Maintenance Schedule - Community Centres

General Items	City of Ballarat Responsibilities	User Responsibilities
Appliances - Hard Wired Council Installed (e.g. hot water service, ovens)	Responsible for service, repair and replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Appliances - Not Hard Wired (e.g. fridges, dishwashers, washing machines)	No Responsibility	Regular cleaning and maintenance. Repair and replacement as required. Testing and Tagging.
Building - Additional Structures (e.g. storage sheds)	Full Responsibility	No Responsibility
Building - Damage/Wear & Tear (caused by occupancy)	No Responsibility	Maintain and repair as required.
Building - External Fittings (e.g. gutters/spouting)	Maintain and repair as required. Programmed gutter cleaning.	To notify Council when maintenance required.
Building - External Structural Elements (e.g. walls/cladding, roof/roofing, windows/doors)	Repair or replacement of elements due to age or structural fault.	To notify Council when maintenance is required. (Responsible for repairs/replacement if due to tenant)
Building - Internal Flooring and Skirting Boards	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building - Internal Structural Elements (e.g. ceilings, walls & doors)	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building Utilities (e.g. power, water, gas)	No Responsibility	Full Responsibility
Cabinetry - Built In (e.g. kitchen cupboards)	Repair or replacement due to fair wear and tear, or end of useful life.	Responsible for cleaning and replacement if due to damage.
Car Parks - Lighting	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Line Marking	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Maintenance (including paths)	Full Responsibility	To notify Council when maintenance is required.

General Items	City of Ballarat Responsibilities	User Responsibilities
Cleaning - Inside of Building	No Responsibility	Full Responsibility
Cleaning - Surrounds of Building (e.g. grounds, car park, public areas)	No Responsibility	Full Responsibility
Doors - Furniture	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Doors - Lock and Key Systems	Repair or replacement due to fair wear and tear, or end of useful life. Issuing of keys to the management group and maintenance of a key register.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement. Payment for any requested improvements, upgrades or new keys.
Doors - Wire Screening	Repair or replacement due to fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.
Drains/Pipes - Grease Traps	No Responsibility	Management of trade waste agreement with Central Highlands Water for cleaning of grease traps. Notify Council of pipe failures.
Drains/Pipes - Sewerage System (including pumped systems)	Responsible for clearing blockages and repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Drains/Pipes - Storm Water System	Maintain and repair as required.	To notify Council when maintenance is required.
Drains/Pipes - Septic Systems	Responsible for clearing blockages, repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Electrical - Wiring and Fittings	Maintenance and repair of all wiring and fittings.	To notify Council when maintenance is required. (Responsible for repairs if due to deliberate misuse)
Equipment - Internal	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Essential Safety Measures	Full Responsibility	To notify Council when maintenance is required.
Fencing & Gates – Internal	No Responsibility	Maintain and repair as required.
Fencing & Gates – Perimeter	Maintain and repair as required	No Responsibility
Fire Equipment - Detection (e.g. smoke detectors)	Maintain and repair as required.	To notify Council when maintenance is required.
Fire Equipment - Suppression (e.g. fire extinguishers)	Service, maintain and repair as required.	To notify Council if discharged. (Cost to refill or replace due to reckless or deliberate misuse)
Floor Coverings	Repair or replacement due to age and fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Strip, polish and reseal vinyl, timber and tiled floors annually or as per manufactures specification. Annual steam cleaning of carpets.
Food Handling Area	Ensure initial compliance with all relevant regulations for the intended use.	Maintain ongoing compliance with all relevant regulations for the intended use. If the management group changes the use of a kitchen in a way that affects compliance with regulations, it must fund the upgrade of the kitchen to ensure compliance.
Furniture – Internal	No Responsibility	Full Responsibility
Furniture - Outdoor	No Responsibility	Full Responsibility
Gardens - Beds & Lawns/Grass (grounds and nature strips)	No Responsibility	Cutting and maintaining grass, shrubs, garden beds and trees of all areas within the building and fence lines.
Gardens - Paving and Landscaping	No Responsibility	Maintain and repair as required

General Items	City of Ballarat Responsibilities	User Responsibilities
Glass - Windows and Doors	Replacement if due to vandalism.	All cleaning, internal and external. Replacement (or payment for) if due to reckless or deliberate misuse.
Graffiti - External	Full Responsibility	To notify Council of any graffiti.
Graffiti - Internal	No Responsibility	Full Responsibility
Heating and Cooling - Hard Wired/Fixed	Full Responsibility	To notify Council when maintenance is required.
Heating and Cooling - Portable	No Responsibility	Full Responsibility
Hygiene/Sanitary Services	No Responsibility	Full Responsibility
Irrigation of Surrounds	No Responsibility	Full Responsibility
Keys	One set of keys issued to user group/tenant. Locksmith authority required for additional keys, cost to the user group/tenant.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement.
Lighting - Exit & Emergency	Full Responsibility	No Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Lighting - External Security (including car park lighting)	Full Responsibility	To notify Council when maintenance is required.
Lighting - Internal Globes and Tubes	Responsible for fittings only (and globes/tubes above 3 meters).	Replacement of all globes/tubes as required.
Painting - External	Full Responsibility	No Responsibility
Painting - Internal	No Responsibility	Full Responsibility
Pest Control	Eradication and management of white ants only.	To keep all areas in a clean and hygienic state. Eradication and management of all pests and vermin, with the exception of white ants.
Play Equipment - General (non-public accessible)	No Responsibility	Full Responsibility
Play Equipment - Playground Council Installed (public accessible)	Full Responsibility	To notify Council when maintenance is required.
Play Equipment – Playground (non-public accessible) (e.g. crash mats, climbing structures, skipping ropes etc.)	No Responsibility	Maintain and repair as required.
Plumbing Fixtures (e.g. taps, basins, cisterns)	Full Responsibility	To notify Council when maintenance is required.
Public Toilets	Full Responsibility Including scheduled cleaning.	To notify Council when maintenance is required and additional cleans if required by user.

General Items	City of Ballarat Responsibilities	User Responsibilities
Rubbish Removal	No Responsibility	Removal of all rubbish/litter within the building, fence lines and external perimeter.
Security System	No Responsibility	Full Responsibility. Installation if required for security purposes, an access code must be issued to Councils Facility Management Department. Day to day operation, issuing and maintaining a list of user codes. Monitoring, alarm responses and associated costs. All maintenance as required.
Shade/Shelter & Additional Structures	Full Responsibility	To notify Council when maintenance is required.
Signs - Advertising & Facility	No Responsibility	Full Responsibility. (No advertising signage to be affixed to any building without Council permission)
Tanks - Rain Water	Full Responsibility	No Responsibility
Testing and Tagging - Portable (non-fixed appliances)	No Responsibility	Full Responsibility
Trees/Shrubs - Over 5 Metres	Full Responsibility	No Responsibility
Tress/Shrubs - Up to 5 Metres	No Responsibility	Full Responsibility
TV Antennas & Cabling	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Vandalism - External	No responsibility if due to tenant or tenant guest. Otherwise maintenance and repair as required.	If due to user or users' guest, all user responsibility. Otherwise notify Council of maintenance works required.
Vandalism - Internal	No Responsibility	Full Responsibility
Windows - Blinds and Coverings	No Responsibility	Maintain and repair as required.
Windows - Wire Screening	Repair or replacement due to age and normal fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.

Reporting Maintenance Requirements

Contact City of Ballarat on **5320 5500** and request the Facility Management department.

BUNINYONG COMMUNITY HALL ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Buninyong Community Hall Advisory Committee (**Committee**).
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution [insert resolution number after the Council meeting] of Council passed on [*insert date of the Council meeting the ToR were endorsed, after the Council meeting*].

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Encouraging use of the Buninyong Town Hall (**Town Hall**) by the local community and to promote the role played by the Town Hall in community life of Buninyong.

3. OBJECTIVES

The objectives of the Committee are to:

- 3.1 Arrange bookings for the Town Hall.
- 3.2 Advise the Council when the hiring agreement and/or the schedule of hiring fees has been updated.
- 3.3 Be responsible for the day to day maintenance of the Town Hall.
- 3.4 Carry out regular maintenance inspections of the Town Hall and liaise with Council on maintenance issues which fall within the Councils responsibilities.
- 3.5 Ensure that the Council is made aware of any matters that could have an impact on the Town Hall.
- 3.6 Seek external funding with the support of Council.
- 3.7 Review its role as a Committee of Council periodically and make recommendations to Council accordingly.
- 3.8 Operate, as far as possible, on a self-sufficient basis.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is:
- 4.1.1 To have an active role in communicating community views to Council; and
 - 4.1.2 To participate in discussions at bi-monthly meetings.
- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of up to 6 (six) members comprising of:
- 5.1.1 1 (one) South Ward Councillor of Council appointed by Council from time to time;
 - 5.1.2 Up to 5 (five) community representatives. These should include, where possible, representatives of each permanent hirer along with other major users of the Town Hall.
- 5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
- 5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.1, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 5.7 A Councillor appointed under clause 5.1.1 will be the Chairperson of the Committee.
- 5.8 If a Chairperson is not appointed under clause 5.7, as the case may be, before the Committee's first meeting, the Committee members must appoint a Chairperson at the first meeting.
- 5.9 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 5.10 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 6.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);
 - 6.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 6.1.3 the Committee's discretion, as exercised from time to time; and
 - 6.1.4 Council's Community Consultation and Participation Framework.
- 6.2 The Committee will meet bi-monthly, at least 6 (six) times per year, or with such other frequency as determined by resolution of Council or, absent such a resolution, with such greater frequency as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 The role of the Council Officer appointed under clause 5.2 includes:
- 6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;
 - 6.5.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 acting as the contact point between Council and the Committee; and
 - 6.5.4 assisting with meeting the Committee's reporting requirements.
- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
- 7.1.1 Council's Meeting Procedure Local Law;
 - 7.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 7.1.3 any resolution of Council made from time to time; and
 - 7.1.4 The Committee's discretion, as exercised from time to time.

- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event, at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee Meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present, by the Committee Chairperson, and forwarded to the Governance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance.)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
- 8.1.1 is established; and
 - 8.1.2 has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
- 8.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determines to vary or revoke them.
- 8.3 The Committee will only be dissolved by resolution of Council.

Dated: *[insert date of the Council meeting the ToR was endorsed, after the Council meeting]*

SCHEDULE

Facility Maintenance Schedule - Community Centres

General Items	City of Ballarat Responsibilities	User Responsibilities
Appliances - Hard Wired Council Installed (e.g. hot water service, ovens)	Responsible for service, repair and replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Appliances - Not Hard Wired (e.g. fridges, dishwashers, washing machines)	No Responsibility	Regular cleaning and maintenance. Repair and replacement as required. Testing and Tagging.
Building - Additional Structures (e.g. storage sheds)	Full Responsibility	No Responsibility
Building - Damage/Wear & Tear (caused by occupancy)	No Responsibility	Maintain and repair as required.
Building - External Fittings (e.g. gutters/spouting)	Maintain and repair as required. Programmed gutter cleaning.	To notify Council when maintenance required.
Building - External Structural Elements (e.g. walls/cladding, roof/roofing, windows/doors)	Repair or replacement of elements due to age or structural fault.	To notify Council when maintenance is required. (Responsible for repairs/replacement if due to tenant)
Building - Internal Flooring and Skirting Boards	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building - Internal Structural Elements (e.g. ceilings, walls & doors)	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building Utilities (e.g. power, water, gas)	No Responsibility	Full Responsibility
Cabinetry - Built In (e.g. kitchen cupboards)	Repair or replacement due to fair wear and tear, or end of useful life.	Responsible for cleaning and replacement if due to damage.
Car Parks - Lighting	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Line Marking	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Maintenance (including paths)	Full Responsibility	To notify Council when maintenance is required.

General Items	City of Ballarat Responsibilities	User Responsibilities
Cleaning - Inside of Building	No Responsibility	Full Responsibility
Cleaning - Surrounds of Building (e.g. grounds, car park, public areas)	No Responsibility	Full Responsibility
Doors - Furniture	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Doors - Lock and Key Systems	Repair or replacement due to fair wear and tear, or end of useful life. Issuing of keys to the management group and maintenance of a key register.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement. Payment for any requested improvements, upgrades or new keys.
Doors - Wire Screening	Repair or replacement due to fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.
Drains/Pipes - Grease Traps	No Responsibility	Management of trade waste agreement with Central Highlands Water for cleaning of grease traps. Notify Council of pipe failures.
Drains/Pipes - Sewerage System (including pumped systems)	Responsible for clearing blockages and repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Drains/Pipes - Storm Water System	Maintain and repair as required.	To notify Council when maintenance is required.
Drains/Pipes - Septic Systems	Responsible for clearing blockages, repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Electrical - Wiring and Fittings	Maintenance and repair of all wiring and fittings.	To notify Council when maintenance is required. (Responsible for repairs if due to deliberate misuse)
Equipment - Internal	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Essential Safety Measures	Full Responsibility	To notify Council when maintenance is required.
Fencing & Gates – Internal	No Responsibility	Maintain and repair as required.
Fencing & Gates – Perimeter	Maintain and repair as required	No Responsibility
Fire Equipment - Detection (e.g. smoke detectors)	Maintain and repair as required.	To notify Council when maintenance is required.
Fire Equipment - Suppression (e.g. fire extinguishers)	Service, maintain and repair as required.	To notify Council if discharged. (Cost to refill or replace due to reckless or deliberate misuse)
Floor Coverings	Repair or replacement due to age and fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Strip, polish and reseal vinyl, timber and tiled floors annually or as per manufactures specification. Annual steam cleaning of carpets.
Food Handling Area	Ensure initial compliance with all relevant regulations for the intended use.	Maintain ongoing compliance with all relevant regulations for the intended use. If the management group changes the use of a kitchen in a way that affects compliance with regulations, it must fund the upgrade of the kitchen to ensure compliance.
Furniture – Internal	No Responsibility	Full Responsibility
Furniture - Outdoor	No Responsibility	Full Responsibility
Gardens - Beds & Lawns/Grass (grounds and nature strips)	No Responsibility	Cutting and maintaining grass, shrubs, garden beds and trees of all areas within the building and fence lines.
Gardens - Paving and Landscaping	No Responsibility	Maintain and repair as required

General Items	City of Ballarat Responsibilities	User Responsibilities
Glass - Windows and Doors	Replacement if due to vandalism.	All cleaning, internal and external. Replacement (or payment for) if due to reckless or deliberate misuse.
Graffiti - External	Full Responsibility	To notify Council of any graffiti.
Graffiti - Internal	No Responsibility	Full Responsibility
Heating and Cooling - Hard Wired/Fixed	Full Responsibility	To notify Council when maintenance is required.
Heating and Cooling - Portable	No Responsibility	Full Responsibility
Hygiene/Sanitary Services	No Responsibility	Full Responsibility
Irrigation of Surrounds	No Responsibility	Full Responsibility
Keys	One set of keys issued to user group/tenant. Locksmith authority required for additional keys, cost to the user group/tenant.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement.
Lighting - Exit & Emergency	Full Responsibility	No Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Lighting - External Security (including car park lighting)	Full Responsibility	To notify Council when maintenance is required.
Lighting - Internal Globes and Tubes	Responsible for fittings only (and globes/tubes above 3 meters).	Replacement of all globes/tubes as required.
Painting - External	Full Responsibility	No Responsibility
Painting - Internal	No Responsibility	Full Responsibility
Pest Control	Eradication and management of white ants only.	To keep all areas in a clean and hygienic state. Eradication and management of all pests and vermin, with the exception of white ants.
Play Equipment - General (non-public accessible)	No Responsibility	Full Responsibility
Play Equipment - Playground Council Installed (public accessible)	Full Responsibility	To notify Council when maintenance is required.
Play Equipment – Playground (non-public accessible) (e.g. crash mats, climbing structures, skipping ropes etc.)	No Responsibility	Maintain and repair as required.
Plumbing Fixtures (e.g. taps, basins, cisterns)	Full Responsibility	To notify Council when maintenance is required.
Public Toilets	Full Responsibility Including scheduled cleaning.	To notify Council when maintenance is required and additional cleans if required by user.

General Items	City of Ballarat Responsibilities	User Responsibilities
Rubbish Removal	No Responsibility	Removal of all rubbish/litter within the building, fence lines and external perimeter.
Security System	No Responsibility	Full Responsibility. Installation if required for security purposes, an access code must be issued to Councils Facility Management Department. Day to day operation, issuing and maintaining a list of user codes. Monitoring, alarm responses and associated costs. All maintenance as required.
Shade/Shelter & Additional Structures	Full Responsibility	To notify Council when maintenance is required.
Signs - Advertising & Facility	No Responsibility	Full Responsibility. (No advertising signage to be affixed to any building without Council permission)
Tanks - Rain Water	Full Responsibility	No Responsibility
Testing and Tagging - Portable (non-fixed appliances)	No Responsibility	Full Responsibility
Trees/Shrubs - Over 5 Metres	Full Responsibility	No Responsibility
Tress/Shrubs - Up to 5 Metres	No Responsibility	Full Responsibility
TV Antennas & Cabling	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Vandalism - External	No responsibility if due to tenant or tenant guest. Otherwise maintenance and repair as required.	If due to user or users' guest, all user responsibility. Otherwise notify Council of maintenance works required.
Vandalism - Internal	No Responsibility	Full Responsibility
Windows - Blinds and Coverings	No Responsibility	Maintain and repair as required.
Windows - Wire Screening	Repair or replacement due to age and normal fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.

Reporting Maintenance Requirements

Contact City of Ballarat on **5320 5500** and request the Facility Management department.

CARDIGAN VILLAGE COMMUNITY CENTRE ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Cardigan Village Community Centre Advisory Committee (**Committee**).
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution [insert resolution number after the Council meeting] of Council passed on [*insert date of the Council meeting the ToR were endorsed, after the Council meeting*].

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Encouraging use of the Cardigan Village Community Centre (**Hall**) by the Local community and to promote the role played by the Centre in life of the Community.

3. OBJECTIVES

The objectives of the Committee are to:

- 3.1 Arrange bookings for the Hall.
- 3.2 Promote and market the facility and implement a management plan.
- 3.3 Advise the Council when the hiring agreement and/or the schedule of hiring fees has been updated.
- 3.4 Be responsible for the day to day maintenance of the Hall.
- 3.5 Carry out regular maintenance inspections of the Hall and liaise with Council on maintenance issues which fall within the Councils responsibilities.
- 3.6 Ensure that Council is made aware of any matters that could have an impact on the Hall or its users.
- 3.7 Seek external funding with the support of Council.
- 3.8 Review its role as a Committee of Council and make recommendations to Council accordingly.

3.9 Operate, as far as possible, on a self-sufficient basis.

4. ROLES AND RESPONSIBILITY

4.1 The role of the Committee is:

4.1.1 To have an active role in communicating community views to Council; and

4.1.2 To participate in discussions at meetings.

4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

5.1 The Committee will consist of a minimum of 5 (five) members comprising of:

5.1.1 1 (one) ward Councillor of Council appointed by Council from time to time; and

5.1.2 A minimum of 4 (four) Community Representatives.

5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.

5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.

5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.

5.5 Councillors, other than a Councillor appointed under clause 5.1.1, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.

5.6 Council will revise the membership and voting rights of each Committee member as it sees fit.

5.7 A Community Representative appointed under clause 5.1.2 will be the Chairperson of the Committee.

5.8 If a Chairperson is not appointed under clause 5.7, as the case may be, before the Committee's first meeting, the Committee members must appoint a chairperson at the first meeting.

5.9 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.

5.10 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 6.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);
 - 6.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 6.1.3 the Committee's discretion, as exercised from time to time; and
 - 6.1.4 Council's Community Consultation and Participation Framework.
- 6.2 The Committee will meet monthly, for a minimum of 6 (six) meetings per year or with such other frequency as determined by resolution of Council or, absent such a resolution, with such greater frequency as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 The role of the Council Officer appointed under clause 5.2 includes:
- 6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;
 - 6.5.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 acting as the contact point between Council and the Committee; and
 - 6.5.4 assisting with meeting the Committee's reporting requirements.
- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Council's consideration in accordance with:
- 7.1.1 Council's Meeting Procedure Local Law;
 - 7.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 7.1.3 any resolution of Council made from time to time; and
 - 7.1.4 The Committee's discretion, as exercised from time to time.

- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event, at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee Meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present, by the Committee Chairperson, and forwarded to the Statutory Compliance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance.)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
- 8.1.1 is established; and
 - 8.1.2 has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
- 8.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determines to vary or revoke them.
- 8.3 The Committee will only be dissolved by resolution of Council.

Dated: *[insert date of the Council meeting the ToR was endorsed, after the Council meeting]*

SCHEDULE

Facility Maintenance Schedule - Community Centres

General Items	City of Ballarat Responsibilities	User Responsibilities
Appliances - Hard Wired Council Installed (e.g. hot water service, ovens)	Responsible for service, repair and replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Appliances - Not Hard Wired (e.g. fridges, dishwashers, washing machines)	No Responsibility	Regular cleaning and maintenance. Repair and replacement as required. Testing and Tagging.
Building - Additional Structures (e.g. storage sheds)	Full Responsibility	No Responsibility
Building - Damage/Wear & Tear (caused by occupancy)	No Responsibility	Maintain and repair as required.
Building - External Fittings (e.g. gutters/spouting)	Maintain and repair as required. Programmed gutter cleaning.	To notify Council when maintenance required.
Building - External Structural Elements (e.g. walls/cladding, roof/roofing, windows/doors)	Repair or replacement of elements due to age or structural fault.	To notify Council when maintenance is required. (Responsible for repairs/replacement if due to tenant)
Building - Internal Flooring and Skirting Boards	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building - Internal Structural Elements (e.g. ceilings, walls & doors)	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building Utilities (e.g. power, water, gas)	No Responsibility	Full Responsibility
Cabinetry - Built In (e.g. kitchen cupboards)	Repair or replacement due to fair wear and tear, or end of useful life.	Responsible for cleaning and replacement if due to damage.
Car Parks - Lighting	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Line Marking	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Maintenance (including paths)	Full Responsibility	To notify Council when maintenance is required.

General Items	City of Ballarat Responsibilities	User Responsibilities
Cleaning - Inside of Building	No Responsibility	Full Responsibility
Cleaning - Surrounds of Building (e.g. grounds, car park, public areas)	No Responsibility	Full Responsibility
Doors - Furniture	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Doors - Lock and Key Systems	Repair or replacement due to fair wear and tear, or end of useful life. Issuing of keys to the management group and maintenance of a key register.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement. Payment for any requested improvements, upgrades or new keys.
Doors - Wire Screening	Repair or replacement due to fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.
Drains/Pipes - Grease Traps	No Responsibility	Management of trade waste agreement with Central Highlands Water for cleaning of grease traps. Notify Council of pipe failures.
Drains/Pipes - Sewerage System (including pumped systems)	Responsible for clearing blockages and repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Drains/Pipes - Storm Water System	Maintain and repair as required.	To notify Council when maintenance is required.
Drains/Pipes - Septic Systems	Responsible for clearing blockages, repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Electrical - Wiring and Fittings	Maintenance and repair of all wiring and fittings.	To notify Council when maintenance is required. (Responsible for repairs if due to deliberate misuse)
Equipment - Internal	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Essential Safety Measures	Full Responsibility	To notify Council when maintenance is required.
Fencing & Gates – Internal	No Responsibility	Maintain and repair as required.
Fencing & Gates – Perimeter	Maintain and repair as required	No Responsibility
Fire Equipment - Detection (e.g. smoke detectors)	Maintain and repair as required.	To notify Council when maintenance is required.
Fire Equipment - Suppression (e.g. fire extinguishers)	Service, maintain and repair as required.	To notify Council if discharged. (Cost to refill or replace due to reckless or deliberate misuse)
Floor Coverings	Repair or replacement due to age and fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Strip, polish and reseal vinyl, timber and tiled floors annually or as per manufactures specification. Annual steam cleaning of carpets.
Food Handling Area	Ensure initial compliance with all relevant regulations for the intended use.	Maintain ongoing compliance with all relevant regulations for the intended use. If the management group changes the use of a kitchen in a way that affects compliance with regulations, it must fund the upgrade of the kitchen to ensure compliance.
Furniture – Internal	No Responsibility	Full Responsibility
Furniture - Outdoor	No Responsibility	Full Responsibility
Gardens - Beds & Lawns/Grass (grounds and nature strips)	No Responsibility	Cutting and maintaining grass, shrubs, garden beds and trees of all areas within the building and fence lines.
Gardens - Paving and Landscaping	No Responsibility	Maintain and repair as required

General Items	City of Ballarat Responsibilities	User Responsibilities
Glass - Windows and Doors	Replacement if due to vandalism.	All cleaning, internal and external. Replacement (or payment for) if due to reckless or deliberate misuse.
Graffiti - External	Full Responsibility	To notify Council of any graffiti.
Graffiti - Internal	No Responsibility	Full Responsibility
Heating and Cooling - Hard Wired/Fixed	Full Responsibility	To notify Council when maintenance is required.
Heating and Cooling - Portable	No Responsibility	Full Responsibility
Hygiene/Sanitary Services	No Responsibility	Full Responsibility
Irrigation of Surrounds	No Responsibility	Full Responsibility
Keys	One set of keys issued to user group/tenant. Locksmith authority required for additional keys, cost to the user group/tenant.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement.
Lighting - Exit & Emergency	Full Responsibility	No Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Lighting - External Security (including car park lighting)	Full Responsibility	To notify Council when maintenance is required.
Lighting - Internal Globes and Tubes	Responsible for fittings only (and globes/tubes above 3 meters).	Replacement of all globes/tubes as required.
Painting - External	Full Responsibility	No Responsibility
Painting - Internal	No Responsibility	Full Responsibility
Pest Control	Eradication and management of white ants only.	To keep all areas in a clean and hygienic state. Eradication and management of all pests and vermin, with the exception of white ants.
Play Equipment - General (non-public accessible)	No Responsibility	Full Responsibility
Play Equipment - Playground Council Installed (public accessible)	Full Responsibility	To notify Council when maintenance is required.
Play Equipment – Playground (non-public accessible) (e.g. crash mats, climbing structures, skipping ropes etc.)	No Responsibility	Maintain and repair as required.
Plumbing Fixtures (e.g. taps, basins, cisterns)	Full Responsibility	To notify Council when maintenance is required.
Public Toilets	Full Responsibility Including scheduled cleaning.	To notify Council when maintenance is required and additional cleans if required by user.

General Items	City of Ballarat Responsibilities	User Responsibilities
Rubbish Removal	No Responsibility	Removal of all rubbish/litter within the building, fence lines and external perimeter.
Security System	No Responsibility	Full Responsibility. Installation if required for security purposes, an access code must be issued to Councils Facility Management Department. Day to day operation, issuing and maintaining a list of user codes. Monitoring, alarm responses and associated costs. All maintenance as required.
Shade/Shelter & Additional Structures	Full Responsibility	To notify Council when maintenance is required.
Signs - Advertising & Facility	No Responsibility	Full Responsibility. (No advertising signage to be affixed to any building without Council permission)
Tanks - Rain Water	Full Responsibility	No Responsibility
Testing and Tagging - Portable (non-fixed appliances)	No Responsibility	Full Responsibility
Trees/Shrubs - Over 5 Metres	Full Responsibility	No Responsibility
Tress/Shrubs - Up to 5 Metres	No Responsibility	Full Responsibility
TV Antennas & Cabling	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Vandalism - External	No responsibility if due to tenant or tenant guest. Otherwise maintenance and repair as required.	If due to user or users' guest, all user responsibility. Otherwise notify Council of maintenance works required.
Vandalism - Internal	No Responsibility	Full Responsibility
Windows - Blinds and Coverings	No Responsibility	Maintain and repair as required.
Windows - Wire Screening	Repair or replacement due to age and normal fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.

Reporting Maintenance Requirements

Contact City of Ballarat on **5320 5500** and request the Facility Management department.

CLEAN BALLARAT ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Clean Ballarat Advisory Committee (**Committee**).
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The IBM Smarter Cities Challenge Ballarat report recommendation 5 is to establish a Clean Ballarat Advisory Group to bring together local stake holders in solid waste management issues including business leaders, environmental organisations, subject matter experts and city officers who can advise the city on waste management and associated environmental issues.
- 1.4 The City of Ballarat Resource Recovery and Waste Management Strategy 2018-22 developed key recommendations in relation to managing our waste which has informed the further initiatives which Council is pursuing.
- 1.5 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.6 This Terms of Reference document is authorised by a resolution [insert resolution number after the Council meeting] of Council passed on [*insert date of the Council meeting the ToR were endorsed, after the Council meeting*].

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Establishing Ballarat as a leader in Waste Management and environmental sustainability including, energy efficiency, renewable energy and greenhouse gas emission reduction.
- 2.2 Acting as a sounding board to the Council when planning activities to improve waste management and other aspects of environmental sustainability, that may affect the broader community.
- 2.3 Acting to help Council to develop and share messages and educate the community on important issues and opportunities related to solid waste management and environmental issues.
- 2.4 Recommending local businesses and citizens displaying innovative approaches to diverting waste from landfill or environmental excellence with annual Clean Ballarat awards.
- 2.5 Review the City's waste management practices and strategy annually to ensure it remains best practice and relevant for council, local businesses and citizens.

- 2.6 Utilising the groups expertise to provide a second opinion to the Council regarding planned changes to the waste management system.

3. OBJECTIVES

The objectives of the Committee are:

- 3.1 To provide advice and recommendations to Council on the following matters:
- 3.1.1 Strategic Planning;
 - 3.1.2 Full resource recovery;
 - 3.1.3 Viable resource recovery markets;
 - 3.1.4 Adaptive infrastructure and operations;
 - 3.1.5 Continuous improvement program;
 - 3.1.6 Environmental enhancement initiatives;
 - 3.1.7 Regional partnerships; and
 - 3.1.8 Sustainable energy/ climate change/ carbon neutrality action plan.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is:
- 4.1.1 To have an active role in communicating community views to Council; and
 - 4.1.2 To participate in discussions at quarterly meetings.
- 4.2 Committee members are required to keep confidential all identified sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of 7 members comprising of:
- 5.1.1 1 (one) Councillor of Council who will be the Chair of the Committee, appointed by Council from time to time;
 - 5.1.2 2 (two) Councillors of Council other than the Chair of the Committee; and
 - 5.1.3 4 (four) community/ skills-based representatives.
- 5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
- 5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.

- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.1 or 5.1.2, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 5.7 The Councillor appointed under clause 5.1.1 will be the Chairperson of the Committee.
- 5.8 If a Chairperson is not appointed under clause 5.7, as the case may be, before the Committee's first meeting, the Committee members must appoint a Chairperson at the first meeting.
- 5.9 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 5.10 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
 - 6.1.1 Part 4, Division 2 of the *Local Government Act 1989*;
 - 6.1.2 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);
 - 6.1.3 the Committee's discretion, as exercised from time to time; and
 - 6.1.4 Council's Community Consultation and Participation Framework.
- 6.2 The Committee will meet quarterly or with such other frequency as determined by resolution of Council or, absent such a resolution, with such greater frequency as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 The role of the Council Officer appointed under clause 5.2 includes:
 - 6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;
 - 6.5.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 acting as the contact point between Council and the Committee; and
 - 6.5.4 assisting with meeting the Committee's reporting requirements.
- 6.6 A quorum of the Committee will be half of the members plus one.

- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub committees may be appointed by the Committee and may meet between general meetings as authorised by the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Council's consideration in accordance with:
- 7.1.1 Part 4, Division 2 of the *Local Government Act 1989*;
 - 7.1.2 Council's Meeting Procedure Local Law;
 - 7.1.3 any resolution of Council made from time to time; and
 - 7.1.4 the Committee's discretion, as exercised from time to time.
- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event, at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee Meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present, by the Committee Chairperson, and forwarded to the Statutory Compliance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference, the Committee:
- 8.1.1 is established; and
 - 8.1.2 has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
- 8.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determines to vary or revoke them.
- 8.3 The Committee will only be dissolved by a resolution of Council.

Dated: *[insert date of the Council meeting the ToR was endorsed, after the Council meeting]*

BALLARAT MUNICIPAL OBSERVATORY ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Ballarat Municipal Observatory Advisory Committee (**Committee**).
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution [insert resolution] of Council passed on [insert date of the Council meeting the ToR were endorsed, after the Council meeting].

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Providing advice and recommendations to Council on the Management of the Ballarat Municipal Observatory located at Corner Cobden and Magpie Street, Mt Pleasant, Ballarat; and
- 2.2 Acting as a conduit between the Ballarat Astronomical Society and Council.

3. OBJECTIVES

The objectives of the Committee are:

- 3.1 To work closely with Council to ensure that the Ballarat Municipal Observatory and all assets contained at the facility are in a working condition suitable for visitor use;
- 3.2 Evaluate proposals for commercial activities of the Ballarat Astronomical Society at the site; and
- 3.3 Review master plans and business modelling for use to ensure the longevity of the facility.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is to:
 - 4.1.1 have an active role in communicating to Council views and items relating to the operation and maintenance of the Ballarat Municipal Observatory;
 - 4.1.2 make recommendations to the Council on the budget requirements for the Observatory;
 - 4.1.3 continue to seek funds with relevant organisations or through general operations for the continuous development of the site;
 - 4.1.4 report to Council by way of minutes on matters that may impact the ongoing operation and maintenance of the site; and
 - 4.1.5 participate in discussions at quarterly meetings.
- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of four (4) members:
 - 5.1.1 Two (2) members or representatives of the Ballarat Astronomical Society;
 - 5.1.2 One (1) Councillor of Council as invited or required from time to time;
 - 5.1.3 One (1) Council officer as invited or required from time to time with no voting rights; and
 - 5.1.4 Other members invited or co-opted from time to time.
- 5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
- 5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.2, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 5.7 The Councillor appointed under clause 5.1.2 will be the Chairperson of the Committee.
- 5.8 If a Chairperson is not appointed under clause 5.7, as the case may be, before the Committee's first meeting, the Committee members must appoint a Chairperson at the first meeting.

- 5.9 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 5.10 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 6.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);
 - 6.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 6.1.3 The Committee's discretion, as exercised from time to time; and
 - 6.1.4 Council's Community Consultation and Participation framework.
- 6.2 The Committee will meet quarterly or with such other frequency as determined by resolution of Council, or absent such a resolution, with such greater frequency as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 The role of the Council Officer appointed under clause 5.2 includes:
- 6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;
 - 6.5.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 acting as the contact point between Council and the Committee; and
 - 6.5.4 assisting with meeting the Committee's reporting requirements.
- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub Committees may be appointed by the committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
 - 7.1.1 Council's meeting procedure Local Law (as amended from time to time and adopted by Council);
 - 7.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 7.1.3 any resolution of Council made from time to time; and
 - 7.1.4 The Committee's discretion, as exercised from time to time.
- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present, by the Committee Chairperson and forwarded to the Statutory Compliance Unit for inclusion in the report to Council.

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
 - 8.1.1 Is established; and
 - 8.1.2 Has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
 - 8.2.1 Come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 Remain in force until Council determines to vary or revoke them.
- 8.3 The Committee will only be dissolved by resolution of Council.

Dated: [insert date of the Council meeting the ToR was endorsed, after the Council meeting]

SCOTSBURN COMMUNITY HALL ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Scotsburn Community Hall Advisory Committee (**Committee**).
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution [insert resolution number after the Council meeting] of Council passed on [*insert date of the Council meeting the ToR were endorsed, after the Council meeting*].

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Encouraging use of the Scotsburn Community Hall (**Hall**) by the Local community and to promote the role played by the Hall in community life.

3. OBJECTIVES

The objectives of the Committee are to:

- 3.1 Arrange bookings for the Hall.
- 3.2 Advise the Council when the hiring agreement and/or the schedule of hiring fees has been updated.
- 3.3 Be responsible for the day to day maintenance of the Hall.
- 3.4 Carry out regular maintenance inspections of the Hall and liaise with Council on maintenance issues which fall within the Council's responsibilities.
- 3.5 Ensure that Council is made aware of any matters that could have an impact on the Hall or its users.
- 3.6 Seek external funding opportunities with the support of Council.
- 3.7 Review its role as a Committee of Council and make recommendations to Council accordingly.
- 3.8 Operate, as far as possible, on a self-sufficient basis.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is:
 - 4.1.1 To have an active role in communicating community views to Council; and
 - 4.1.2 To participate in discussions at meetings.
- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of a minimum of 5 (five) members comprising of:
 - 5.1.1 1 (one) ward Councillor of Council appointed by Council from time to time;
 - 5.1.2 A minimum of 4 (four) Community Representatives.
- 5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
- 5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.1, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 5.7 A Community Representative appointed under clause 5.1.2 will be the Chairperson of the Committee.
- 5.8 If a Chairperson is not appointed under clause 5.7, as the case may be, before the Committee's first meeting, the Committee members must appoint a chairperson at the first meeting.
- 5.9 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 5.10 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 6.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);
 - 6.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 6.1.3 the Committee's discretion, as exercised from time to time; and
 - 6.1.4 Council's Community Consultation and Participation Framework.
- 6.2 The Committee will meet annually or with such other frequency as determined by resolution of Council, or absent such a resolution, with such greater frequency as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 The role of the Council Officer appointed under clause 5.2 includes:
- 6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;
 - 6.5.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 acting as the contact point between Council and the Committee; and
 - 6.5.4 assisting with meeting the Committee's reporting requirements.
- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Council's consideration in accordance with:
- 7.1.1 Council's Meeting Procedure Local Law;
 - 7.1.2 Part 4, Division 2 of the *Local Government Act 1989*; and
 - 7.1.3 any resolution of Council made from time to time; and
 - 7.1.4 The Committee's discretion, as exercised from time to time.

- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event, at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee Meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present, by the Committee Chairperson, and forwarded to the Statutory Compliance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance.)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
- 8.1.1 is established; and
 - 8.1.2 has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
- 8.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determines to vary or revoke them.
- 8.3 The Committee will only be dissolved by resolution of Council.

Dated: *[insert date of the Council meeting the ToR was endorsed, after the Council meeting]*

SCHEDULE

Facility Maintenance Schedule - Community Centres

General Items	City of Ballarat Responsibilities	User Responsibilities
Appliances - Hard Wired Council Installed (e.g. hot water service, ovens)	Responsible for service, repair and replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Appliances - Not Hard Wired (e.g. fridges, dishwashers, washing machines)	No Responsibility	Regular cleaning and maintenance. Repair and replacement as required. Testing and Tagging.
Building - Additional Structures (e.g. storage sheds)	Full Responsibility	No Responsibility
Building - Damage/Wear & Tear (caused by occupancy)	No Responsibility	Maintain and repair as required.
Building - External Fittings (e.g. gutters/spouting)	Maintain and repair as required. Programmed gutter cleaning.	To notify Council when maintenance required.
Building - External Structural Elements (e.g. walls/cladding, roof/roofing, windows/doors)	Repair or replacement of elements due to age or structural fault.	To notify Council when maintenance is required. (Responsible for repairs/replacement if due to tenant)
Building - Internal Flooring and Skirting Boards	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building - Internal Structural Elements (e.g. ceilings, walls & doors)	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required. (Responsible for cleaning and repairs if due to tenant)
Building Utilities (e.g. power, water, gas)	No Responsibility	Full Responsibility
Cabinetry - Built In (e.g. kitchen cupboards)	Repair or replacement due to fair wear and tear, or end of useful life.	Responsible for cleaning and replacement if due to damage.
Car Parks - Lighting	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Line Marking	Full Responsibility	To notify Council when maintenance is required.
Car Parks - Maintenance (including paths)	Full Responsibility	To notify Council when maintenance is required.

General Items	City of Ballarat Responsibilities	User Responsibilities
Cleaning - Inside of Building	No Responsibility	Full Responsibility
Cleaning - Surrounds of Building (e.g. grounds, car park, public areas)	No Responsibility	Full Responsibility
Doors - Furniture	Repair or replacement due to fair wear and tear, or end of useful life.	To notify Council when maintenance is required.
Doors - Lock and Key Systems	Repair or replacement due to fair wear and tear, or end of useful life. Issuing of keys to the management group and maintenance of a key register.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement. Payment for any requested improvements, upgrades or new keys.
Doors - Wire Screening	Repair or replacement due to fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.
Drains/Pipes - Grease Traps	No Responsibility	Management of trade waste agreement with Central Highlands Water for cleaning of grease traps. Notify Council of pipe failures.
Drains/Pipes - Sewerage System (including pumped systems)	Responsible for clearing blockages and repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Drains/Pipes - Storm Water System	Maintain and repair as required.	To notify Council when maintenance is required.
Drains/Pipes - Septic Systems	Responsible for clearing blockages, repairs and maintenance.	Responsible for clearing blockages and repairs, if due to reckless or deliberate misuse.
Electrical - Wiring and Fittings	Maintenance and repair of all wiring and fittings.	To notify Council when maintenance is required. (Responsible for repairs if due to deliberate misuse)
Equipment - Internal	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Essential Safety Measures	Full Responsibility	To notify Council when maintenance is required.
Fencing & Gates – Internal	No Responsibility	Maintain and repair as required.
Fencing & Gates – Perimeter	Maintain and repair as required	No Responsibility
Fire Equipment - Detection (e.g. smoke detectors)	Maintain and repair as required.	To notify Council when maintenance is required.
Fire Equipment - Suppression (e.g. fire extinguishers)	Service, maintain and repair as required.	To notify Council if discharged. (Cost to refill or replace due to reckless or deliberate misuse)
Floor Coverings	Repair or replacement due to age and fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Strip, polish and reseal vinyl, timber and tiled floors annually or as per manufactures specification. Annual steam cleaning of carpets.
Food Handling Area	Ensure initial compliance with all relevant regulations for the intended use.	Maintain ongoing compliance with all relevant regulations for the intended use. If the management group changes the use of a kitchen in a way that affects compliance with regulations, it must fund the upgrade of the kitchen to ensure compliance.
Furniture – Internal	No Responsibility	Full Responsibility
Furniture - Outdoor	No Responsibility	Full Responsibility
Gardens - Beds & Lawns/Grass (grounds and nature strips)	No Responsibility	Cutting and maintaining grass, shrubs, garden beds and trees of all areas within the building and fence lines.
Gardens - Paving and Landscaping	No Responsibility	Maintain and repair as required

General Items	City of Ballarat Responsibilities	User Responsibilities
Glass - Windows and Doors	Replacement if due to vandalism.	All cleaning, internal and external. Replacement (or payment for) if due to reckless or deliberate misuse.
Graffiti - External	Full Responsibility	To notify Council of any graffiti.
Graffiti - Internal	No Responsibility	Full Responsibility
Heating and Cooling - Hard Wired/Fixed	Full Responsibility	To notify Council when maintenance is required.
Heating and Cooling - Portable	No Responsibility	Full Responsibility
Hygiene/Sanitary Services	No Responsibility	Full Responsibility
Irrigation of Surrounds	No Responsibility	Full Responsibility
Keys	One set of keys issued to user group/tenant. Locksmith authority required for additional keys, cost to the user group/tenant.	Responsible for all keys issued and to maintain a register of key holders. To annually audit keys and balance with Council's records. Advise Council of lost keys and provide payment for replacement.
Lighting - Exit & Emergency	Full Responsibility	No Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Lighting - External Security (including car park lighting)	Full Responsibility	To notify Council when maintenance is required.
Lighting - Internal Globes and Tubes	Responsible for fittings only (and globes/tubes above 3 meters).	Replacement of all globes/tubes as required.
Painting - External	Full Responsibility	No Responsibility
Painting - Internal	No Responsibility	Full Responsibility
Pest Control	Eradication and management of white ants only.	To keep all areas in a clean and hygienic state. Eradication and management of all pests and vermin, with the exception of white ants.
Play Equipment - General (non-public accessible)	No Responsibility	Full Responsibility
Play Equipment - Playground Council Installed (public accessible)	Full Responsibility	To notify Council when maintenance is required.
Play Equipment – Playground (non-public accessible) (e.g. crash mats, climbing structures, skipping ropes etc.)	No Responsibility	Maintain and repair as required.
Plumbing Fixtures (e.g. taps, basins, cisterns)	Full Responsibility	To notify Council when maintenance is required.
Public Toilets	Full Responsibility Including scheduled cleaning.	To notify Council when maintenance is required and additional cleans if required by user.

General Items	City of Ballarat Responsibilities	User Responsibilities
Rubbish Removal	No Responsibility	Removal of all rubbish/litter within the building, fence lines and external perimeter.
Security System	No Responsibility	Full Responsibility. Installation if required for security purposes, an access code must be issued to Councils Facility Management Department. Day to day operation, issuing and maintaining a list of user codes. Monitoring, alarm responses and associated costs. All maintenance as required.
Shade/Shelter & Additional Structures	Full Responsibility	To notify Council when maintenance is required.
Signs - Advertising & Facility	No Responsibility	Full Responsibility. (No advertising signage to be affixed to any building without Council permission)
Tanks - Rain Water	Full Responsibility	No Responsibility
Testing and Tagging - Portable (non-fixed appliances)	No Responsibility	Full Responsibility
Trees/Shrubs - Over 5 Metres	Full Responsibility	No Responsibility
Tress/Shrubs - Up to 5 Metres	No Responsibility	Full Responsibility
TV Antennas & Cabling	No Responsibility	Full Responsibility

General Items	City of Ballarat Responsibilities	User Responsibilities
Vandalism - External	No responsibility if due to tenant or tenant guest. Otherwise maintenance and repair as required.	If due to user or users' guest, all user responsibility. Otherwise notify Council of maintenance works required.
Vandalism - Internal	No Responsibility	Full Responsibility
Windows - Blinds and Coverings	No Responsibility	Maintain and repair as required.
Windows - Wire Screening	Repair or replacement due to age and normal fair wear and tear, or end of useful life.	All regular cleaning and maintenance. Repairs or replacement (or payment for) due to reckless or deliberate misuse.

Reporting Maintenance Requirements

Contact City of Ballarat on **5320 5500** and request the Facility Management department.

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

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

OFFICER RECOMMENDATION

Council resolves to:

1. Revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Nichola Sleight, effective as at 21 November 2018.
2. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Joanna Cuscaden, effective as at 21 November 2018.
3. Sign and affix Council's Common Seal to the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).

EXECUTIVE SUMMARY

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

Name of Employee	Date Authorisation to be revoked
Nichola Sleight	21 November 2018

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

Name of Employee	Date of Authorisation
Joanna Cuscaden	21 November 2018

RATIONALE

At the Council Meeting held on 14 December 2016 Council resolved R354/16 to endorse the authorisation of Nichola Sleight under the *Planning and Environment Act 1987*. Nichola Sleight is no longer in the role of Senior Strategic Planner and the authorisation requires revocation by Council resolution, to be effective as at 21 November 2018.

Joanna Cuscaden holds the position of Project Manager Urban Renewal and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the Officer to undertake duties authorised by Council, to be effective as at 21 November 2018.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

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

REPORTING AND COMPLIANCE STATEMENTS

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

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

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

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

CONSULTATION

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

OFFICERS DECLARATIONS OF INTEREST

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

ATTACHMENTS

1. S11A Instrument of Appointment and Authorisation - Joanna Cuscaden [9.14.1]

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

Ballarat City Council

**Instrument of Appointment and Authorisation
for Joanna Cuscaden
(*Planning and Environment Act 1987* only)**

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

In this instrument "officer" means -

Joanna Cuscaden

By this instrument of appointment and authorisation Ballarat City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Ballarat City Council
On

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

9.15. S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

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

OFFICER RECOMMENDATION

Council resolves to:

1. Revoke the S6. Instrument of Delegation - Members of Staff endorsed on 12 September 2018 (R262/18).
2. Exercise Councils power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached S6. Instrument of Delegation – Members of Staff.
3. Delegate each duty and/or function and/or power described in column 1 of the Schedule and summarised in column 2 of the Schedule, to the member of Council Staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule.
4. Authorise the S6. Instrument of Delegation – Members of Staff (Attachment 1) to:
 - a) Come into force immediately once the Common Seal of Council is affixed
 - b) Remains 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:

- Change of position title Development Contributions Officer to Coordinator Growth Areas Facilitation;
- Provisions to the new role Administration Officer Growth Areas Facilitation under the *Planning and Environment Act 1987*;
- Provisions to the new role Project Manager Urban Renewal under the *Environment Protection Act 1970* and the *Planning and Environment Act 1987*;

- Provisions to the new role Team Leader Pathways and Drainage under the *Road Management Act 2004*;
- Provisions to the new role Team Leader Road Safety under the *Road Management Act 2004*;
- Provisions to the new role Team Leader Sealed Roads under the *Road Management Act 2004*;
- Provisions to the new role Team Leader Unsealed Roads under the *Road Management Act 2004*;
- Provisions to the new role Road Maintenance Contract Supervisor under the *Road Management Act 2004*; and
- Provisions to the new role Road Maintenance Scheduler under the *Road Management Act 2004*.

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 in attachment 1. Attachment 2 represents the required delegations for the new role Administration Officer Growth Areas Facilitation. Attachment 3 represents the required delegations for the new roles Team Leader Pathways and Drainage, Team Leader Road Safety, Team Leader Sealed Roads, Team Leader Unsealed Roads, Road Maintenance Contract Supervisor and Road Maintenance Scheduler. Attachment 4 represents the required delegations for the new role Project Manager Urban Renewal.

To adopt the amended Instrument, Council must revoke the Instrument that was endorsed at the Council meeting held on 12 September 2018 (R262/18) and endorse the revised Instrument (attachment 1) reflecting changes to conditions and limitations within the *Environment Protection Act 1970*, *Planning and Environment Act 1987* and *Road Management Act 2004*.

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:

- 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 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.

The revised Instrument has updated changes to the conditions and limitations within the *Environment Protection Act 1970*, *Planning and Environment Act 1987* and *Road Management Act 2004*.

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 and periodically monitored 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.

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

CONSULTATION

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

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

OFFICERS DECLARATIONS OF INTEREST

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

REFERENCE DOCUMENTS

- Council Report and Resolution 12 September 2018 (R262/18)

ATTACHMENTS

1. S6 Instrument of Delegation - Members of Staff **[9.15.1]**
2. Provisions for Team Leader Roles, Road Maintenance Contract Supervisor and Road Maintenance Scheduler **[9.15.2]**
3. Provisions for Administration Officer Growth Areas Facilitation **[9.15.3]**
4. Provisions for Project Manager Urban Renewal **[9.15.4]**

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 section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached Schedule, the Council:

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

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

Titles

- AOEH: Administration Officer Environmental Health
- AOGAF: Administration Officer Growth Areas Facilitation
- AOSC: Administration Officer Statutory Compliance
- CAM: Coordinator Asset Management
- CBS: Coordinator Building Services
- CGAF: Coordinator Growth Areas Facilitation
- CID: Coordinator Infrastructure Delivery
- 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
- CTT: Coordinator Traffic and Transport
- DBS: Director Business Services
- DDP: Director Development and Planning
- DFAO: Development Facilitation Administration Officer
- DIE: Director Infrastructure and Environment
- DWWMPO: Domestic Waste Water Management Project Officer
- EHO: Environmental Health Officer
- EMDF: Executive Manager Development Facilitation
- EMEP: Executive Manager Economic Partnerships
- EMI: Executive Manager Infrastructure
- EMMP: Executive Manager Major Projects
- 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
- HSO: Health Services Officer
- MED: Manager Economic Development
- MEH: Manager Environmental Health
- 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
- PSTP: Principal Statutory Planner

- RMCS: Road Maintenance Contract Supervisor
- RMS: Road Maintenance Scheduler
- SAO: Subdivision Administration Officer
- SCO: Statutory Compliance Officer
- SP: Strategic Planner
- SPAO: Strategic Planning Administration Officer
- SSP: Senior Strategic Planner
- SSTP: Senior Statutory Planner
- STP: Statutory Planner
- TLEH: Team Leader Environmental Health
- TLPD: Team Leader - Pathways and Drainage
- TLPSE: Team Leader Parking Services
- TLRs: Team Leader Road Safety
- TLRsATS: Team Leader Regulatory Services - Administration/Technical Support
- TLRsR: Team Leader Sealed Roads
- TLRsUR: Team Leader Unsealed Roads
- TOEH: Technical Officer Environmental Health

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 section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

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

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	
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 this section	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 this section	CPG, DIE, EMOE, EMPSFM	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 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 section 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 section 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 subsections (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.
s.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

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.		right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
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 this section	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	

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.98(1)	function of receiving application to establish or alter a memorial or a place of interment	CPG, DIE, EMOE, EMPSFM	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	CPG, DIE, EMOE, EMPSFM	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	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 section 100(1)	DIE, EMPSFM	
s.100(3)	power to recover costs of taking action under section 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 section 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 section 103(1)	CPG, DIE, EMOE, EMPSFM	
s.103(3)	power to recover costs of taking action under section 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 section 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 section 106(1) is not complied with	DIE, 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(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	CPG, DIE, EMOE, EMPSFM	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	DIE, EMPSFM	
s.108	power to recover costs and expenses	CPG, DIE, EMOE, EMPSFM	
s.109(1)(a)	power to open, examine and repair a place of interment	DIE, EMPSFM	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DIE, EMPSFM	where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	CPG, DIE, EMOE, EMPSFM	where the holder of right of interment or responsible person cannot be found
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	CPG, DIE, EMOE, EMPSFM	
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	CPG, DIE, EMOE, EMPSFM	
s.110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DBS	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	CPG, DIE, EMOE, EMPSFM	

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.112	power to sell and supply memorials	CPG, DIE, EMOE, EMPSFM	
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 section 133 have been complied with	CPG, DIE, EMOE, EMPSFM	Subject to subsection (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 section 150.	CPG, DIE, EMOE, EMPSFM	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	CPG, DIE, EMOE, EMPSFM	
Schedule 1 clause 8(8)	power to regulate own proceedings	CPG, CSS, DIE, EMOE, EMPSFM	where Council is a Class B cemetery trust

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)

subject to clause 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	CC, 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	CSTP, DDP, DIE, DWWMPO, EHO, EMOE, MEH, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP, TLEH, TOEH	
s.53M(4)	duty to advise applicant that application is not to be dealt with	CSTP, DDP, DIE, DWWMPO, EHO, EMOE, MEH, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP, TLEH, TOEH	

Environment Protection Act 1970			
s.53M(5)	duty to approve plans, issue permit or refuse permit	DWWMPO, EHO, MEH, 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	DWWMPO, EHO, MEH, TLEH, TOEH	refusal must be ratified by Council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	DWWMPO, EHO, MEH, 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	EHO, MEH, TLEH	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO, MEH, TLEH	If section 19(1) applies
s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	DIE, EHO, MEH, TLEH	If section 19(1) applies Only in relation to temporary food premises or mobile food premises
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DIE	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, MEH, TLEH	If section 19(1) applies

Food Act 1984			
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	EHO, MEH, TLEH	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, MEH, 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	EHO, MEH, TLEH	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO, MEH, TLEH	where Council is the registration authority
s.19CB(4)(b)	power to request copy of records	EHO, MEH, TLEH	where Council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	EHO, MEH, 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	EHO, MEH, 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	AOEH, EHO, HSO, MEH, TLEH, TLRATS	where Council is the registration authority

Food Act 1984			
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	MEH	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DIE, EHO, MEH, 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	MEH, 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	MEH, TLEH	where Council is the registration authority
	power to register, renew or transfer registration	DIE, EHO, MEH, TLEH	where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	AOEH, EHO, HSO, MEH, TLEH, TLRATS	where Council is the registration authority

Food Act 1984			
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	EHO, MEH	where Council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	AOEH, EHO, HSO, MEH, TLEH, TLRSA	where Council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	DIE, EHO, MEH, TLEH	where Council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	DIE, EHO, MEH, TLEH	where Council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	DIE, EHO, MEH, TLEH	where Council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	DIE, EHO, MEH, TLEH	where Council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	DIE, EHO, MEH, TLEH	where Council is the registration authority
s.38D(3)	power to request copies of any audit reports	AOEH, EHO, HSO, MEH, TLEH, TLRSA	where Council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	DIE, EHO, MEH, TLEH	where Council is the registration authority not exceeding the prescribed time limit defined under subsection (5).

Food Act 1984			
s.38E(4)	duty to register the food premises when conditions are satisfied	DIE, EHO, MEH, TLEH	where Council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	DIE, EHO, MEH, TLEH	where Council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	DIE, EHO, MEH, TLEH	where Council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	DIE, EHO, MEH, TLEH	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	MEH, TLEH	where Council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	MEH, 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	EHO, MEH, 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	EHO, MEH, 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	DIE, EHO, MEH, 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	<p>must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation</p>
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	DDP, DIE, EMDF	
Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.4B	power to prepare an amendment to the Victorian Planning Provisions	CSTP, DDP, DIE, 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, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	

Planning and Environment Act 1987			
s.4H	duty to make amendment to Victoria Planning Provisions available	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.4I	duty to keep Victorian Planning Provisions and other documents availables	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.8A(5)	function of receiving notice of the Minister's decision	CSTP, 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, 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, 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, DDP, DIE, EMDF, MSP, MSTP, PSTP	

Planning and Environment Act 1987			
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the Planning and Environment (Planning Schemes) Act 1996)	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP	
s.12B(1)	duty to review planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.12B(2)	duty to review planning scheme at direction of Minister	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.17(1)	duty of giving copy amendment to the planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.17(2)	duty of giving copy s.173 agreement	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	

Planning and Environment Act 1987			
s.18	duty to make amendment etc. available	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	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 section 19	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.21(2)	duty to make submissions available	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR,	

Planning and Environment Act 1987			
		PSTP, SP, SPAO, SSP	
s.21A(4)	duty to publish notice in accordance with section	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.22	duty to consider all submissions	CSTP, DDP, DFAO, DIE, EMDF, EMEP, EMOE, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	except submissions which request a change to the items in s.22(5)(a) and (b)
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D)	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP	
s.26(1)	power to make report available for inspection	CSTP, DDP, DFAO, DIE, EMDF, MSP,	

Planning and Environment Act 1987			
		MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.26(2)	duty to keep report of panel available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.27(2)	power to apply for exemption if panel's report not received	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.28	duty to notify the Minister if abandoning an amendment	CSTP, 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, 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, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SP, SPAO, SSTP, STP	
s.32(2)	duty to give more notice if required	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSP, MSTP, PMUR, PSTP, SP, SSP	
s.33(1)	duty to give more notice of changes to an amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP	
s.36(2)	duty to give notice of approval of amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.38(5)	duty to give notice of revocation of an amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP	
s.40(1)	function of lodging copy of approved amendment	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.41	duty to make approved amendment available	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	

Planning and Environment Act 1987			
s.42	duty to make copy of planning scheme available	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, 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
s.46AS(ac)	power to request the Victorian Planning Authority (VPA) to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
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	DDP, DIE, EMDF, EMEP	where Council is a responsible public entity

Planning and Environment Act 1987			
	power to endorse the draft Statement of Planning Policy		
s.46AZC(2)	duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	where Council is a responsible public entity
s.46AZK	duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	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	CSTP, DBS, DDP, DIE, EMDF, EMEP, MSTP, PSTP	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	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	AOGAF, CGAF, DIE, EMDF	
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

Planning and Environment Act 1987			
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	
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	
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	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	AOGAF, CGAF, DIE	
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	
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
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	

Planning and Environment Act 1987			
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, CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP	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	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	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	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	AOGAF, CGAF, DBS, DIE, EMDF	where the Council is the planning authority

Planning and Environment Act 1987			
			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, CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP	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	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	AOGAF, CGAF, DBS, DIE, EMDF	where Council is the collecting agency under an approved

Planning and Environment Act 1987			
			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, DBS, DDP, DFAO, DIE, EMDF, MSTP, PSTP	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(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	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	AOGAF, CGAF, DBS, DIE, EMDF	where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
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, CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	<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 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	<p>where Council is the development agency under an approved infrastructure contributions plan</p> <p>this duty does not apply where Council is also</p>

Planning and Environment Act 1987			
			the collecting agency
s.46GZA(1)	duty to keep proper and separate accounts and records	AOGAF, CGAF, DBS, DIE, EMDF	where Council is a development agency under an approved infrastructure contributions plan
s.46GZA(2)	duty to keep the accounts and records in accordance with the Local Government Act 1989	AOGAF, CGAF, CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(3)	duty to follow the steps set out in s.46GZB(3)(a) – (c)	AOGAF, CGAF, DBS, DIE, EMDF	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, DBS, DDP, DIE, EMDF, 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	where Council is the development

Planning and Environment Act 1987			
			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	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZD(5)	duty to make payments under s.46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP	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, DBS, DDP, DIE, EMDF, 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	where Council is the collecting agency under an approved infrastructure contributions plan

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			this duty does not apply where Council is also the development agency
s.46GZE(3)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZE(3)(a) and (b)	AOGAF, CGAF, DBS, DIE, EMDF	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	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	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	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the

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			development agency
s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s.46GZF(5)	AOGAF, CGAF, DBS, DIE, EMDF	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	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	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	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	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	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	

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s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, 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, DDP, DIE, EMDF, 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, DDP, DIE, EMDF, MSTP, PSTP	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, 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, DDP, DIE, EMDF, MSTP, PSTP	
s.46Q(1)	duty to keep proper accounts of levies paid	AOGAF, CGAF, CSTP, DBS, DDP, DFAO, DIE,	

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		EMDF, 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, DBS, DDP, DFAO, DIE, EMDF, 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, DDP, DFAO, DIE, EMDF, 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, DBS, DDP, DIE, EMDF, 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, DBS, DDP, DFAO, DIE, EMDF, 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 approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	AOGAF, CGAF, CSTP, DDP, DIE,	with the consent of, and in the

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		EMDF, MSTP, PSTP	manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	AOGAF, CGAF, CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	
s.46QD	duty to prepare report and give a report to the Minister	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	where Council is a collecting agency or development agency
s.46Y	duty to carry out works in conformity with the approved strategy plan	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.47	power to decide that an application for a planning permit does not comply with that Act	CO, CSTP, DDP, DIE, EMDF, EMEP, MSTP, POC, PSTP	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SPAO, SSTP, STP	
s.49(2)	duty to make register available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SPAO, SSTP, STP	
s.50(4)	duty to amend application	CSTP, DDP, DFAO, DIE, EMDF, EMEP,	

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		MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.50(5)	power to refuse to amend application	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.50(6)	duty to make note of amendment to application in register	CSTP, DDP, DFAO, DIE, EMDF, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.50A(1)	power to make amendment to application	CSTP, DDP, DFAO, DIE, EMDF, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.50A(4)	duty to note amendment to application in register	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SAO, SSTP, STP	
s.51	duty to make copy of application available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP,	

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		MSTP, PSTP, SAO, SSTP, STP	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, 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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	CSTP, DDP, DFAO, DIE,	

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		EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.52(3)	power to give any further notice of an application where appropriate	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.54(1)	power to require the applicant to provide more information	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	

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s.54(1A)	duty to give notice in writing of information required under section 54(1)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SSP, SSTP, STP	
s.54(1B)	duty to specify the lapse date for an application	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR,	

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		PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.57(5)	duty to make available for inspection copy of all objections	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.57A(5)	power to refuse to amend application	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.57A(6)	duty to note amendments to application in register	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SPAO, SSTP, STP	
s.57B(1)	duty to determine whether and to whom notice should be given	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	CSTP, DDP, DIE, EMDF, EMEP,	

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		MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.57C(1)	duty to give copy of amended application to referral authority	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.58	duty to consider every application for a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SPAO, SSTP, STP	
s.58A	power to request advice from the Planning Application Committee	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.60	duty to consider certain matters	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.60(1A)	power to consider certain matters before deciding on application	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR,	

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		PSTP, SP, SSP, SSTP, STP	
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, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	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, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
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, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SSP, 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, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
s.62(1)	duty to include certain conditions in deciding to grant a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR,	

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		PSTP, SP, SSP, SSTP, STP	
s.62(2)	power to include other conditions	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SSP	
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, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR,	

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		PSTP, SP, SPAO, SSP, SSTP, STP	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SPAO, SSP, SSTP, STP	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SPAO, SSP, SSTP, STP	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	CSTP, DDP, DFAO, DIE, EMDF, EMEP,	

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		MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, 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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR,	if the recommending referral authority did not object to

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		PSTP, SAO, SP, SPAO, SSP, SSTP, STP	the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	
s.69(1A)	function of receiving application for extension of time to complete development	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.69(2)	power to extend time	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.70	duty to make copy permit available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, SSTP, STP	

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s.71(1)	power to correct certain mistakes	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP
s.71(2)	duty to note corrections in register	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SPAO, SSTP, STP
s.73	power to decide to grant amendment subject to conditions	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP
s.74	duty to issue amended permit to applicant if no objectors	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP,

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		SPAO, SSP, SSTP, STP	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, 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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP, SPAO, SSP, 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 section 64 or 76	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SAO, SP,	if the recommending referral authority did not object to the amendment of the permit or

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		SPAO, SSP, SSTP, STP	the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.83	function of being respondent to an appeal	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.83B	duty to give or publish notice of application for review	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
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, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
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, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSTP, PSTP, SSTP, STP	
s.84AB	power to agree to confining a review by the Tribunal	AOGAF, CGAF, DBS, DIE, EMDF	
s.86	duty to issue a permit at order of Tribunal within 3 working days	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.91(2)	duty to comply with the directions of VCAT	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.93(2)	duty to give notice of VCAT order to stop development	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.95(3)	function of referring certain applications to the Minister	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	

Planning and Environment Act 1987			
s.95(4)	duty to comply with an order or direction	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	CSTP, DDP, DIE, EMDF, EMEP, 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, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, DDP, DIE, EMDF, EMEP, 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 section 96C	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.96F	duty to consider the panel's report under section 96E	Not Delegated	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)	CSTP, DDP, DIE, EMDF, EMEP, EMMP, MSP, MSTP, PSTP	
s.96H(3)	power to give notice in compliance with Minister's direction	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.96J	power to issue permit as directed by the Minister	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.96K	duty to comply with direction of the Minister to give notice of refusal	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	

Planning and Environment Act 1987			
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, DDP, DIE, EMDF, EMEP, MSTP, POC, PSTP	
s.97C	power to request Minister to decide the application	DDP	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	CSTP, DDP, DIE, EMDF, EMEP, 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, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.97L	duty to include Ministerial decisions in a register kept under section 49	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s.97MH	duty to provide information or assistance to the Planning Application Committee	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	

Planning and Environment Act 1987			
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, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
s.97Q(4)	duty to comply with directions of VCAT	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SAO, SSTP, STP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.101	function of receiving claim for expenses in conjunction with claim	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	

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

Planning and Environment Act 1987			
s.130(5)	power to allow person served with an infringement notice further time	CSTP, DBS, DDP, DIE, EMDF, EMEP, EMRS, MSTP, PSTP	
s.149A(1)	power to refer a matter to the VCAT for determination	CSTP, DDP, DIE, EMDF, EMEP, MSP, 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	CSTP, DDP, DIE, EMDF, EMEP, EMRS, MSP, MSTP, PSTP	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	where Council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
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 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

Planning and Environment Act 1987			
			agency specified in an approved infrastructure contributions plan
s.171(2)(g)	power to grant and reserve easements	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.173(1)	power to enter into agreement covering matters set out in section 174	CSTP, DBS, DDP, DIE, EMDF, MSP, 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 note: this provision is not yet in force and will commence on 1 June 2018, if not proclaimed earlier
	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CSTP, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	
	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CSTP, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP	

Planning and Environment Act 1987			
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, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	
s.178A(1)	function of receiving application to amend or end an agreement	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, 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, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.178A(5)	power to propose to amend or end an agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR,	

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

Planning and Environment Act 1987			
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, 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, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, 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, DDP, DFAO, DIE, EMDF, MSP,	

Planning and Environment Act 1987			
		MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	CSTP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, 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, DDP, DFAO, DIE, EMDF, EMPSFM, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.179(2)	duty to make available for inspection copy agreement	CSTP, 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, DDP, DIE, EMDF, MSTP, PSTP	
s.181(1A) (a)	power to apply to the Registrar of Titles to record the agreement	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s.181(1A) (b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s.182	power to enforce an agreement	CSTP, DDP, DIE, EMDF, EMRS, MSTP, PSTP	

Planning and Environment Act 1987			
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, SSTP, STP	
s.184G(2)	duty to comply with a direction of the Tribunal	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	
s.184G(3)	duty to give notice as directed by the Tribunal	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SPAO, SSP, SSTP, STP	

Planning and Environment Act 1987			
s.198(1)	function to receive application for planning certificate	CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	
s.199(1)	duty to give planning certificate to applicant	CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP, SPAO, SSTP, STP	
s.201(1)	function of receiving application for declaration of underlying zoning	CSTP, DDP, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s.201(3)	duty to make declaration	CSTP, 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, DDP, DIE, EMDF, MSP, MSTP, PMUR, PSTP, SP, SSP, 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, DDP, DIE, EMDF, MSTP, 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, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
	power to give written authorisation in accordance with a provision of a planning scheme	CSTP, DDP, EMEP, MSTP, PSTP	
s.201UAB (1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district	Not Delegated	
s.201UAB	duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible	Not Delegated	

Planning and Environment Act 1987			
(2)			
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 this section	DDP, DIE, EMI, EMOE	where Council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DDP, 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 section 33(1)	DDP, DIE, EMI, EMOE	where Council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	DDP, 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, DDP, DIE, EMI, EMOE	where Council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DDP, DIE, EMOE	where Council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DDP, DIE, EMOE	where Council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	CRM, DDP, DIE, EMI, EMOE	where Council is the relevant road authority

Rail Safety (Local Operations) Act 2006			
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	CRM, DDP, 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	DDP, DIE, EMI, EMOE	where Council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	CRM, DDP, 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 section 34D(2)(a)	CRM, DDP, 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, DDP, DIE, EMI, EMOE	where Council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	CRM, DDP, DIE, EMI, EMOE	where Council is the relevant road authority
s.34I	function of entering into safety interface agreements	DDP, DIE, EMI, EMOE	where Council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	DDP, 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 section 34J(5)	DDP, DIE, EMI, EMOE	where Council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (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	AOEH, EHO, HSO, MEH, TLRSATS, TOEH	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	EMRS, MEH	
s.142G(2)	power to enter certain information in the Rooming House Register	AOEH, EHO, HSO, MEH, 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	AOEH, EHO, HSO, MEH, TLEH, TLRSATS, TOEH	
s.252	power to give tenant a notice to vacate rented premises if subsection (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	DDP, 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	CBS, EHO, EMRS, MEH, TLEH, TOEH	
s.522(1)	power to give a compliance notice to a person	CBS, EHO, EMRS, MEH, TLEH, TOEH	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	DIE	
s.525(4)	duty to issue identity card to authorised officers	AOSC	
s.526(5)	duty to keep record of entry by authorised officer under section 526	CBS, EHO, EMRS, MEH, TLEH, TOEH	

Residential Tenancies Act 1997			
s.526A(3)	function of receiving report of inspection	AOEH, EHO, HSO, MEH, TLEH, TLRATS, TOEH	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CBS, EHO, EMRS, MEH, 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	DDP, DIE, EMDF, EMI, EMOE	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	DDP, DIE, EMDF, EMI, EMOE	
s.11(9)(b)	duty to advise Registrar	DDP, DIE, EMDF, EMI, EMOE	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DDP, DIE, EMDF, EMI, EMOE	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DDP, DIE, EMDF, EMI, EMOE	where Council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	DDP, DIE, EMDF, EMI, EMOE, MSP	were Council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DDP, DIE, EMDF, EMI, EMOE	power of coordinating road authority where it is the discontinuing body

Road Management Act 2004			
			unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	DDP, DIE, EMDF, EMI, EMOE	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	DDP, DIE, EMDF, EMI, EMOE	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DDP, DIE, EMDF, EMI, EMOE	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DDP, 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	DDP, DIE, EMDF, EMI, EMOE	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	CTT, DDP, DIE, EMDF, EMI, EMOE	
s.14(7)	power to appeal against decision of VicRoads	CAM, CTT, DDP, 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, DDP, 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 section 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 section 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 section 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 section 22 by the Minister in its annual report.	DDP, DIE, EMOE	
s.22(5)	duty to give effect to a direction under this section.	DDP, 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, 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 Schedule 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

Road Management Act 2004			
			Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	CAM, DDP, 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	CTT, DDP, 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)	DDP, 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 section 48M	DDP, 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, TLPD, TLRS, TLSR, TLUR	where Council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CAM, CRM, EMI, MEH, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	where Council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 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, CRM, CTT, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLPSE, TLRs, TLRs, TLUR	
s.72	duty to issue an identity card to each authorised officer	AOSC, CRC, DBS, EMSRCS, SCO	
s.85	function of receiving report from authorised officer	DIE, EMDF, EMI	
s.86	duty to keep register re section 85 matters	DIE, EMDF, EMI	
s.87(1)	function of receiving complaints	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLRs, TLUR	
s.87(2)	duty to investigate complaint and provide report	CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLRs, TLUR	

Road Management Act 2004			
s.112(2)	power to recover damages in court	CRC, CRM, DIE, EMDF, EMI, 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	DDP, DIE, EMDF, EMI, EMOE	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DDP, DIE, EMDF, EMI, EMOE	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 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, DDP, DIE, EMDF, EMI, EMOE	
s.122(1)	power to charge and recover fees	CAM, DDP, 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	

Road Management Act 2004			
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	CAM, DIE, EMDF, EMI	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Not Delegated	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Not Delegated	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	CAM, DIE, EMDF, EMI	
Schedule 2 Clause 5	duty to publish notice of declaration	CAM, DIE, EMDF, EMI	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CAM, DIE, EMDF, EMI	where Council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CAM, DIE, EMDF, EMI	where Council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLR, TLUR	where Council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CAM, DIE, EMDF, EMI	where Council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAM, DIE, EMDF, EMI	where Council is the infrastructure manager or works manager

Road Management Act 2004			
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7 Clause 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
Schedule 7 Clause 12(5)	power to recover costs	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	CAM, DIE, EMDF, EMI	where Council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	CAM, DIE, EMDF, EMI	where Council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	CAM, DDP, DIE, EMDF, EMI, EMOE	where Council is the coordinating road authority, responsible authority or infrastructure manager

Road Management Act 2004			
Schedule 7 Clause 16(5)	power to consent to proposed works	CAM, DDP, DIE, EMDF, EMI, EMOE	where Council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	CAM, DDP, DIE, EMDF, EMI, EMOE	where Council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	CAM, DDP, DIE, EMDF, EMI, EMOE	where Council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CAM, DIE, EMDF, EMI	where Council is the coordinating road authority
Schedule 7A Clause 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

Road Management Act 2004			
Schedule 7A Clause 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
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DIE, EMDF, EMI	where Council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	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

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(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	
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, EMPSFM	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CPG, 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, EMOE, EMPSFM	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	CPG, EMOE, EMPSFM	
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	CPG, 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)			
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 8	power to approve certain mementos on a memorial	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	CPG, 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)			
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	CPG, EMOE, EMPSFM	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	CPG, 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, 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, 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, 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	EHO, MEH, TLEH, TOEH	
r.11	function of receiving application for registration	AOEH, EHO, HSO, MEH, TLEH, TLRATS, TOEH	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, MEH, TLEH, TOEH	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, MEH, TLEH, TOEH	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, MEH, TLEH	
r.13(4) & (5)	duty to issue certificate of registration	EHO, MEH, TLEH, TOEH	
r.15(1)	function of receiving notice of transfer of ownership	AOEH, EHO, HSO, MEH, TLEH, TLRATS, TOEH	
r.15(3)	power to determine where notice of transfer is displayed	EHO, MEH, TLEH, TOEH	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r.16(1)	duty to transfer registration to new caravan park owner	EHO, MEH, TLEH, TOEH	
r.16(2)	duty to issue a certificate of transfer of registration	EHO, MEH, TLEH, TOEH	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	EHO, EMPSFM, MEH, TLEH	
r.18	duty to keep register of caravan parks	MEH, TLEH	
r.19(4)	power to determine where the emergency contact person's details are displayed	EHO, MEH, TLEH, TOEH	
r.19(6)	power to determine where certain information is displayed	EHO, MEH, 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	EHO, MEH, TLEH, TOEH	
r.22A(2)	duty to consult with relevant emergency services agencies	EHO, MEH, TLEH, TOEH	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, MEH, TLEH, TOEH	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, MEH, TLEH, TOEH	
r.25(3)	duty to consult with relevant floodplain management authority	EHO, MEH, TLEH, TOEH	
r.26	duty to have regard to any report of the relevant fire authority	EHO, MEH, TLEH, TOEH	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, MEH, TLEH, TOEH	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	AOEH, EHO, EMRS, HSO, MEH, TLEH, TLRSATS, TOEH	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DIE, EMRS	
r.40(4)	function of receiving installation certificate	DIE, EMRS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DIE, EMRS	
Schedule 3 clause 4(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 section 41 of the Act	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
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

Road Management (General) Regulations 2016			
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 section 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
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	CRC, DIE, EMDF, EMI, EMOE, EMSRCS	where Council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	CRC, DIE, EMDF, EMI, EMOE, EMSRCS	where Council is the coordinating road authority

Provisions for:

Team Leader Pathways and Drainage (TLPD)
 Team Leader Road Safety (TLRS)
 Team Leader Sealed Roads (TLRS)
 Team Leader Unsealed Roads (TLUS)
 Road Maintenance Contract Supervisor (RMCS)
 Road Maintenance Scheduler (RMS)

S6 Instrument of Delegation - Members of Staff - Road Management Act 2004			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.40(1)	duty to inspect, maintain and repair a public road.	DIE, EMOE, CRM, EMDF, EMI, RMCS, TLUR, TLR, TLPD, TLRS, RMS	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DIE, EMOE, CRM, EMDF, EMI, RMCS, TLUR, TLR, TLPD, TLRS, RMS	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DIE, EMOE, CAM, CRM, EMDF, EMI, RMCS, TLUR, TLR, TLPD, TLRS, RMS	
s.63(1)	power to consent to conduct of works on road	EMOE, CAM, CRM, EMI, RMCS, TLUR, TLR, TLPD, TLRS, RMS	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	MEH, CAM, CRM, EMI, RMCS, TLUR, TLR, TLPD, TLRS, RMS	where Council is the infrastructure manager

S6 Instrument of Delegation - Members of Staff - Road Management Act 2004

s.71(3)	power to appoint an authorised officer	DIE, EMOE, CAM, CID, CRM, CTT, EMDF, EMI, TLPSE, RMCS, TLUR, TLSR, TLPD, TLRs, RMS
s.87(1)	function of receiving complaints	DIE, EMOE, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs, RMS
s.87(2)	duty to investigate complaint and provide report	DIE, DBS, EMOE, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs, RMS
s.112(2)	power to recover damages in court	DIE, EMOE, EMSRCS, CRC, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs
s.116	power to cause or carry out inspection	DIE, EMOE, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs, RMS
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DIE, EMOE, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs, RMS
s.123(1)	power to charge for any service	DIE, DBS, EMOE, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs, RMS

S6 Instrument of Delegation - Members of Staff - Road Management Act 2004

Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DIE, EMOE, CAM, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs, RMS	where Council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DIE, EMOE, CAM, CRM, EMDF, EMI, RMCS, TLUR, TLSR, TLPD, TLRs, RMS	where Council is the coordinating road authority

Provisions for Administration Officer Growth Areas Facilitation (AOGAF)

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	DIE, CGAF, EMDF, AOGAF	
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	DIE, CGAF, EMDF, AOGAF	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	DIE, CGAF, EMDF, AOGAF	
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	DIE, CGAF, EMDF, AOGAF	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	DIE, CGAF, AOGAF	
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	DIE, CGAF, AOGAF	
s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, CGAF, EMDF, PSTP, PMUR, AOGAF	where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the collecting agency
s.46GY(2)	duty to keep the accounts and records in accordance with the Local Government Act 1989	DIE, DBS, CGAF, EMDF, AOGAF	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	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the collecting agency under an approved infrastructure contributions plan

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

			this duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	DIE, DBS, CGAF, EMDF, AOGAF	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	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, CGAF, EMDF, PSTP, PMUR, AOGAF	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	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the development agency under an approved infrastructure contributions plan this provision

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

			does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	DIE, DBS, CGAF, EMDF, AOGAF	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	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF	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(5)	function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is

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

			also the collecting agency
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	DIE, DBS, CGAF, EMDF, AOGAF	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	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, CGAF, EMDF, DFAO, PSTP, PMUR, AOGAF	if any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the development agency under

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

			<p>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	DIE, DBS, CGAF, EMDF, AOGAF	where Council is a development agency under an approved infrastructure contributions plan
s.46GZA(2)	duty to keep the accounts and records in accordance with the Local Government Act 1989	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF	where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(3)	duty to follow the steps set out in s.46GZB(3)(a) – (c)	DIE, DBS, CGAF, EMDF, AOGAF	where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(4)	duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF	<p>if the VPA is the collecting agency under an approved infrastructure contributions plan</p> <p>where Council is</p>

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

			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)	DIE, CGAF, EMDF, AOGAF	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)	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZD(5)	duty to make payments under s.46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, CGAF, EMDF, PSTP, PMUR, AOGAF	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	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also

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

			the collecting agency
s.46GZE(2)	function of receiving the unexpended land equalisation amount	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZE(3)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZE(3)(a) and (b)	DIE, DBS, CGAF, EMDF, AOGAF	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	DIE, DBS, CGAF, EMDF, AOGAF	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)	DIE, DBS, CGAF, EMDF, AOGAF	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	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the collection

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

			agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency
s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s.46GZF(5)	DIE, DBS, CGAF, EMDF, AOGAF	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)	DIE, DBS, CGAF, EMDF, AOGAF	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	DIE, DBS, CGAF, EMDF, AOGAF	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DIE, DBS, CGAF, EMDF, AOGAF	where Council is a collecting agency or development agency

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

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)	DIE, DBS, CGAF, EMDF, AOGAF	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	CSTP, DDP, DIE, MSTP, STP, CGAF, EMDF, DFAO, PSTP, SSTP, AOGAF	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF	
s.46Q(1)	duty to keep proper accounts of levies paid	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF	

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

s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CSTP, DDP, DIE, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF	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)	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, DFAO, PSTP, AOGAF	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(e)	duty to expend that amount on other works etc.	CSTP, DDP, DIE, MSTP, CGAF, EMDF, PSTP, AOGAF	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	CSTP, DDP, DIE, DBS, MSTP, CGAF, EMDF, PSTP, AOGAF	

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

s.84AB	power to agree to confining a review by the Tribunal	DIE, DBS, CGAF, EMDF, AOGAF	
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Provisions for Project Manager Urban Renewal (PMUR)

S6 Instrument of Delegation - Members of Staff - Environment Protection Act 1970			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.53M(3)	power to require further information	CSTP, DWWMPO, DDP, DIE, EHO, EMOE, MEH, MSTP, SP, STP, TLEH, TOEH, SSP, MSP, SPAO, PSTP, SSTP, PMUR	
s.53M(4)	duty to advise applicant that application is not to be dealt with	CSTP, DWWMPO, DDP, DIE, EHO, EMOE, MEH, MSTP, SP, STP, TLEH, TOEH, SSP, MSP, SPAO, PSTP, SSTP, PMUR	
S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.4H	duty to make amendment to Victoria Planning Provisions available	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.4I	duty to keep Victorian Planning Provisions and other documents availables	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.17(1)	duty of giving copy amendment to the planning scheme	CSTP, DDP, DIE, MSTP, SP, SSP,	

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

		EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s.17(2)	duty of giving copy s.173 agreement	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s.18	duty to make amendment etc. available	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	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

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

			acquiring authority.
s.21(2)	duty to make submissions available	CSTP, DDP, DIE, MSTP, SP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s.21A(4)	duty to publish notice in accordance with section	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s.22	duty to consider all submissions	CSTP, DDP, DIE, EMOE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	except submissions which request a change to the items in s.22(5)(a) and (b)
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D)	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, EMDF, PSTP, PMUR	
s.26(1)	power to make report available for inspection	CSTP, DDP, DIE, MSTP, SP, SSP,	

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

		MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s.26(2)	duty to keep report of panel available for inspection	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.32(2)	duty to give more notice if required	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, EMDF, PSTP, PMUR	
s.33(1)	duty to give more notice of changes to an amendment	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, EMDF, PSTP, PMUR	
s.36(2)	duty to give notice of approval of amendment	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s.38(5)	duty to give notice of revocation of an amendment	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, EMDF, PSTP, PMUR	
s.40(1)	function of lodging copy of approved amendment	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF,	

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

		DFAO, PSTP, PMUR	
s.41	duty to make approved amendment available	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s.42	duty to make copy of planning scheme available	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.46AZC (2)	duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	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, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	where Council is a responsible public entity
s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, CDC, EMDF, PSTP, PMUR	where Council is 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	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, CDC, EMDF, PSTP, PMUR	where Council is the collecting agency under an approved infrastructure contributions plan

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			this provision does not apply where Council is also the relevant development agency
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	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, CDC, EMDF, DFAO, PSTP, PMUR	<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 infrastructure contributions plan</p> <p>this duty does not apply where Council is also the development agency</p>
s.46GZD(5)	duty to make payments under s.46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP,	where Council is the collecting agency under an approved

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		CDC, EMDF, PSTP, PMUR	infrastructure contributions plan
s.50(4)	duty to amend application	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.50(5)	power to refuse to amend application	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	
s.50(6)	duty to make note of amendment to application in register	CSTP, DDP, DIE, MSTP, SP, STP, SSP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.50A(1)	power to make amendment to application	CSTP, DDP, DIE, MSTP, SP, STP, SSP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	

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s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(3)	power to give any further notice of an application where appropriate	CSTP, DDP, DIE, MSTP, SP, STP,	

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		SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.54(1)	power to require the applicant to provide more information	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	CSTP, DDP, DIE, MSTP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	
s.54(1B)	duty to specify the lapse date for an application	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	

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s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.57(5)	duty to make available for inspection copy of all objections	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.57A(5)	power to refuse to amend application	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	

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s.57B(1)	duty to determine whether and to whom notice should be given	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	
s.57C(1)	duty to give copy of amended application to referral authority	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.60	duty to consider certain matters	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, MSP, EMDF, PSTP, SSTP, PMUR	
s.60(1A)	power to consider certain matters before deciding on application	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, MSP, EMDF, PSTP, SSTP, PMUR	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	
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, DDP, DIE, MSTP, SP, STP, SSP, EMEP, MSP, EMDF,	the permit must not be inconsistent with a cultural heritage

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		PSTP, SSTP, PMUR	management plan under the Aboriginal Heritage Act 2006
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, DDP, DIE, MSTP, SP, STP, SSP, EMEP, MSP, EMDF, PSTP, SSTP, PMUR	
s.62(1)	duty to include certain conditions in deciding to grant a permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	
s.62(2)	power to include other conditions	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, EMDF, PSTP, SSTP, PMUR	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, PSTP, SSTP, PMUR	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, EMDF, PSTP, PMUR	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, EMDF, PSTP, PMUR	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, EMDF, PSTP, PMUR	

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s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	CSTP, DDP, DIE, MSTP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	CSTP, DDP, DIE, MSTP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP,	

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		SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	if the recommending referral authority did not object to the grant of the permit or the recommending

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			referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.69(1A)	function of receiving application for extension of time to complete development	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.69(2)	power to extend time	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, PSTP, SSTP, PMUR	
s.70	duty to make copy permit available for inspection	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.71(1)	power to correct certain mistakes	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	

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s.73	power to decide to grant amendment subject to conditions	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, PSTP, SSTP, PMUR	
s.74	duty to issue amended permit to applicant if no objectors	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	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

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			recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	CSTP, DDP, DIE, MSTP, SP, STP, SSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.97MH	duty to provide information or assistance to the Planning Application Committee	CSTP, DDP, DIE, MSTP, SP, SSP, EMEP, MSP, SPAO, EMDF,	

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		DFAO, PSTP, PMUR	
s.178A(1)	function of receiving application to amend or end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.178A(5)	power to propose to amend or end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF,	

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		DFAO, PSTP, SSTP, PMUR	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	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, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	After considering objections, submissions and matters in s.178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	After considering objections, submissions and matters in s.178B

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s.178E(3) (c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	After considering objections, submissions and matters in s.178B
s.178E(3) (d)	power to refuse to amend or end the agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	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, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, DDP, DIE, MSTP, EMPSFM, SP, STP, SSP,	

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		MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	
s.184G(2)	duty to comply with a direction of the Tribunal	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.184G(3)	duty to give notice as directed by the Tribunal	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	

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	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CSTP, DDP, DIE, MSTP, SP, STP, SSP, MSP, EMDF, PSTP, SSTP, PMUR	
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9.16. OUTSTANDING QUESTION TIME ITEMS

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

OFFICER RECOMMENDATION

That Council endorses the Outstanding Question Time report.

EXECUTIVE SUMMARY

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

RATIONALE

The City of Ballarat Local Law No. 18 – Meeting Procedure calls for a standard agenda item at each Council Meeting that reflects unanswered questions from Public Question Time.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- City of Ballarat Local Law No. 18 – Meeting Procedure.

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. Outstanding Question Time Items **[9.16.1]**

Outstanding Question Time Items

Meeting	Status	Requested	Question	Officer Responsible	Response
24/10/18 QT64/18	Open	Mr Ian Humphrey Redan	In relation to the three million spent on the Her Majesty's Theatre project, what are the economic benefits Ballarat Council will receive in the future?	Angelique Lush Director Development and Planning	Taken on notice.
24/10/18 QT66/18	Open	Mr Stuart Kelly Ballarat	On tonight's agenda we have Council's Annual Report. On page 94 of the agenda under Material and Services we find expenditure on consultants of \$606,000 for 2017 and \$463,000 for 2018. What were the tasks carried out by consultants in these years? Did they include such things as the Health Knowledge and City Precinct Masterplan?	Glenn Kallio Director Business Services	Taken on notice.

10. NOTICE OF MOTION

I hereby give notice that at the Ordinary Meeting of Council on 21 November 2018 I will propose the following motion:

That Council

- 1. Notes the recent October 2018 Intergovernmental Panel on Climate Change (IPCC) report on climate change.**
- 2. Notes the successful motion to the Municipal Association Victoria (MAV) April 2017 to recognise that we are in a state of 'climate emergency' that requires urgent action by all levels of government, including local councils.**
- 3. Acknowledges the 'climate emergency' and the need for urgent action by all levels of government, including local councils.**
- 4. Acknowledge the need for priority resourcing of the carbon neutral and 100% renewables action plan and prioritisation of initiatives that move us towards carbon neutrality and 100% renewables.**
- 5. Councillors receive a briefing from officers on how to best act on this 'climate emergency' acknowledgment and ensure that this is embedded into the 'carbon neutrality and 100% renewables action plan', council plan review and future strategies.**

Cr Belinda Coates

ATTACHMENTS

1. Notice of Motion - Cr Belinda Coates **[10.0.1]**



COUNCILLORS NOTICE OF MOTION FORM

(In accordance with Division 4, Clause 34, Ballarat City Council Local Law No. 18 – Meeting Procedure Local Law)

TO: Chief Executive Officer – City of Ballarat
FROM: Cr Belinda Coates
DATE: 8/11/2018

I hereby give notice that at the Ordinary Meeting of Council on 21 November 2018 I will propose the following motion:

THAT Council:

1. Notes the recent October 2018 Intergovernmental Panel on Climate Change (IPCC) report on climate change.
2. Notes the successful motion to the Municipal Association Victoria (MAV) April 2017 to recognise that we are in a state of 'climate emergency' that requires urgent action by all levels of government, including local councils.
3. Acknowledges the 'climate emergency' and the need for urgent action by all levels of government, including local councils.
4. Acknowledge the need for priority resourcing of the carbon neutral and 100% renewables action plan and prioritisation of initiatives that move us towards carbon neutrality and 100% renewables.
5. Councillors receive a briefing from officers on how to best act on this 'climate emergency' acknowledgment and ensure that this is embedded into the 'carbon neutrality and 100% renewables action plan', council plan review and future strategies

Belinda Coates

Signed:.....
(Signature of Councillor)

Dated: 08 November 2018

Extracts from Local Law 18 – Meeting Procedure.

34 Councillors may propose Notices of Motion

34.1 Prior to a Council Meeting, Councillors wanting to include a matter on the Agenda, must complete a Councillor’s Notice of Motion form.

34.2 A Notice of Motion form must be signed by the Councillor, and be lodged with the Chief Executive Officer to allow sufficient time for him or her to give each other Councillor notice of such Notice of Motion and to allow sufficient time for the Notice of Motion to be put in the Agenda for the next Council Meeting. Provided this is done not less than one working day before the agenda is provided to the Councillors and the public. e.g. Received by 4 pm the Thursday before Friday delivery to Councillors.

34.3 The Chief Executive Officer may reject any Notice of Motion which is vague or unclear in intention, but must:
 34.3.1 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
 34.3.2 notify in writing the Councillor who lodged it of the rejection and reasons for the rejection.

34.4 The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the material accompanying the Agenda.


34.5 The Chief Executive Officer must cause all Notices of Motion to be numbered, dated and entered in the Notice of Motion book in the order in which they were received.

34.6 Except by leave of Council, each Notice of Motion, before any Council Meeting, must be considered in the order in which they were received by the Chief Executive Officer.

34.7 If a Councillor who has given a Notice of Motion is absent from the Council Meeting or fails to move the motion when called upon by the Chairperson, any other Councillor may move the motion.

34.8 If a Notice of Motion is not moved at the Council Meeting at which it is listed, it lapses.

Office Use Only

Notice Received	Date 08 November 2018
Notice <u>accepted</u> / rejected by CEO (please circle)	Date:- 08 November 2018 Signature:- 
Notice Given To Councillors	Date:- Signature:-
Date of Meeting	21/11/18
Notice Number	2018/4

11. URGENT BUSINESS

12. SECTION 89 (IN CAMERA)

9.5 INTER DOMINION TOURISM EVENT FUNDING BUDGET

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

(Contractual matters)

9.6 BALLARAT BEER FESTIVAL TOURISM EVENT FUNDING BUDGET

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

(Contractual matters)

9.7 ORGANS OF THE BALLARAT GOLDFIELDS TOURISM EVENT BUDGET

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

(Contractual matters)

9.10 RECOMMENDATION OF ARTWORK FOR STURT STREET GARDENS - GEORGE TRELOAR MEMORIAL

Division: Development and Planning
Director: Angelique Lush
Author/Position: Kate Gerritsen – Public Art Coordinator

(Contractual matters)

12.1 2018/19-40 ARMSTRONG STREET NORTH

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Robin Hand – Contracts Administration Officer

(Contractual matters)

13. CLOSE